

Who's Right ... Torture Defenders or Critics?

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The Senate says that torture <u>didn't produce any actionable intelligence</u>.

The CIA and a handful of those who ordered torture say that it was necessary.

Who's right?

We don't have to guess, get in a personality conflict, or engage in a partisan fight.

There is an overwhelming consensus among top interrogation experts of all stripes ...

Overwhelming Consensus: Torture Doesn't Work

<u>Virtually all of the top interrogation experts – both conservatives and liberals</u> (except for those <u>trying to escape war crimes prosecution</u>) – say that torture *doesn't* work:

• <u>Army Field Manual 34-52 Chapter 1</u> says:

"Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear."

• The C.I.A.'s 1963 interrogation manual stated:

Intense pain is quite **likely to produce false confessions**, concocted as a means of escaping from distress. A time-consuming delay results, while investigation is conducted and the admissions are proven untrue. During this respite the interrogatee can pull himself together. He may even use the time to think up new, more complex 'admissions' that take still longer to disprove.

- According to the Washington Post, the CIA's top spy Michael Sulick, head of the CIA's National Clandestine Service – <u>said</u> that the spy agency has seen **no falloff in intelligence since waterboarding was banned** by the Obama administration. "I don't think we've suffered at all from an intelligence standpoint."
- The <u>CIA's own Inspector General</u> wrote that waterboarding was not "efficacious" in producing information

 The Chief Prosecutor of the Guantanamo military commissions (Colonel Morris Davis) says:

As person responsible for prosecuting KSM [i.e. alleged 9/11 "master mind" Khalid Sheikh Mohammed], I spent 2 yrs immersed in the intel/evid. **Torture did no good**.

 A 30-year veteran of CIA's operations directorate who rose to the most senior managerial ranks (Milton Bearden) <u>says</u> (as quoted by senior CIA agent and Presidential briefer Ray McGovern):

It is irresponsible for any administration not to tell a credible story that would convince critics at home and abroad that this torture has served some useful purpose.

The old hands overwhelmingly believe that torture doesn't work

• The head of Army intelligence in 2006 (General John Kimmons) <u>says</u>:

No good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the last five years, hard years, tells us that.

• A former high-level CIA officer (Philip Giraldi) states:

Many governments that have routinely tortured to obtain information have abandoned the practice when they discovered that **other approaches actually worked better for extracting information**. Israel prohibited torturing Palestinian terrorist suspects in 1999. **Even the German Gestapo stopped torturing French resistance captives when it determined that treating prisoners well actually produced more and better intelligence**.

Another former high-level CIA official (Bob Baer) <u>says</u>:

And torture — I just don't think it really works ... you don't get the truth. What happens when you torture people is, they figure out what you want to hear and they tell you.

 Michael Scheuer, formerly a senior CIA official in the Counter-Terrorism Center, says:

"I personally think that any information gotten through extreme methods of torture would probably be **pretty useless** because it would be someone telling you what you wanted to hear."

 A retired C.I.A. officer who oversaw the interrogation of a high-level detainee in 2002 (Glenn L. Carle) <u>says</u>: [Coercive techniques] **didn't provide useful, meaningful, trustworthy information**...Everyone was deeply concerned and most felt it was un-American and did not work."

A former top Air Force interrogator who led the team that tracked down Abu Musab al-Zarqawi, who has conducted hundreds of interrogations of high ranking Al Qaida members and supervising more than one thousand, and <u>wrote</u> a book called *How to Break a Terrorist* <u>writes</u>:

As the senior interrogator in Iraq for a task force charged with hunting down Abu Musab Al Zarqawi, the former Al Qaida leader and mass murderer, I listened time and time again to captured foreign fighters cite the torture and abuse at Abu Ghraib and Guantanamo as their main reason for coming to Iraq to fight. Consider that 90 percent of the suicide bombers in Iraq are these foreign fighters and you can easily conclude that we have lost hundreds, if not thousands, of American lives because of our policy of torture and abuse. But that's only the past. Somewhere in the world there are other young Muslims who have joined Al Qaida because we tortured and abused prisoners. These men will certainly carry out future attacks against Americans, either in Iraq, Afghanistan, or possibly even here. And that's not to mention numerous other Muslims who support Al Qaida, either financially or in other ways, because they are outraged that the United States tortured and abused Muslim prisoners.

In addition, torture and abuse has made us less safe because **detainees are less likely to cooperate during interrogations if they don't trust us**. I know from having conducted hundreds of interrogations of high ranking Al Qaida members and supervising more than one thousand, that when a captured Al Qaida member sees us live up to our stated principles they are more willing to negotiate and cooperate with us. When we torture or abuse them, it hardens their resolve and reaffirms why they picked up arms.

He also <u>says</u>:

[Torture is] **extremely ineffective, and it's counterproductive to what we're trying to accomplish**. When we torture somebody, it hardens their resolve ... **The information that you get is unreliable**. ... And even if you do get reliable information, you're able to stop a terrorist attack, al Qaeda's then going to use the fact that we torture people to recruit new members.

And he <u>repeats</u>:

I learned in Iraq that the No. 1 reason foreign fighters flocked there to fight were the abuses carried out at Abu Ghraib and Guantanamo.

<u>And</u>:

They don't want to talk about the long term consequences that cost the lives of Americans.... The way the U.S. treated its prisoners "was al-Qaeda's number-one recruiting tool and brought in thousands of foreign fighters who killed American

soldiers.

- The <u>FBI interrogators</u> who actually interviewed some of the 9/11 suspects say torture didn't work
- Another FBI interrogator of 9/11 suspects said:

I was in the middle of this, and it's not true that these [aggressive] techniques were effective

- A third former FBI interrogator who interrogated Al Qaeda suspects says categorically that <u>torture does not help collect intelligence</u>. On the other hand he says that torture actually turns people into terrorists
- A declassified FBI e-mail dated May 10, 2004, regarding interrogation at Guantanamo states "[we] explained to [the Department of Defense], FBI has been successful for many years obtaining confessions via nonconfrontational interviewing techniques." (see also this)
- The FBI <u>warned</u> military interrogators in 2003 that enhanced interrogation techniques are "of questionable effectiveness" and cited a "lack of evidence of [enhanced techniques'] success.
- "When long-time FBI director Mueller was asked whether any attacks on America been disrupted thanks to intelligence obtained through "enhanced techniques", he responded <u>"I don't believe that has been the case."</u>
- The Senate Armed Services Committee unanimously <u>found</u> that torture doesn't work, <u>stating</u>:

The administration's policies concerning [torture] and the resulting controversies **damaged our ability to collect accurate intelligence** that could save lives, strengthened the hand of our enemies, and compromised our moral authority.

- The military agency which actually provided advice on harsh interrogation techniques for use against terrorism suspects warned the Pentagon in 2002 that those techniques would produce "unreliable information."
- General Petraeus says that torture is unnecessary
- Retired 4-star General Barry McCaffrey who Schwarzkopf called he hero of Desert Storm – <u>agrees</u>
- The <u>number 2 terrorism expert</u> for the State Department says torture doesn't work, and just creates more terrorists.
- Former Navy Judge Advocate General Admiral John Hutson says:

Fundamentally, those kinds of techniques are **ineffective**. If the goal is to gain actionable intelligence, and it is, and if that's important, and it is, then we have to use the techniques that are most effective. Torture is the technique of choice of the lazy, stupid and pseudo-tough.

He also <u>says</u>:

Another objection is that torture doesn't work. All the literature and experts say that if we really want usable information, we should go exactly the opposite way and try to gain the trust and confidence of the prisoners.

• Army Colonel Stuart Herrington – a military intelligence specialist who interrogated generals under the command of Saddam Hussein and evaluated US detention operations at Guantánamo – <u>notes</u> that the process of obtaining information is hampered, not helped, by practices such as "slapping someone in the face and stripping them naked". Herrington and other former US military interrogators <u>say</u>:

We know from experience that **it is very difficult to elicit information from a detainee who has been abused**. The abuse often only strengthens their resolve and makes it that much harder for an interrogator to find a way to elicit useful information.

Major General Thomas Romig, former Army JAG, said:

If you torture somebody, they'll tell you anything. I don't know anybody that is good at interrogation, has done it a lot, that will say that that's an effective means of getting information. ... So I don't think it's effective.

- Brigadier General David R. Irvine, retired <u>Army Reserve strategic intelligence</u> officer who taught prisoner interrogation and military law for 18 years with the <u>Sixth Army Intelligence School</u>, says **torture doesn't work**
- The first head of the Department of Homeland Security Tom Ridge says we were wrong to torture
- The former British intelligence chairman <u>says</u> that waterboarding didn't stop terror plots
- A spokesman for the National Security Council (Tommy Vietor) <u>says</u>:

The bottom line is this: If we had some kind of smoking-gun intelligence from waterboarding in 2003, we would have taken out Osama bin Laden in 2003.

- The Marines weren't keen on torture, either
- As Vanity Fair <u>reports:</u>

In researching this article, I spoke to numerous counterterrorist officials from agencies on both sides of the Atlantic. **Their conclusion is unanimous: not only have coercive methods failed to generate significant and actionable intelligence, they have also caused the squandering of resources on a massive scale through false leads, chimerical plots, and unnecessary safety alerts** ... Here, they say, far from exposing a deadly plot, all torture did was lead to more torture of his supposed accomplices while also providing some misleading "information" that boosted the administration's argument for invading Iraq.

- Neuroscientists have <u>found</u> that torture physically and chemically interferes with the prisoner's ability to tell the truth
- An Army psychologist Major Paul Burney, Army's Behavior Science Consulting Team psychologist – <u>said</u> (page 78 & 83):

was stressed to me time and time again that psychological investigations have proven that **harsh interrogations do not work**. At best it will get you information that a prisoner thinks you want to hear to make the interrogation stop, but that information is **strongly likely to be false**.

Interrogation techniques that rely on physical or adverse consequences are **likely to garner inaccurate information** and create an increased level of resistance...There is no evidence that the level of fear or discomfort evoked by a given technique has any consistent correlation to the volume or quality of information obtained.

 An expert on resisting torture – Terrence Russell, JPRA's manager for research and development and a SERE specialist – <u>said</u> (page 209):

History has shown us that **physical pressures are not effective for compelling an individual to give information or to do something' and are not effective for gaining accurate, actionable intelligence**.

Indeed, it has been known for hundreds of years that torture doesn't work:

- In the ancient Far East, torture was used as a way to <u>intimidate the population</u> <u>into obedience</u> (rather than a method for gaining information)
- As a former CIA analyst notes:

During the Inquisition there were many confessed witches, and many others were named by those tortured as other witches. Unsurprisingly, when these new claimed witches were tortured, they also confessed. Confirmation of some statement made under torture, when that confirmation is extracted by another case of torture, is **invalid information and cannot be trusted**.

 Top American World War 2 interrogators <u>got more information using chess</u> or Ping-Pong instead of torture than those who use torture are getting today • The head of Britain's wartime interrogation center in London said:

"Violence is taboo. Not only does it produce answers to please, but it **lowers** the standard of information."

The national security adviser to Vice President George H.W. Bush (Donald P. Gregg) wrote:

During wartime service with the CIA in Vietnam from 1970 to 1972, I was in charge of intelligence operations in the 10 provinces surrounding Saigon. One of my tasks was to prevent rocket attacks on Saigon's port. Keeping Saigon safe required human intelligence, most often from captured prisoners. I had a running debate about how North Vietnamese prisoners should be treated with the South Vietnamese colonel who conducted interrogations. This colonel routinely tortured prisoners, producing a flood of information, **much of it totally false**. I argued for better treatment and pressed for key prisoners to be turned over to the CIA, where humane interrogation methods were the rule – and more accurate intelligence was the result.

The colonel finally relented and turned over a battered prisoner to me, saying, "This man knows a lot, but he will not talk to me."

We treated the prisoner's wounds, reunited him with his family, and allowed him to make his first visit to Saigon. Surprised by the city's affluence, he said he would tell us anything we asked. The result was a flood of actionable intelligence that allowed us to disrupt planned operations, including rocket attacks against Saigon.

Admittedly, it would be hard to make a story from nearly 40 years ago into a definitive case study. But there is a useful reminder here. The key to successful interrogation is for the interrogator – even as he controls the situation – to recognize a prisoner's humanity, to understand his culture, background and language. **Torture makes this impossible**.

There's a sad twist here. Cheney forgets that the Bush administration followed this approach with some success. A high-value prisoner subjected to patient interrogation by an Arabic-speaking FBI agent yielded highly useful information, including the final word on Iraq's weapons programs.

His name was Saddam Hussein.

 Top interrogators got information from a high-level Al Qaeda suspects through building rapport, even if they hated the person they were interrogating by treating them as human

Senator John McCain <u>explains</u>, based upon his own years of torture:

I know from personal experience that the abuse of prisoners sometimes produces good intelligence but often produces bad intelligence because under torture a person will say anything he thinks his captors want to hear — true or false — if he believes it will relieve his suffering. **Often, information provided to stop the torture is deliberately misleading**.

According to the experts, torture is unnecessary even to prevent "ticking time

bombs" from exploding (see <u>this</u>, <u>this</u> and <u>this</u>). Indeed, a top expert says that <u>torture</u> would fail in a real 'ticking time-bomb' situation. (And, no ... it <u>did NOT</u> help get Bin Laden).

As shown above, torture doesn't produce actionable intelligence ...

But even if it did, the *specific type* of torture used by the U.S. is <u>famous for producing</u> **false** <u>evidence</u>.

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