

# YOUR DAILY WAPO TORTURE APOLOGY DEBUNKING

I will say this for today's daily installment of the WaPo torture apology. The WaPo's two spook reporters, Walter Pincus and Joby Warrick, at least note—in paragraph 10—that having Buzzy Krongard speak for everyone at CIA might not be logically valid.

It is impossible to extrapolate from the small sample contacted by Washington Post reporters about the effect the varied inquiries are having on the thousands of agency employees, more than one-third of whom are spread around the world. But among the dozens of officials who were part of the program and either remain active or have retired, feelings run high about how the White House and the Justice Department have handled the issue.

But they never get around to challenging Buzzy and their other sources themselves. They never point out that a lot of the whining their sources do is either transparently bogus or just plain whining. And they present numerous sources from the CIA itself debunking the cries of low morale from the torture apologists, yet still let the torture apologists dictate Pincus and Warrick's conclusion that the torture investigation has and will devastate CIA morale.

Take the claimed worries about whether the legal advice from one Administration carries over to another one.

A much-discussed question is whether the legal reassurances of one administration carry over to its successor. "When a previous administration says something was legal, and the next says it doesn't matter, the result is hesitancy to take

on cutting-edge missions," the former senior official warned.

I can't count the number of times that Obama Administration officials have stated that no one who followed John Yoo's transparently bad legal advice will be prosecuted, but here's how Eric Holder reiterated that point in his announcement of the investigation.

Further, [the men and women in our intelligence community] need to be protected from legal jeopardy when they act in good faith and within the scope of legal guidance. That is why I have made it clear in the past that the Department of Justice will not prosecute anyone who acted in good faith and within the scope of the legal guidance given by the Office of Legal Counsel regarding the interrogation of detainees. I want to reiterate that point today, and to underscore the fact that this preliminary review will not focus on those individuals.

Yet Pincus and Warrick simply print that complaint, without pointing out the entire premise of it is wrong.

Then there's an anonymous spook's attempt to establish a false equivalency between the non-release of the DOD abuse photos and last Monday's release of documents with all non-detainee names protected and the announcement of a review of the abuses portrayed in the documents.

Another former top official said senior managers detect a double standard. He pointed out that Attorney General Eric H. Holder Jr. supported Obama's decision not to release photos of military abuses of detainees in Afghanistan and Iraq because they would harm military operations in Iraq and Afghanistan. "The

warning that CIA operations would be made more difficult were disregarded," former official said.

Never mind that a better parallel with this recent release is the release of the SASC report—which like the IG Report, catalogued abuses, kept the most extreme of those redacted, but included no pictures. Never mind that the CIA already destroyed the closest equivalent to the detainee abuse—the videos of Abu Zubaydah and al-Nashiri being tortured; recall they did so using precisely the excuse that CIA officers' identities had to be protected even though they probably destroyed the tapes to hide crimes. Never mind that, as with the DOD abuse photos, DOJ has thus far refused to release the sole photograph—a picture of Abu Zubaydah from October 2002—included in this FOIA. Never mind that some of the deaths have been investigated on the military side, only to find that the CIA, not the Navy Seals, killed the detainees in question.

The simple fact is that DOD has already undergone more scrutiny for its role in detainee abuse than the CIA, without wailing like babies that their entire world is collapsing (which is not to say they don't deserve more scrutiny). Yet Pincus and Warrick let their sources make this false equivalency unchallenged.

And then there's this weird claim, that the Administration thought the torture story would be a two-day story.

One former senior official said President Obama was warned in December that release of the Justice Department memos sanctioning harsh interrogation methods would create an uproar that could not be contained. "They [the White House] thought that it would be a two-day story; they were wrong," this official said.

That's funny. Because Holder, at least, was disappointed that the release of the memos **was** just a two-day story.

But they'd miscalculated. The memos had already received such public notoriety that the new details in them did not shock many people. (Even the revelation, a few days later, that 9/11 mastermind Khalid Sheikh Mohammed and another detainee had been waterboarded hundreds of times did not drastically alter the contours of the story.)

Frankly, I suspect this story would be a two-day story going forward if Buzzy Krongard and Dick Cheney weren't taking to every media outlet to bitch and moan.

Point after point after point in this article simply do not make sense.

Now, maybe Pincus and Warrick think they're doing the torture apologists a favor by printing their patently false complaints with no challenge. But really. At some point, the portrayal of the CIA as a bunch of whiners inventing reasons to be hysterical is going to have a detrimental effect on the morale of those thousands of silent CIA employees busy doing their jobs.