

THE TORTURE APOLOGISTS IGNORE THE 4,000 AMERICANS THEY KILLED



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Saletan for the latter's attempt to "see how [the torturers] saw what they did" in this post. Frankly, I think Rosen mischaracterizes the problem with Saletan's post. It's not so much that Saletan parrots the euphemisms of the torturers. It's that he accepts what John Rizzo, Michael Hayden, Jose Rodriguez, and Marc Thiessen said – in a presentation with multiple internal contradictions even before you get to the outright demonstrable lies – as the truth.

I'm particularly troubled by the way Saletan takes this assertion (which is based on the pseudo science behind the torture):

EITs were used to break the will to resist, not to extract information directly. Hayden acknowledged that prisoners might say anything to stop their suffering. (Like the other panelists, he insisted EITs weren't torture.) That's why "we never asked anybody anything we didn't know the answer to, while they were undergoing the enhanced interrogation techniques.

And concludes this, which I take to be Saletan's

belief, not the torturers’:

Fourth, the right question to ask about the EIT program isn’t whether people lie under torture but whether using torture to train human beings in obedience is wrong despite the payoffs.

In an effort to take the torturers’ comments – and very notable silences, which Saletan doesn’t discuss – in good faith, Saletan presumes we might treat obedience among detainees being exploited as one of its “payoffs.”

Doing so ignores how the Bush Administration used torture to get detainees to tell useful lies, the most important of those being that Iraq had ties to Al Qaeda, which is one of the key pieces of “intelligence” that was used to get us into the Iraq War. That lie from Ibn Sheikh al-Libi – extracted through the use of mock burial and waterboarding, the two main forms of torture discussed in the panel – contributed directly to the unnecessary deaths of 4,000 Americans, to say nothing of hundreds of thousands of Iraqis.

Hayden’s claim we always knew the answer to questions we asked under torture

Here’s the full exchange from which Saletan takes as truthful the assertion that torture is about “learned helplessness” (no one here uses Mitchell and Jessen’s term, but that’s what we know they called it).

MR. THIESSEN: Mike, one of the – one of the scenes, you have the interrogator throws the – whoever the detainee is down and starts pouring water over his face and starts shouting, when’s the last time you saw bin Laden? And I think that gets to a deep misunderstanding of how interrogation actually worked. And one of the things you explained to me when I was working on my book and on the president’s speech was that there’s a difference between interrogation and

debriefing, and the purpose of interrogation was not – we actually didn't ask questions that we didn't know the answers to. It was to ascertain whether they were being truthful or not. (So if you ?) walk through that?

[snip]

MR. HAYDEN: I'm almost willing to make an absolute statement that we never asked anybody anything we didn't know the answer to while they were undergoing the enhanced interrogation techniques. The techniques were not designed to elicit truth in the moment – which is what was, you know, tell me this or I'll hurt you more, I'm not your friend – for about a third of our detainees. By the way, for two thirds of our detainees, this wasn't necessary. Now, I'm willing to admit that the existence of the option may have influenced the two-thirds who said, well, let's talk, all right? I mean – I mean, let's be candid with one another. But for about a third, techniques were used not to elicit, again, information in the moment, but to take someone who had come into our custody absolutely defiant and move them into a state or a zone of cooperation, whereby – and then you recall the scene in the movie after the detainee is cleaned up and they're having this lengthy conversation – for the rest of the detention, and in some cases it's years – it's a conversation. It's a debriefing. It's going back and forth with the kind of dialogue that you saw in that scene about a – about a third of the way through the movie.

You know a lot of people kind of reflexively say – they'll say anything to make you stop, which may actually be true. That's why we didn't ask them questions while this was going on.

Again, as John said, I mean, you know – these things weren't gentle or kind, but the impact – and I think Jose's written very thoughtfully about this – the impact was psychological. The impact is you are no longer in control of your destiny, all right? You are in our hands, and therefore, that movement into the zone of cooperation as opposed to the zone of defiance. But Jose's got more of the fine print on that. [my emphasis]

As I mentioned the other day, I still haven't seen the movie, so I'm not sure. But Thiessen's effort to dismiss the claim that we asked detainees where Osama bin Laden was while being waterboarding may be an effort to rebut Khalid Sheikh Mohammed's assertion that he lied about OBL's location to get them to stop waterboarding him – all while hiding the importance of the courier, Abu Ahmed al-Kuwaiti, who would eventually lead to OBL.

Now, Hayden's claim is so obviously false as to be almost pathetic.

The ticking timebomb that blows up Hayden's claim

It's a claim that Rodriguez – in the very same appearance – undermines, when he describes turning to torture out of sheer ignorance.

MR. THIESSEN: Follow-up, Jose. I mean, take us back to – since we're pulling the broader picture – take us back to September 11 th , 2001. You know, we've just been hit – there's smoke in the ground in New York, buildings have fallen, the Pentagon is broken. And what do we know about al-Qaida? I mean, did we know that KSM was the operational commander of al Qaida or that he had this – or that members of his network – or all this information that we take for granted that we know now?

MR. RODRIGUEZ: Yeah, we didn't know that much. I mean, we didn't know whether it was Khalid Sheikh Mohammed or Abu Zubaydah who were responsible for 9/11. We had a few assets that provided us some peripheral information, but we didn't know very much. It took a long time for us to be in a position to really learn what was going on.

In March of 2002, we captured Abu Zubaydah; we recognized that he was a key member of al-Qaida. We recognized that we had to do something different, because contrary to what some people are saying, Abu Zubaydah initially provided a couple of pieces of information, but then he shut down. And we knew that they were coming after us in a second wave of attacks. We knew that they had a nuclear program – that they had a biological weapons program; we thought we needed to do something different, and that's when the enhanced interrogation program came into existence. [my emphasis]

"We didn't know all that much," Rodriguez says. They didn't even know a key claim on which the legality of the entire torture system depends, that Abu Zubaydah was a senior figure in Al Qaeda (it turns out their assumptions were wrong). If they didn't know all that much, then how did they ascertain when Abu Zubaydah was telling the truth?

And while Rodriguez might say they tortured Zubaydah to make him complacent, after which he told them all that new intelligence, several things belie that claim. First, the number of times CIA and other apologists have claimed they got intelligence – including KSM's identity – under torture. The fact that the ticking timebomb scenario, which was based on Zubaydah's claim apparently made under torture that Jose Padilla was plotting to attack the US with a dirty bomb based solely on his searches about uranium, itself justified torture because, its

proponents claimed, would elicit the bomb information immediately. Then there's the way the government chased down every purported attack Zubaydah described, even though those attacks didn't exist.

The CIA acted on the "intelligence" Abu Zubaydah provided under torture. So it's clear they didn't know which was intelligence and which false confessions.

Analysts and the intelligence detainees "should know"

Moreover, the CIA IG Report very specifically disproves Hayden's claim that the CIA always knew the answer to questions it asked.

Elsewhere in this appearance, Hayden says they should just let the CIA IG Report stand on its merits (while arguing that it draws an invalid conclusion about efficacy because it doesn't accept that the intelligence gained from torture contributed to the mosaic of intelligence). He's not going to challenge the factual claims presented by the IG Report.

And let's let that stand on its merits, all right? Let's not even – let's not even challenge that.

But here's what the IG Report says about what CIA knew before the torture sessions.

According to a number of those interviewed for this Review, the Agency's intelligence on Al-Qa'ida was limited prior to the initiation of the CTC Interrogation Program. The Agency lacked adequate linguists or subject matter experts and had very little hard knowledge of what particular Al-Qa'ida leaders—who later became detainees—knew. This lack of knowledge led analysts to speculate about what a detainee "should know," vice information the analyst could objectively demonstrate the detainee did know. [3 lines redacted]

[3 lines redacted] When a detainee did not respond to a question posed to him, the assumption at Headquarters was that the detainee was holding back and knew more; consequently, Headquarters recommended resumption of EITs.

[two paragraphs redacted]

[two lines redacted] is evidence in the final waterboard session of Abu Zubaydah. According to a senior CTC officer, the interrogation team [2 words redacted] considered Abu Zubaydah to be compliant and wanted to terminate EITs [redacted] believed Abu Zubaydah continued to withhold information [4 lines redacted] at the time it generated additional pressure from Headquarters to continue use of the EITs. According to this senior officer, the decision to resume use of the waterboard on Abu Zubaydah was made by senior officers of the DO [1 line redacted] to assess Abu Zubaydah's compliance and witnessed the final waterboard session, after which, they reported back to Headquarters that the EITs were no longer needed on Abu Zubaydah. [my emphasis]

Even if the pseudo science about "learned helplessness" were valid (there is evidence, even in this presentation, that it's not), Hayden's claim is all premised on the assumption that we already know so much about our torture victims that we can test their knowledge. And yet top people at CIA were ordering up more waterboarding based on erroneous assumptions about what Zubaydah did and did not know (it's worth noting that Rodriguez, and probably Rizzo, would have been in the chain of command in this incident).

The main reason CIA embraced torture is because it did not know. It used torture because it (CIA, at least – the FBI did know enough to interrogate without torture) was largely

ignorant, meaning it couldn't use torture as Hayden claims it was used.

The analysts "knew" al-Nashiri knew about nukes and "knew" al Qaeda had ties to Iraq

But something far more troubling happened, in this vacuum of knowledge.

Whether it was out of ignorance or malicious intent, the torturers got the detainees to say things they wanted them to say, whether or not they were true. One graphic representation of this came in Abd al Rahim al-Nashiri's description of the things he lied about under torture.

In regarding point number five. A relationship with people committing bombings in Saudi Arabia. They tortured me. [REDACTED] They used to call me "commander of the sea". The [sic] used to call me the "commander of the Gulf". He was in charge of the people there. When everything happened in Saudi Arabia or whenever explosions occurred. They used to tell me what relation do I have with those things and they used to torture me. And I have nothing to do with these things. Five years they weren't able to get anything from me. I don't know. Like now to admit what. Yes, I know these people. I know a lot of people in Saudi Arabia who do not want a military presence in Saudi Arabia. They will move against you in a natural way. I know some people in Saudi Arabia who I have helped financially. Some of them get married and some of them to do other stuff. But I'm not responsible if they take the money and they go and fight or do something else. Number six. Usama bin Laden having a nuclear bomb. [REDACTED description of torture]. Then they used to laugh. Then they used to tell me you need to admit to those information. So I used to invent some of the stuff for them to say Usama bin laden had a, had a

nuclear bomb. And they use to laugh and they were very happy. They were extremely happy because of the news. Then after that I told them, listen. He has no bomb. [my emphasis]

Even assuming Nashiri is lying about some of this, which I'll grant. If torturers are telling detainees they need to admit to certain information – and then laughing when they do so – it is not a valid exercise of whether the detainee is being truthful or not.

And such attempts to get a detainee to tell us what he “should” know have real consequences. Here's SSCI's account of what happened when Egyptian torturers, at CIA's behest and using the mock burial and waterboarding we would subsequently use with Abu Zubaydah, asked Ibn Sheikh al-Libi about something they “knew” he “knew”: that Iraq had ties to Al Qaeda.

According to al-Libi, the foreign government service [redacted] “stated that the next topic was al-Qa'ida's connections with Iraq. ... This was a subject about which he said he knew nothing and had difficulty even coming up with a story.” Al-Libi indicated that his interrogators did not like his responses and then “placed him in a small box approximately 50cm x 50cm.” He claimed he was held in the box for approximately 17 hours. When he was let out of the box, al-Libi claims that he was given a last opportunity to “tell the truth.” When al-Libi did not satisfy the interrogator, al-Libi claimed that “he was knocked over with an arm thrust across his chest and he fell on his back.” Al-Libi told CIA debriefers that he then “was punched for 15 minutes.”²¹⁶

(U) Al-Libi told debriefers that “after the beating,” he was again asked about the connection with Iraq and this time he came up with a story that three al-

Qa'ida members went to Iraq to learn about nuclear weapons. Al-Libi said that he used the names of real individuals associated with al-Qa'ida so that he could remember the details of his fabricated story and make it more believable to the foreign intelligence service. Al-Libi noted that "this pleased his [foreign] interrogators, who directed that al-Libi be taken back to a big room, vice the 50 square centimeter box and given food."217

Here's how al-Libi's tortured lies appeared when Colin Powell used them to justify the Iraq War, 10 years ago this week.

I can trace the story of a senior terrorist operative telling how Iraq provided training in these weapons to al-Qaida.

Fortunately, this operative is now detained, and he has told his story. I will relate it to you now as he, himself, described it.

This senior al-Qaida terrorist was responsible for one of al-Qaida's training camps in Afghanistan.

His information comes first-hand from his personal involvement at senior levels of al-Qaida. He says bin Laden and his top deputy in Afghanistan, deceased al-Qaida leader Muhammad Atif (ph), did not believe that al-Qaida labs in Afghanistan were capable enough to manufacture these chemical or biological agents. They needed to go somewhere else. They had to look outside of Afghanistan for help. Where did they go? Where did they look? They went to Iraq.

The support that (inaudible) describes included Iraq offering chemical or biological weapons training for two al-Qaida associates beginning in December

2000. He says that a militant known as Abu Abdula Al-Iraqi (ph) had been sent to Iraq several times between 1997 and 2000 for help in acquiring poisons and gases. Abdula Al-Iraqi (ph) characterised the relationship he forged with Iraqi officials as successful.

Al-Libi's lies – lies told to avoid being shoved in a box and beaten, lies that were questioned by DIA just months after he told them and almost a year before Powell used them nevertheless – were one of three or four false claims that led directly to our unnecessary war against Iraq.

That's the problem with Saletan's attempt to treat the torturers' claims as good faith (even ignoring the multiple obvious lies and contradictions in their claims). He totally misunderstands the meaning of exploitation.

Exploitation – our torture program – was not just about developing intelligence on al Qaeda. It was also either intentionally used to develop propaganda, propaganda that would lead directly to the deaths of 4,000 Americans (the multiple documents used in its development that warned torture would lead to false confessions suggests it was intentional). Or our false beliefs about al Qaeda made it inevitable it would produce propaganda, propaganda that was used to justify an illegal war.

Will Saletan imagines that getting detainees to be perfectly obedient might, perhaps, be a "payoff" from torture. But the history of CIA's torture program shows that that "payoff" came in the form of lies about the enemies we were fighting. With really lethal results.