

NYT: FALSE BANALITY IS NOT EVIL

The NYT is awed by the meticulous bureaucracy the Bush Administration imposed on its torture regime, suggesting that banality somehow makes torture right.

The first news reports this week about hundreds of pages of newly released documents on the C.I.A. program focused on aberrations in the field: threats of execution by handgun or assault by power drill; a prisoner lifted off the ground by his arms, which were tied behind his back; another detainee repeatedly knocked out with pressure applied to the carotid artery.

But the strong impression that emerges from the documents, many with long passages blacked out for secrecy, is by no means one of gung-ho operatives running wild. It is a portrait of overwhelming control exercised from C.I.A. headquarters and the Department of Justice – control Bush administration officials say was intended to ensure that the program was safe and legal.

Managers, doctors and lawyers not only set the program's parameters but dictated every facet of a detainee's daily routine, monitoring interrogations on an hour-by-hour basis. From their Washington offices, they obsessed over the smallest details: the number of calories a prisoner consumed daily (1,500); the number of hours he could be kept in a box (eight hours for the large box, two hours for the small one); the proper time when his enforced nudity should be ended and his clothes returned.

But the NYT has been, sadly, snookered by a

spectacular—but deceptive—display of bureaucracy.

That's true, first of all, for the same reason that the abundance of details in the CIA torture documents have always been deceptive. We've known since April that all the details that John Yoo put into the original Bybee memo did nothing to ensure that those details would be followed. The details Shane and Mazzetti boast of are all requirements put into place as it became clear that the torture program was out of control. Yet given the absence of another IG review of the torture program—or better yet, an independent assessment from an outsider—there's no reason to believe that the two weeks training that CIA eventually required of its interrogators would guarantee that they performed the interrogations as the detailed requirements laid out. In other words, the NYT is confusing documents prescribing certain actions with actions themselves—and no one, as far as I know, has done a review to see whether the actions matched the detailed procedures laid out in documents.

And then there's the presentation of these details with little context with regards to time, as if there wasn't a history of the CIA fudging the details. There is evidence, for example, that the CIA relied on one description of waterboarding but got approval for a completely different one. There is evidence they expanded on the initial authorization for torture by working with a free-lancing John Yoo, rather than OLC formally. Once it became clear what the CIA had done with the Bybee Two memo, OLC started asking for requests in detail, in writing, every time CIA wanted advice. OLC had to make such requests repeatedly. There was a fairly arbitrary playing with those details, presumably so OLC could prove it had been strict with the CIA. Yet the NYT would have you believe that the details prove CIA was operating in good faith and rationally.

Then there are the details with which NYT leads

its article: limits on ambient light, white noise.

Two 17-watt fluorescent-tube bulbs – no more, no less – illuminated each cell, 24 hours a day. White noise played constantly but was never to exceed 79 decibels.

NYT gets so entranced with the details that it seems to miss the kabuki that is going on here—these details and these techniques are, one by one, being presented as security necessities rather than—as they explicitly were deemed earlier in the torture program—methods to impose learned helplessness through sensory deprivation. And so the CIA distracts two professional reporters with two 17-watt bulbs who apparently do not notice that the program remains one about imposing arbitrary power rather than eliciting real cooperation.

Yet all the bureaucratic niceties in the world does not make torture right.