

PHILIP MUDD: SITTING ACROSS FROM KSM WAS USEFUL SO WATERBOARDING HIM 183 TIMES WAS TOO

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Philip Mudd – who was a top CIA analytical official until 2005 and then became a Deputy Director of FBI – has written a defense of torture in anticipation of the release of the Senate Torture Report.

The argument is actually fairly crafty. He acknowledges he probably will “question [the Report’s] merits” once it comes out.

I don’t know what’s in the report, and I wasn’t approached during its preparation. I can only guess that I would be among those who question its merits once it enters the public domain.

Given that he effectively admitted to Steven Colbert back in September, above, he was responsible for inserting the tortured claim from Ibn Sheikh al-Libi that Iraq had ties to al Qaeda, and given that he left government after being denied a promotion because his analysts pushed for more torture [correction from Nada Bakos: the claim his analysts pushed for more torture floated when he retired is not accurate], what he likely means is that the Report is going to show very damning evidence about his actions.

But then Mudd appears to say nice things about democracy – as he did with Colbert.

This judgment, though, isn’t

particularly relevant. In our system of checks and balances, there will often be times when overseers and officials from executive branch agencies don't agree, and both parties have a right to speak on a matter that is of such interest to the public. We're in a finger-pointing Beltway battle between two entities nobody much trusts. Let the people sort it out, after they see what both sides say; let the public decide where the pendulum rests.

There are key points that might get lost in this ugly rumble. **Primary among them is the quality of the Senate report, which the CIA evidently argues is profoundly flawed and therefore misleading.** This may well be true, but it's not clear it should stand in the way of the report's release. The agency has its perspective; the overseers have theirs.

[snip]

Time the release of the Senate report to coincide with the release of a CIA rebuttal. Give both sides their say, and then let the public weigh in. [my emphasis]

But in fact, Mudd's defense of democracy – let the people sort it out! – is instead an appeal for a relativism in which there is no truth, only competing truths. Mudd suggests that since both sides get to have their say, we'll come to an adequate outcome.

Of course, Mudd is full of shit on this point. First, because Mudd, a torture defender, has for years been permitted by CIA to go on TV and write Daily Beast columns. He and other torturers have had opportunity to give uncontested rebuttals for years, even with the help of Hollywood. CIA's torture critics, however, have been and even still are getting

ominous warnings not to talk to the press. We've had 5 years in which only the torture fans get to defend torture, and that's what Mudd considers a fair fight.

But also because while John Brennan's CIA may argue the report is flawed, whoever drafted the Panetta Report actually agreed with the Senate Report. Let's have that report as CIA's rebuttal, what say you, Mudd?

The "CIA" doesn't think the report was flawed; the CIA's institutional defenders do.

Then, couched in another apparent nod to democracy, Mudd suggests that torture was useful.

Do Americans, and their representatives in lawmaking bodies, want their security services to interrogate prisoners using these tactics? Do they believe these tactics represent American values?

If the answer is "no," the question of whether the tactics are successful becomes moot. **Let's assume, for the moment, that we all accepted as fact that the tactics were hugely successful in eliciting valuable intelligence.**

Would this then change the argument? I hope not: If you want to judge that these programs aren't appropriate for a democratic society, that judgment shouldn't come with a sliding scale. So why waste time on the question of the program's utility? Why pretend that the answer would sway those who believe America should never again return to the tactics the CIA used?

As an intelligence officer who was at the CIA's Counterterrorist Center during the early 2000s, and was once its deputy director, my views of this debate are not complex, and they won't be changed by this report. **The al Qaeda prisoners we held at CIA facilities helped us understand the adversary.** A lot? A

little? Somewhere in between? Outside observers can debate it, but **it's hard to argue that sitting across from the most senior leaders of your adversary, over a long period of time, isn't helpful to understanding how they think and act. It is.**

This judgment, though, is as irrelevant today as it will be the day this Senate report appears in public.

One of America's top analysts lays out the defense for torture efficacy this way:

"Sitting across from the most senior leaders of your adversary [is] helpful to understanding how they think and act."

Therefore,

Torture is useful.

This is what CIA considers crack analysis!!!! It's useful to sit down with Khalid Sheikh Mohammed, and therefore it was useful to waterboard him 183 times!!!

Apparently one of CIA's former top analysts doesn't understand that one can sit down with someone – the FBI had a pretty good track record at doing this – without engaging in medieval torture first. This former top analyst feigns not understanding that "sitting across from" someone is different from "pretending you're drowning" someone over and over and over and over.

Maybe instead of releasing the report we should just let CIA's torturers continue to expose just how stupid they really are (or pretend to be). Because while Mudd's pre-rebuttal was meant to sound all democratic and whatnot, when you look closely it just exposes the stupidity of those who defend torture.

Update: I've changed the title of this to match

exactly how Mudd characterized the sitting with
KSM.