

ONE FORMER OFFICIAL READY TO BUST OTHERS FOR TORTURE

In my post on the scope of any torture investigation, I noted that if you went after the guy—whom I called Mr. Poignant—who clearly exceeded even John Yoo’s guidelines on torture, he would quickly get you to the architects of the torture program.

In other words, if you go after Mr. Poignant, he will quickly be faced with the opportunity to burn the torture architects to protect himself. (And hell, even if he’s a Scooter Libby type, this stuff is all out there anyway.)

And in many posts—including this recent one on Chuck Todd’s inanity—I pointed to three things that would be used to implicate those architects.

- The psychologist/interrogator/co ntractor quoted in the OLC opinion admitting he exceeded John Yoo’s guidelines
- The OLC memo’s description of CIA HQ ordering up another round of waterboarding for Abu Zubayah when that violated the OLC memo’s clear prohibition on waterboarding when the detainee was compliant
- The near-daily White House authorization of torture

before John Yoo crafted a memo saying it was legal

The WaPo has a story today that proves my point. It is basically a summary of information already out there, supplemented by one "former US official" involved in the torture discussions who seems prepared to do just what I said—implicate the architects of the torture program.

The former official describes how, when interrogators in Thailand determined Abu Zubaydah was fully compliant, those in DC harangued them into further torture.

In August 2002, as the first anniversary of the Sept. 11, 2001, attacks approached, officials at CIA headquarters became increasingly concerned that they were not learning enough from their detainee in Thailand. When the interrogators concluded that Abu Zubaida had no more to tell, Langley scolded them: "You've lost your spine." If Mitchell and his team eased up and then al-Qaeda attacked the United States again, agency managers warned, "it would be on the team's back," recalled the former U.S. official, who spoke on the condition of anonymity to discuss classified information.

[snip]

"Headquarters was sending daily harangues, cables, e-mails insisting that waterboarding continue for 30 days because another attack was believed to be imminent," the former official said. "Headquarters said it would be on the team's back if an attack happened. They said to the interrogation team, 'You've lost your spine.' "

Mitchell and Jessen now found themselves in the same position as Soufan, Shumate and others.

"It was hard on them, too," the former U.S. official said. "They are psychologists. They didn't enjoy this at all.

The two men threatened to quit if the waterboarding continued and insisted that officials from Langley come to Thailand to watch the procedure, the former official said.

The former official repeats stories about meticulous approval for the torture from Langley—and (though this is probably from other sources) through Langley from DC.

"The program was fully put together, vetted and run by the counterterrorism folks at the agency," the former U.S. official said. "CIA headquarters was involved directly in every detail of interrogation. Permission had to be obtained before every technique was used, and the dialogue was very heavy. There were cables and also an IM system. All Mitchell's communications were with the Counterterrorist Center."

In Bangkok, word circulated among those at the secret site that the tactics had been approved "downtown" – agency jargon for the White House.

(Note the use of the IM system—I wonder if those got archived at all?)

Mind you, this former official is still trying to cover his own ass—and justify the torture. Witness his claim that Abu Zubaydah exposed Padilla after sleep deprivation.

"In two different bits, after sleep deprivation, is when Abu Zubaida gave clues about who Padilla might be," the former U.S. official said. "When that was put together with other CIA sources, they were able to identify who he was. .

. . The cables will not show that the FBI just asked friendly questions and got information about Padilla."

And he repeats the verifiably false claim that torturing Abu Zubaydah led to Ramzi bin al-Shibh's capture.

The former U.S. official said that waterboarding forced Abu Zubaida to reveal information that led to the Sept. 11, 2002, capture of Ramzi Binalshibh, the key liaison between the Hamburg cell led by Sept. 11 hijacker Mohammed Atta and al-Qaeda's leadership in Afghanistan.

But others contend that Binalshibh's arrest was the result of several pieces of intelligence, including the successful interrogation by the FBI of a suspect held at Bagram air base in Afghanistan who had been in contact via satellite phone with Binalshibh, as well as information gleaned from an interview Binalshibh gave to the television network al-Jazeera.

But this is precisely the kind of person who—as I suggested—will make it all but impossible to limit the torture investigation to James Mitchell. Because as soon as you start going after the guys who implemented the torture, they will begin to implicate those higher up who also clearly violated the terms of John Yoo's memo (remember—the entire memo is premised on certainty that the detainee has further information that can only be gained through torture, making the order for the final waterboard totally illegal according to the memo).