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CIA Torture, Read All About It

It's remarkable that CIA officials feel comfortable justifying torture in a new book.

By Elizabeth Beavers

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Less than a year after a Senate panel reported in detail shocking acts of CIA torture, former CIA officials have responded. A book released on Wednesday, authored by some of the same high-level intelligence officials who oversaw the now-infamous torture program after the September 11 attacks, is intended to rebut the story of torture laid out in the landmark Senate “torture report.”

The book – titled "Rebuttal: The CIA Responds to the Senate Intelligence Committee's Study of Its Detention and Interrogation Program" – has already drawn harsh criticism. California Democratic Sen. Dianne Feinstein, who led the Senate panel's investigation into CIA torture, has already slammed the book as failing to respond to her report's allegations. Many others will surely soon criticize the book's narrative.

But such commentary is missing the point. The book's contents are not the story. What's remarkable is its very existence.

Torture is indisputably, unequivocally illegal. Any protests that torture can be justified in national security emergencies are simply irrelevant to the conversation. The domestic and

international laws which forbid torture do not include exemptions for any reason. In fact, it is because of the extraordinary lengths to which governments will go in the name of security that such laws exist. The fear that led officials to engage in torture is the same fear that fuels a global endless war. Yet the right to be free from torture is a right possessed simply by being human, and it applies at all times and in all situations. These authors are essentially confessing to their role in illegal acts as they reaffirm that the torture program existed, even if they choose to call those acts "enhanced interrogation."

Only in a culture of impunity for torture could such a book exist. The U.S. Justice Department has twice announced its refusal to prosecute officials who engaged in torture. Even after the allegations from the Senate torture report came to light, the Justice Department could not give a consistent reason for why it declined to re-open investigations despite ample new evidence. Officials first claimed they had reviewed the report yet found no cause for investigation. They then asserted that they had not even opened the report. Which is it? This is inexcusable, but it explains why former intelligence officials, under allegations of torture, could comfortably publish a book discussing their involvement in potentially criminal conduct without fear of consequence.

Lastly, there are real individuals impacted by this discussion. The conversation about torture is not clinical, nor academic, nor for the intellectual stimulation of policy elites. It is a story about real humans who suffered real harm at the hands of the U.S. government.

There was Gul Rahman, who died after the brutal treatment imposed upon him by U.S. interrogators. There was Majid Khan, who was forcibly rectally "fed" on multiple occasions. There was Mustafa al-Hawsawi, who was subjected to cold "water dousing" in CIA detention in a manner that may have been "indistinguishable" from the torture technique known as "water boarding." The Senate report also found that he had been subjected to excessive force during rectal examination, and was later diagnosed with "chronic haemorrhoids, an anal fissure, and symptomatic rectal prolapse."

It is crucial that everyone who reads the Senate torture report, or the CIA's rebuttal, remembers that these are husbands, fathers, brothers and sons who suffered and continue to suffer because of the tactics being discussed, and that many of them are still languishing in the legal black hole of Guantanamo Bay.

The Obama administration has justified the culture of impunity it has perpetuated by expressing a desire to "move forward." However, moving forward is impossible without accounting for the past. Without consequences, torture forever remains on the table as a viable option in the future, and there is no reason to believe it won't happen again. The same international laws which ban torture also require remedy, including accountability and redress, yet not a single person responsible for creating and carrying out the American torture story has faced justice.

Most likely, the CIA's rebuttal book will be met with the same indifference and ignorance that has for years surrounded the national conversation about torture. It is unsurprising, since the

officials who constructed the torture program built impunity into it from the start, with criminal activity designed and authorized at the highest levels of government. If the Justice Department continues to sit idly by as new revelations come to light, it is confirming what many have known for a long time: the lack of accountability for torture is not a bug in the system. It's a feature.