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BY MELVIN GOODMAN

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Spies and Their Lies: the Trials and Tribulations at Guantanamo



A watchtower at the Guantanamo Bay prison camp. Photograph Source: Gino Reyes – Public Domain.

“And ye shall know the truth and the truth shall set you free.”

The biblical quotation engraved on the marble walls of the lobby of the Central Intelligence Agency’s headquarters in McLean, Virginia.

Nearly 25 years ago, a group of suicide bombers attacked the U.S.S. Cole off Aden, Yemen, with the loss of 17 U.S. sailors. A Saudi, Abd al-Rahim al-Nashiri, believed to be the mastermind of the attack, was captured in 2002, and was officially charged in 2011 with leading the attack. He has become the longest-running capital murder case at Guantanamo, where his trial is expected to take place next year.

A major reason for the delay is that al-Nashiri, like so many captives at Guantanamo, was subjected to secret imprisonment by the CIA as well as waterboarding, rectal abuse, and prolonged sleep deprivation. A previous judge at Guantanamo excluded the confessions of al-Nashiri and others because of CIA's torture and abuse. U.S. prosecutors have asked the Court of Military Commissions to reinstate the confessions, and the rest of this year will be taken up with this issue at the U.S. Court of Appeals for the District of Columbia. The new judge, Colonel Matthew Fitzgerald, is the fourth to preside in this case, and he was still in law school when the U.S.S. Cole was attacked and 9/11 took place.

The al-Nashiri case was particularly egregious because his interrogators found him to be compliant, but a senior CIA official ordered the reinstatement of torture and abuse to include waterboarding. The official also ordered the field operatives not to make "sweeping statements" in their cable traffic regarding compliance, which pointed to an effort at CIA headquarters to cover-up its misdeeds.

The CIA has always maintained that secret memoranda of George W. Bush's Department of Justice permitted the use of "enhanced interrogation techniques" to include waterboarding in order to break the will of the captives. The CIA also had the support of psychologists and the American Psychological Association (APA) in conducting the coercive interrogation of terror suspects in Guantanamo and its secret prisons in East Europe and Southeast Asia. Two former military psychologists developed the CIA's sadistic techniques, which were based on Chinese efforts to obtain false confessions from American prisoners in the 1950s.

Ten years ago, the CIA published a series of essays ("Rebuttal: The CIA Responds to the Senate Intelligence Committee's Study of Its Detention and Interrogation Program") to state that the interrogation techniques were "implemented in a manner consistent with the U.S. laws, the Constitution, and international treaty obligations." This was a lie! The essays also argued that CIA officials, despite the legal approval of the Department of Justice, "seriously debated the moral and ethical dilemmas posed by the program." This was also a lie, and it is noteworthy that former CIA directors and deputy directors, such as Porter Goss, George Tenet, John McLaughlin, John Brennan, General Michael Hayden, and Michael Morell either

wrote essays for the CIA publication or sat in on meetings where torture and abuse was discussed without objecting to the interrogation techniques.

Brennan never should have been appointed CIA director in the first place. During the Tenet era, he was the chief of staff and deputy executive director, and provided no opposition to decisions to conduct torture and abuse, and—even worse—to render suspected individuals to foreign intelligence services that conducted their own torture. Brennan was also an active defender of the program of warrantless eavesdropping, implemented at the National Security Agency under the leadership of one of Tenet's successors, General Hayden, then NSA director.

President Barack Obama stated that the CIA's torture program was not representative of "our values," but he did nothing to make sure that "our values" would not be compromised again. He failed to rein in the CIA during the Global War on Terror, and failed to fire Brennan in 2014 when the CIA director lied to the chairwoman of the Senate Intelligence Committee and tried to block the committee's report.

It was Tenet who told President Bush that it would be a "slam dunk" to provide the intelligence to make the case for war against Iraq, and it was McLaughlin who gave the "slam dunk" briefing at the White House. McLaughlin also provided false intelligence to Secretary of State Colin Powell that was part of the secretary's deceitful speech at the United Nations in February 2003 to further the case for war. Tenet also lied to Vice President Dick Cheney and Attorney General John Ashcroft about the extent of the torture and abuse program.

In February, Jean Maria Arrigo, a whistleblower who exposed the role of the American Psychological Association in obscuring the role of psychologists in the torture program, died at the age of 79. She revealed the immoral involvement of APA psychologists in the sadistic program, but it was nearly a decade before an independent investigation documented the "collusion" between the APA and the CIA and the Pentagon. The investigation concluded that the APA suppressed Arrigo's charges in an "intentional effort to curb dissent."

One of the many lessons of Arrigo's experience should be the need for an independent investigation of the Israeli killing of the World Central Kitchen workers instead of relying on the Israeli Defense Forces to investigate themselves. If the aid workers had been Palestinian instead of an international group, then there presumably would have been no investigation of any kind.

It is important that the ethical issues that arise from national security decision making be an essential part of the foreign policy debate. If not for Ms. Arrigo, perhaps the APA would

have continued to collaborate covertly with the CIA and the Pentagon. Ms. Arrigo's legacy addresses the importance of dissent and whistleblowing.

*Melvin A. Goodman is a senior fellow at the Center for International Policy and a professor of government at Johns Hopkins University. A former CIA analyst, Goodman is the author of **Failure of Intelligence: The Decline and Fall of the CIA** and **National Insecurity: The Cost of American Militarism**, and **A Whistleblower at the CIA**. His most recent books are "American Carnage: The Wars of Donald Trump" (Opus Publishing, 2019) and "Containing the National Security State" (Opus Publishing, 2021). Goodman is the national security columnist for counterpunch.org.*

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