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The Torture Agenda

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Theme: Crimes against Humanity, Police State & Civil Rights

On April 9, ABC News correspondent Jan Crawford Greenburgh broke an exclusive story on World News Tonight that provided new details surrounding how top Bush administration officials signed off on the use of harsh interrogation tactics in the "war on terror."

Indeed, vice president Dick Cheney, secretary of state Colin Powell, attorney general John Ashcroft, CIA director George Tenet, and national security advisor Condoleezza Rice, grouped in the National Security Council's Principals Committee, gave the U.S. military and the CIA a green light to torture suspected al-Qaeda operatives and other "enemy combatants."

According to Greenburgh,

> The high-level discussions about these "enhanced interrogation techniques" were so detailed, these sources said, some of the interrogation sessions were almost choreographed — down to the number of times CIA agents could use a specific tactic.
>
> These top advisers signed off on how the CIA would interrogate top al Qaeda suspects — whether they would be slapped, pushed, deprived of sleep or subjected to simulated drowning, called waterboarding, sources told ABC news. (Jan Crawford Greenburgh, Howard L. Rosenberg and Ariane de Vogue, "Bush Aware of Advisors' Interrogation Talks," ABC News, April 11, 2008)

It has since emerged that the Department of Justice's Office of Professional Responsibility (OPR) is investigating whether agency lawyers, including University of California law professor John Yoo and U.S. federal appeals court judge Jay Bybee "improperly advised the military it could use harsh interrogation methods and concluded that President Bush's wartime authority could not be limited by domestic law or international bans on torture," according to the Associated Press.

The "legal" basis that established Bush regime policies on "enhanced interrogations" were provided by Yoo and Bybee's March 2003 memo from the Justice Department's Office of Legal Counsel (OLC). The 81-page brief stated that the chief executive's power as "commander-in-chief" during a "time of war" were virtually limitless. Yoo alleged that presidential wartime powers could not be restricted, even by binding international treaties ratified by the U.S.

Writing in The Nation, New York University law professor Stephen Gillers avers:

The memos are an abysmal piece of work, but they had great value to the President. Dismissing the Geneva Conventions and other law, they used the veneer of serious legal

scholarship (abundant footnotes, many citations, long dense paragraphs) to create an aura of legitimacy for near-death interrogation tactics and unrestrained executive power. The memos had high credibility because they came from the OLC, the legal brain trust for the executive branch and (until then) the gold standard for legal acumen. …

When lawyers in private practice mess up, they face serious jeopardy. They can be fired, sued for malpractice, disbarred or prosecuted. Yoo and Bybee face no such risks. The President won't protest. He got what he wanted. And while a state disciplinary body can investigate, that is unlikely without Justice Department help. (Stephen Gillers, "The Torture Memo," The Nation, April 28, 2008)

According to Philippe Sands' investigative piece on Bush regime torture programs,

> The fingerprints of the most senior lawyers in the administration were all over the design and implementation of the abusive interrogation policies. [David] Addington, [Jay] Bybee, [Alberto] Gonzales, [Jim] Haynes, and [John] Yoo became, in effect, a torture team of lawyers, freeing the administration from the constraints of all international rules prohibiting abuse. (Philippe Sands, "The Green Light," Vanity Fair, May 2008)

With the Geneva Convention's Common Article 3 declared "quaint" and "obsolete" by torture enablers such as Gonzales, Bybee and Yoo, the gates of hell opened for individuals branded "enemy combatants," who could be held indefinitely in CIA and Pentagon global gulags.

The infamous March 2003 memo alleged that physical torture occurred "only" when the pain was "equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death," and that mental torture required "suffering not just at the moment of infliction but … lasting psychological harm."

While the memo may have been formally rescinded in December 2003, torture of hapless prisoners continue, often at the hands of corporate mercenaries hired by the Pentagon.

That OLC legal analysts gave CIA and military interrogators carte blanche to commit war crimes without risk to themselves was driven home by Yoo's inept rationale, Yoo wrote:

> "If a government defendant were to harm an enemy combatant during an interrogation in a manner that might arguably violate a criminal prohibition, he would be doing so in order to prevent further attacks on the United States by the al Qaeda terrorist network," Yoo wrote. "In that case, we believe that he could argue that the executive branch's constitutional authority to protect the nation from attack justified his actions." (Dan Eggen and Josh White, "Memo: Laws Didn't Apply to Interrogators," The Washington Post, April 2, 2008; Page A01)

In a follow-up to the April 2 piece, Dan Eggen writes:

> Thirty pages into a memorandum discussing the legal boundaries of military interrogations in 2003, senior Justice Department lawyer John C. Yoo tackled a question not often asked by American policymakers: Could the president, if he desired, have a prisoner's eyes poked out?

> Or, for that matter, could he have "scalding water, corrosive acid or caustic substance" thrown on a prisoner? How about slitting an ear, nose or lip, or disabling a tongue or limb? What about biting? (Dan Eggen, "Permissible Assaults Cited in Graphic Detail," The Washington Post, April 6, 2008; Page A03)

The conclusion? None of this matters in a time of war according to Professor Yoo, because federal laws–indeed any law–prohibiting assault, maiming or other crimes perpetrated by U.S. military or mercenary interrogators are trumped by the president's unlimited power as "commander-in-chief."

"Self-inflicted pain" and other CIA atrocities

When the Abu Ghraib torture scandal broke in 2004, administration officials dismissed the grave abuses suffered by Iraqi prisoners as the work of a "few bad apples" on the "night shift."

While no doubt debauched actors in a sordid drama whose script was edited in Washington, the underlings convicted for their crimes at Abu Ghraib were acting out scenes from a CIA "masterwork" composed decades earlier: KUBARK Counterintelligence Interrogation.

Written in July 1963, the CIA's torture manual describes a fear-laced shadow world of hooding, isolation, drugging and other unseemly interrogation techniques described by historian Alfred W. McCoy in his landmark study, A Question of Torture.

According to McCoy, "the CIA's perfection of psychological torture was a major scientific turning point, albeit unnoticed and unheralded in the world beyond its secret safe houses." In contradistinction to physical torture, McCoy writes,

> For more than two thousand years, interrogators had found that mere physical pain, no matter how extreme, often produced heightened resistance. By contrast, the CIA's psychological paradigm fused two new methods, "sensory deprivation" and "self-inflicted pain," whose combination causes victims to feel responsible for their own suffering and thus capitulate more readily to their torturers. … Refined through years of practice, the method relies on simple, even banal procedures–isolation, standing, heat and cold, light and dark, noise and silence–for a systematic attack on all human senses. (Alfred W. McCoy, A Question of Torture: CIA Interrogation, From the Cold War to the War on Terror, New York: Metropolitan Books, 2006, p. 8)

Tracing the methodology employed at Guantánamo Bay's Camp Delta, CIA "black sites" in Europe and Afghanistan, and Abu Ghraib prison in Iraq, McCoy tracks-back the CIA-Pentagon program to coercive techniques first explored by the CIA's MKULTRA "mind-control" experiments during the 1950s and 1960s.

While sensationalized in popular lore, primarily focused on the secret doping of unsuspected "subjects" with LSD and other hallucinogenic drugs, CIA-financed researchers concluded this line of inquiry, the elusive search for a "Manchurian candidate," was a dead end. At that point other, more subtle, yet intensely destructive means for breaking down prisoners during the interrogation "process" were explored.

Rooted in the Nazi-like experiments conducted at McGill University's psychiatric "treatment"

facility, the Allan Memorial Institute, Dr. Ewen Cameron carried out research into what he termed “psychic driving” and “depatterning.” Cameron and his staff subjected “patients” to a harsh regime of drugging and electroshock “therapy” in combination with a monstrous sensory deprivation regimen that built on the “research” of another CIA grantee, Dr. Donald O. Hebb.

Describing Hebb’s “sensory deprivation” experiments that employed a modified iron lung, McCoy writes:

Among the seventeen subjects, half had hallucinations and all suffered “degrees of anxiety.” Apparently addressing their covert patrons, the Harvard psychiatrists concluded that “sensory deprivation can produce major mental and behavioral changes in man,” and recommended its capacity to induce psychosis as “more ‘natural’ than the pharmacological and physical methods currently used”–not of course, in polio treatment but, if we can finish their sentence, in CIA torture. (McCoy, p. 40)

Hebb and Cameron’s “findings” found their echo in the CIA’s KUBARK interrogation manual:

> 1. The more completely the place of confinement eliminates sensory stimuli, the more rapidly and deeply will the interrogatee be affected. Results produced only after weeks or months of imprisonment in an ordinary cell can be duplicated in hours or days in a cell which has no light (or weak artificial light which never varies), which is sound-proofed, in which odors are eliminated, etc. An environment still more subject to control, such as water-tank or iron lung, is even more effective.
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> 2. An early effect of such an environment is anxiety. How soon it appears and how strong it is depends upon the psychological characteristics of the individual.
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> 3. The interrogator can benefit from the subject’s anxiety. As the interrogator becomes linked in the subject’s mind with the reward of lessened anxiety, human contact, and meaningful activity, and thus with providing relief for growing discomfort, the questioner assumes a benevolent role.
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> 4. The deprivation of stimuli induces regression by depriving the subject’s mind of contact with an outer world and thus forcing it in upon itself. At the same time, the calculated provision of stimuli during interrogation tends to make the regressed subject view the interrogator as a father-figure. The result, normally, is a strengthening of the subject’s tendencies toward compliance. (KUBARK Counterintelligence Interrogation, IX. “The Coercive Counterintelligence Interrogation of Resistant Sources. E. Deprivation of Sensory Stimuli,” July 1963, no author)

Across the decades, CIA and Pentagon studies, particular in the wake of America’s disastrous invasion and occupation of Iraq, have focused on the use of sensory deprivation as one method of breaking down what they term “resistant sources.” Since KUBARK’s dissemination, these methodologies have been refined by the Pentagon’s Survival, Evasion, Resistance, Escape (SERE) program taught to U.S. Special Forces and pilots who may be captured as the result of armed conflict.

But as Salon’s investigative reporter, Mark Benjamin has documented, the SERE program was “reverse-engineered” by CIA contract psychologists James Mitchell and Bruce Jessen as a tool for torture. Benjamin wrote,

> There are striking similarities between descriptions of SERE training and the interrogation techniques employed by the military and CIA since 9/11. Soldiers undergoing SERE training are subject to forced nudity, stress positions, lengthy isolation, sleep deprivation, sexual humiliation, exhaustion from exercise, and the use of water to create a sensation of suffocation. “If you have ever had a bag on your head and somebody pours water on it,” one graduate of that training program told Salon last year “it is real hard to breathe.”
>
> Many of those techniques show up in interrogation logs, human rights reports and news articles about detainee abuse that has taken place in Guantánamo, Afghanistan and Iraq. (The military late last year unveiled a new interrogation manual designed to put a stop to prisoner abuse.) An investigation released this month by the Council of Europe, a multinational human rights agency, added extreme sensory deprivation to the list of techniques that have been used by the CIA. The report said that extended isolation contributed to “enduring psychiatric and mental problems” of prisoners.
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> Isolation in cramped cells is also a key tenet of SERE training, according to soldiers who have completed the training and described it in detail to Salon. The effects of isolation are a specialty of Jessen’s, who taught a class on “coping with isolation in a hostage environment” at a Maui seminar in late 2003, according to a Washington Times article published then. (Defense Department documents from the late 1990s describe Jessen as the “lead psychologist” for the SERE program.) Mitchell also spoke at that conference, according to the article. It described both men as “contracted to Uncle Sam to fight terrorism.” (Mark Benjamin, “The CIA’s Torture Teachers,” Salon, June 21, 2007)

The End of Impunity?

It is precisely these highly-destructive, illegal techniques of “self-inflicted pain” that Judge Bybee and U.C. law professor Yoo claimed as the president’s “right” to employ as commander-in-chief.

As should be apparent in this brief summary, the misnamed “war on terror” is, in theory and in practice, a war of terror waged against resistant individuals and populations who have risen up against U.S. imperialist depredations. As the Empire’s hegemony is challenged across the planet, the control of other nations’ resources deemed “vital” by U.S. multinational corporate looters, not the safety or security of the American people, is the primary motivator of America’s destructive wars of conquest.

Since 9/11, the Bush administration and their legal sycophants in the Justice Department and right-wing think tanks such as the American Enterprise Institute and the Federalist Society, have claimed that the criminal regime in Washington has the legal right to employ any tactic to pursue its sordid agenda.

But as Philippe Sands writes, U.S. immunity to prosecution for Addington, Bybee, Yoo and other torture enablers under the Military Commissions Act may have very unintended consequences indeed.

Speaking with a judge and a prosecutor in a European city, the prosecutor concluded that immunity “is very stupid.” He explained that

> “it would make it much easier for investigators outside the United States to argue that possible war crimes would never be addressed by the justice

> system in the home country–one of the trip wires enabling foreign courts to intervene. For some of those involved in the Guantánamo decisions, prudence may well dictate a more cautious approach to international travel. And for some the future may hold a tap on the shoulder."

"It's a matter of time," the judge observed. "These things take time." As I gathered my papers, he looked up and said, "And then something unexpected happens, when one of these lawyers travels to the wrong place."

As former U.S. Attorney General John Ashcroft said at one of the administration's strategy sessions on torture: "Why are we talking about this in the White House? History will not judge this kindly."

Do you think current Hague "resident," former Liberian president Charles Taylor, might enjoy a spirited game of chess with one of the NSC Principals?

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