

# Torture Architect Tries to Justify Program ... Fails Miserably

By [Washington's Blog](#)

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*One of the 2 main architects of the American torture program – Air Force psychologist James Mitchell (who personally waterboarded detainees) – still [claims](#) that torture produced actionable intelligence:*

Mitchell, who admitted he is “biased,” said valuable intelligence was obtained, particularly in the case of **Abu Zubaydah**, who Mitchell said provided interrogators with the operational structure of al Qaeda that the CIA continues to rely upon.

The claim is not entirely surprising. As shown below, Abu Zubaydah was the *poster boy* for the alleged necessity and effectiveness of the torture program.

There’s just one wee little problem with his claim ...

The [Washington Post](#) documents that Abu Zubaydah was **literally crazy** – as he had suffered a serious head injury *years before 9/11* – and that the FBI agent involved in interrogating Abu Zubaydah and reviewing documents at his house (Daniel Coleman) said that **everyone knew that Abu Zubaydah was an unreliable source for information**.

This is confirmed by the the [New Yorker](#). Pulitzer Prize winning journalist Ron Suskind [writes](#) that interrogator Coleman advised a top FBI official at the time:

“This guy is insane, certifiable, split personality.”

Indeed, the government has since [backed away](#) from all claims that Abu Zubaydah had any role in Al Qaeda or 9/11. For example – in September 2009 – the U.S. government [admitted in writing in a court proceeding](#) that Abu Zubaydah had **never been a member or associate or supporter of al-Qaeda, was not involved in 9/11, and had no prior knowledge of 9/11:**

The Government has not contended in this proceeding that Petitioner [Abu Zubaydah] was a member of al-Qaida or otherwise formally identified with al-Qaida.

Respondent [The United States Government] does not contend that Petitioner was a “member” of al-Qaida in the sense of having sworn a bayat (allegiance) or having otherwise satisfied any formal criteria that either Petitioner or al-

Qaida may have considered necessary for inclusion in al-Qaida. Nor is the Government detaining Petitioner based on any allegation that Petitioner views himself as part of al-Qaida as a matter of subjective personal conscience, ideology, or worldview.

The Government has not contended in this proceeding that Petitioner had any direct role in or advance knowledge of the terrorist attacks of September 11, 2001.

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The Government has not contended that Petitioner had any personal involvement in planning or executing either the 1998 embassy bombings... or the attacks on September 11, 2001.

And yet Abu Zubaydah is a centerpiece of the government's entire narrative about 9/11, torture and spying.

Kevin Ryan - who has interviewed 9/11 Commissioner Lee Hamilton, Abu Zubaydah's attorney and other knowledgeable people - documents how [central Abu Zubaydah is to the 9/11 Commission Report](#)(footnotes omitted; see original for documentation):

The 9/11 Commission (falsely) called Zubaydah an "**al Qaeda lieutenant.**" The Joint Congressional inquiry did the same, calling him "**al-Qa'ida leader Abu Zubaydah,**" and the "**Bin Ladin lieutenant** captured in March 2002." As late as 2006, the Justice Department's Inspector General report on the 9/11 attacks called Zubaydah a "Bin Laden lieutenant."

When Zubaydah was captured, in March 2002, U.S. government officials touted him as **the biggest catch of the War on Terror**, at least until the capture of Khalid Sheik Mohammed (KSM). FBI Director Robert Mueller stated that Zubaydah's capture would **help deter future attacks**. White House spokesman Ari Fleischer said that Zubaydah could provide a **treasure-trove of information about al-Qaeda**. Secretary of Defense Donald Rumsfeld claimed that Zubaydah was "**a man who knows of additional attacks**", who has "**trained people to do this**", and was a **big fish who had a fountain of knowledge**.

The extensive allegations against Zubaydah went on and on, and included that he was:

- along with KSM, one of "Al Qaeda's **top operational managers**" - "Counterterrorism Czar" Richard Clarke, in his book Against All Enemies
- "sinister" and "there is evidence that he is a **planner and a manager** as well. I think he's a **major player.**" - Former State Department director of counter-terrorism, Michael Sheehan
- "extremely dangerous" and a **planner of 9/11**. - State Department legal advisor John B. Bellinger III in a June 2007 briefing.
- a trainer, a recruiter, understood bomb-making, was a forger, a logistician, and someone who made things happen, and **made "al-Qaeda function."** - Former CIA station chief, Bob Grenier

- **“a close associate of UBL’s [i.e. Bin Laden], and if not the number two, very close to the number two person in the organization.** I think that’s well established.” -Donald Rumsfeld
- **“a very senior al Qaeda official who has been intimately involved in a range of activities for the al Qaeda.”** – Donald Rumsfeld
- a **“very senior al Qaeda operative.”** – Donald Rumsfeld
- a **“key terrorist recruiter and operational planner and member of Osama bin Laden’s inner circle.”** – White House spokesman Ari Fleischer
- someone whose **capture was a “very serious blow” to al-Qaeda** and therefore one of al-Qaeda’s “many tentacles” was “cut off.” – White House spokesman Ari Fleischer
- **“one of the top operatives plotting and planning death and destruction on the United States.”** –President George W. Bush
- **“one of al-Qaeda’s top leaders”** who was “spending a lot of time as one of the top operating officials of al Qaeda, plotting and planning murder.” –President George W. Bush
- **“al Qaeda’s chief of operations.”** – President George W. Bush
- **“one of the top three leaders”** in al-Qaeda. – President George W. Bush
- someone whose interrogation “led to reliable information”, a “prolific producer” of information, with whom originated roughly **25 percent of the information on al Qaeda** that came from human sources. – [National Security Agency Director] Michael Hayden
- one of three individuals **“best positioned to know about impending terrorist atrocities.”** – Michael Hayden

As the myth of Zubaydah grew, it was reported that he was –

- **“worth a ton of guys at Gitmo.”**
- a **“senior bin Laden official”** and the **“former head of Egypt-based Islamic Jihad.”**
- **“played a key role in the East Africa embassy attacks.”**
- listed as a **“trusted aide”** to bin Laden with **“growing power.”**
- **in control of al-Qaeda.**
- an aide of bin Laden who ran training camps in Afghanistan and **“coordinated terror cells in Europe and North America.”**

- a “key terrorist recruiter, operational planner, and member of Osama Bin Laden’s inner circle.”
- **“bin Laden’s CEO”, and “a central figure in Al Qaeda”**
- Bin Laden’s “travel planner.”
- “one of a handful of men **entrusted with running the terrorism network in the event of Osama bin Laden’s death** or capture.”
- a senior bin Laden lieutenant who was believed “to be **organizing al Qaida resources to carry out attacks on American targets.**”
- the fourth ranking member of al Qaeda behind Bin Laden, Ayman al-Zawahiri, and Muhamed Atef.
- someone who **knew the identities of “thousands” of terrorists** that passed through al Qaeda training camps in Afghanistan
- a colleague of Richard Reid, the shoe-bomber.
- one of bin Laden’s top planners of terrorist operations who knew of al Qaeda plots and cells.
- the **“connection between bin Laden and many of al-Qaida’s operational cells.”**
- the **source of information that UAL Flight 93 was intended to hit the White House.**

Because we now know that Zubaydah was never an al Qaeda operative, or even an al Qaeda associate, we are forced into the stunning realization that all of this was false. The questions that should arise from that realization include: How much of what we know about al Qaeda, and how much of the War on Terror, was built on the torture testimony of a man who clearly could not have known anything about al Qaeda at all? [We’ve already documented that Cheney, Rumsfeld and the boys are [guilty of war crimes for falsely using 9/11 as a justification for the Iraq war](#), and noted that [Cheney admits that he lied about 9/11.](#)]

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But as we know now, **the CIA reportedly told Abu Zubaydah during his interrogation that they discovered he was not an al-Qaeda fighter, partner, or even a member.** Still, KSM and Bin Alshibh were caught and tortured too.

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Given the apparent “mistakes” related to Zubaydah being represented as an al Qaeda leader, there appears to be some serious revision required in the official account of 9/11. However, realistically, at this late date **the information attributed to Zubaydah cannot likely be untangled from the official**

**myth behind the War on Terror and the associated actions of the U.S. government. That's because the torture of Zubaydah was used in support of unprecedented policy changes and actions.**

- **President Bush personally used the perceived value of Zubaydah's capture and torture to justify the use of the CIA's torture techniques as well as the detention of suspects in secret CIA prisons around the world.**
- **The U.S. government used the questionable intelligence obtained from Zubaydah in order to justify the invasion of Iraq. Officials stated that the allegations that Iraq and al-Qaeda were linked through training people on the use of chemical weapons came from Zubaydah. There was no independent verification of these claims.**
- **Zubaydah's torture testimony was also used to justify the use of military tribunals**, moving the trial of alleged al Qaeda suspects out of the open civil courts. President Bush asked Congress in a speech in September 2006 to formulate special rules in order to try Abu Zubaydah via military commission in Guantanamo Bay. In fact, in late April 2002 less than one month after Abu Zubaydah's capture, Justice Department officials stated Abu Zubaydah "is a **near-ideal candidate for a tribunal trial.**" Ironically, Zubaydah may be the only leading suspect to never face trial.
- In addition to justifying the use of illegal torture techniques, the Bush administration **used Zubaydah's capture as justification to accelerate its domestic spying program. The claim was that it would allow quick action on the phone numbers and addresses seized during Zubaydah's capture.**

As the Senate torture report [notes](#):

"At times Abu Zubaydah was described as 'hysterical' and 'distressed to the level that he was unable effectively to communicate'. Waterboarding sessions 'resulted in immediate fluid intake and involuntary leg, chest and arm spasms' and 'hysterical pleas'. In at least one waterboarding session, Abu Zubaydah 'became completely unresponsive, with bubbles rising through his open, full mouth.'"

And Guardian editor Alex Koppelman [points out](#) that the Senate torture report shows that Abu Zubaydah became as compliant as a trained dog after being repeatedly tortured ... and yet they still kept torturing him:

Abu Zubaydah was so compliant he was basically a trained dog and still they kept torturing him.



How can the cases for torture or mass surveillance stand when poster boy Abu Zubaydah was as nutty as a fruitcake years *before* 9/11? And then they kept on torturing him until he totally lost his mind and became like a brain-dead, trained dog?

## The Other Main Sources of Information Were Also Unreliable

Abu Zubaydah was not an isolated case ...

Khalid Sheikh Mohammed (“KSM”) – the self-confessed “mastermind” of 9/11, the other main source for the 9/11 report – also confessed to crimes which [he could not have committed](#).

He later said that he gave the interrogators a lot of [false information – telling them what he thought they wanted to hear – in an attempt to stop the torture](#). We also know that he was heavily tortured [specifically for the purpose of trying to obtain false information about 9/11](#) – specifically, that Iraq had something to do with it.

(Interestingly, Abu Zubaida – the crazy guy discussed above – was the one who fingered KSM as an Al Qaeda mastermind in the first place.)

And the other sources for the 9/11 report were tortured, too ..

Susan J. Crawford – the senior Pentagon official overseeing the military commissions at Guantánamo – [told](#) Bob Woodward:

We tortured Qahtani. His treatment met the legal definition of torture.

The chief lawyer for Guantanamo litigation – Vijay Padmanabhan – [said](#) that **torture of 9/11 suspects was widespread**.

According to [NBC News](#):

- *Much* of the 9/11 Commission Report was based upon the testimony of people who were *tortured*
- **At least four of the people** whose interrogation figured in the 9/11 Commission Report have claimed that **they told interrogators information as a way to stop being “tortured”**
- One of the Commission’s main sources of information was tortured until he agreed to sign a confession that *he was* **not even allowed to read**

Moreover, the specific type of torture used was also [expressly designed to create FALSE confessions](#).

And – as if that’s not bad enough – it’s hard to know what the tortured detainees really said. Specifically, the 9/11 Commission Report was largely based on *third-hand accounts* of what tortured detainees said, with two of the three parties in the communication being government employees.

As the 9/11 Commission Report itself [states](#):

Chapters 5 and 7 rely heavily on information obtained from captured al Qaeda members. A number of these “detainees” have firsthand knowledge of the 9/11

plot. Assessing the truth of statements by these witnesses-sworn enemies of the United States-is challenging. Our access to them has been limited to the review of intelligence reports based on communications received from the locations where the actual interrogations take place. We submitted questions for use in the interrogations, but had no control over whether, when, or how questions of particular interest would be asked. Nor were we allowed to talk to the interrogators so that we could better judge the credibility of the detainees and clarify ambiguities in the reporting.

In other words, the 9/11 Commissioners were not allowed to speak with the detainees, or even their interrogators. Instead, they got their information *third-hand* ... where CIA interrogations were usually one of the links. We know how honest CIA has been about all matters torture.

New York Times investigative reporter Philip Shenon Newsweek [noted](#) in a 2009 essay in Newsweek that the 9/11 Commission Report was unreliable because most of the information was based on the statements of tortured detainees:

The commission appears to have ignored obvious clues throughout 2003 and 2004 that its account of the 9/11 plot and Al Qaeda's history relied heavily on information obtained from detainees who had been subjected to torture, or something not far from it.

The panel raised no public protest over the CIA's interrogation methods, even though news reports at the time suggested how brutal those methods were. In fact, the commission demanded that the CIA carry out new rounds of interrogations in 2004 to get answers to its questions.

**That has troubling implications for the credibility of the commission's final report. In intelligence circles, testimony obtained through torture is typically discredited; research shows that people will say anything under threat of intense physical pain.** [Top military [interrogation experts agree](#).]

And yet it is a distinct possibility that Al Qaeda suspects who were the exclusive source of information for long passages of the commission's report may have been subjected to "enhanced" interrogation techniques, or at least threatened with them, because of the 9/11 Commission....

**Information from CIA interrogations of two of the three—KSM and Abu Zubaydah—is cited throughout two key chapters of the panel's report focusing on the planning and execution of the attacks and on the history of Al Qaeda.**

Footnotes in the panel's report indicate when information was obtained from detainees interrogated by the CIA. An analysis by NBC News found that more than a quarter of the report's footnotes—441 of some 1,700—referred to detainees who were subjected to the CIA's "enhanced" interrogation program, including the trio who were waterboarded.

Commission members note that they repeatedly pressed the Bush White House and CIA for direct access to the detainees, but the administration refused. So the commission forwarded questions to the CIA, whose interrogators posed them on the panel's behalf.

The commission's report gave no hint that harsh interrogation methods were used in gathering information, stating that the panel had "no control" over how

the CIA did its job; the authors also said they had attempted to corroborate the information “with documents and statements of others.”

But how could the commission corroborate information known only to a handful of people in a shadowy terrorist network, most of whom were either dead or still at large?

Former senator Bob Kerrey of Nebraska, a Democrat on the commission [**one of the 9/11 Commissioners**], told me last year **he had long feared that the investigation depended too heavily on the accounts of Al Qaeda detainees who were physically coerced into talking.** ...

One of the primary architects of the 9/11 Commission Report – Ernest May – [said](#) in May 2005:

We never had full confidence in the interrogation reports as historical sources.

And as NBC News [notes](#), the 9/11 Commission itself doubted the accuracy of the torture confessions, and yet kept their doubts to themselves

### **Government Cover-Up of Unreliability of Witnesses**

Moreover, certain government personnel went to *great lengths* to cover up how unreliable the information was.

For example, the CIA [videotaped the interrogation of 9/11 suspects, falsely told the 9/11 Commission that there were no videotapes or other records of the interrogations, and then illegally destroyed all of the tapes and transcripts of the interrogations.](#)

9/11 Commission co-chairs Thomas Keane and Lee Hamilton [wrote](#):

Those who knew about those videotapes — and did not tell us about them — obstructed our investigation.

What was on those tapes? Remember, the specific type of torture used was also [expressly designed to create FALSE confessions](#). Is there evidence of that – coaching falsehoods – on the tapes?

Postscript: The 9/11 Commissioners publicly expressed anger at cover ups and obstructions of justice by the government into a real 9/11 investigation:

- 9/11 Commission co-chair Lee Hamilton says [“I don’t believe for a minute we got everything right”, that the Commission was set up to fail, that people should keep asking questions about 9/11, and that the 9/11 debate should continue](#)
- The 9/11 Commission chair said the Commission was [“set up to fail”](#)
- The Commission’s co-chairs [said](#) that the CIA (and likely the White House) “obstructed our investigation”



- 9/11 Commissioner Bob Kerrey said that [“There are ample reasons to suspect that there may be some alternative to what we outlined in our version . . . We didn't have access . . . .”](#)
- 9/11 Commissioner Timothy Roemer said [“We were extremely frustrated with the false statements we were getting”](#)
- 9/11 Commissioner Max Cleland resigned from the Commission, stating: [“It is a national scandal”](#); [“This investigation is now compromised”](#); and [“One of these days we will have to get the full story because the 9-11 issue is so important to America. But this White House wants to cover it up”](#)
- The Senior Counsel to the 9/11 Commission (John Farmer) – who led the 9/11 staff's inquiry – [said](#) “At some level of the government, at some point in time...there was an agreement not to tell the truth about what happened”. He also [said](#) “I was shocked at how different the truth was from the way it was described .... The tapes told a radically different story from what had been told to us and the public for two years.... This is not spin. This is **not true.**”

And the Co-Chair of the official Congressional Inquiry Into 9/11 – and former head of the Senate Intelligence Committee – has “I think at simplest terms, there's a cover-up. The 9/11 Report is a joke”

- A 29-year CIA veteran, former National Intelligence Officer (NIO) and former Director of the CIA's Office of Regional and Political Analysis (William Bill Christison) said [“I now think there is persuasive evidence that the events of September did not unfold as the Bush administration and the 9/11 Commission would have us believe](#) (and see [this](#))
- A number of intelligence officials, including a CIA Operations Officer who co-chaired a CIA multi-agency task force coordinating intelligence efforts among many intelligence and law enforcement agencies (Lynne Larkin) sent a joint letter to Congress expressing their concerns about [“serious shortcomings,” “omissions,” and “major flaws” in the 9/11 Commission Report and offering their services for a new investigation \(they were ignored\)](#)
- A decorated 20-year CIA veteran, who Pulitzer-Prize winning investigative reporter Seymour Hersh called “perhaps the best on-the-ground field officer in the Middle East”, and whose astounding career formed the script for the Academy Award winning motion picture Syriana (Robert Baer) said that [“the evidence points at” 9/11 having had aspects of being an inside job](#)
- The Division Chief of the CIA's Office of Soviet Affairs, who served as Senior Analyst from 1966 – 1990. He also served as Professor of International Security at the National War College from 1986 – 2004 (Melvin Goodman) said [“The final \[9/11 Commission\] report is ultimately a coverup”](#)
- Former Deputy Secretary for Intelligence and Warning under Nixon, Ford, and Carter (Morton Goulder), former Deputy Director to the White House Task Force

on Terrorism (Edward L. Peck), and former US Department of State Foreign Service Officer (J. Michael Springmann), as well as a who's who of liberals and independents) jointly [call for a new investigation into 9/11](#)

- Former Federal Prosecutor, Office of Special Investigations, U.S. Department of Justice under Presidents Jimmy Carter and Ronald Reagan; former U.S. Army Intelligence officer, and currently a widely-sought media commentator on terrorism and intelligence services (John Loftus) [says](#) “The information provided by European intelligence services prior to 9/11 was so extensive that it is no longer possible for either the CIA or FBI to assert a defense of incompetence”
- The Group Director on matters of national security in the U.S. Government Accountability Office said that [President Bush did not respond to unprecedented warnings of the 9/11 disaster and conducted a massive cover-up instead of accepting responsibility](#)
- Deputy Assistant Secretary of Defense under President Ronald Reagan (Col. Ronald D. Ray) said that [the official story of 9/11 is “the dog that doesn’t hunt”](#)
- Several key employees for the defense department say that [the government covered up their testimony about tracking Mohammed Atta](#) before 9/11
- The former director of the FBI (Louis Freeh) [says there was a cover up by the 9/11 Commission](#)

Some other examples of obstruction of justice into the 9/11 investigation include:

- An FBI informant hosted and rented a room to two hijackers in 2000. Specifically, investigators for the Congressional Joint Inquiry [discovered](#) that an FBI informant had hosted and even rented a room to two hijackers in 2000 and that, when the Inquiry sought to interview the informant, the FBI refused outright, and then hid him in an unknown location, and that a high-level FBI official stated these blocking maneuvers were undertaken under orders from the White House. As the [New York Times notes](#):

Senator Bob Graham, the Florida Democrat who is a former chairman of the Senate Intelligence Committee, accused the White House on Tuesday of covering up evidence ....The accusation stems from the Federal Bureau of Investigation’s refusal to allow investigators for a Congressional inquiry and the independent Sept. 11 commission to interview an informant, Abdussattar Shaikh, who had been [the landlord](#) in San Diego of two Sept. 11 hijackers.

- The chairs of both the 9/11 Commission and the Official Congressional Inquiry into 9/11 [said](#) that Soviet-style government “minders” obstructed the investigation into 9/11 by intimidating witnesses
- The 9/11 Commissioners [concluded](#) that officials from the Pentagon lied to the Commission, and considered recommending criminal charges for such false

statements

- The tape of interviews of air traffic controllers on-duty on 9/11 was intentionally destroyed by crushing the cassette by hand, cutting the tape into little pieces, and then dropping the pieces in different trash cans around the building [as shown by this NY Times article \(summary version is free; full version is pay-per-view\)](#) and by [this article from the Chicago Sun-Times](#)
- As reported by [ACLU](#), [FireDogLake](#), [RawStory](#) and many others, declassified documents shows that Senior Bush administration officials sternly cautioned the 9/11 Commission against probing too deeply into the terrorist attacks of September 11, 2001

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