

## **CIA to be accountable for torture? I doubt it**

By Nat Hentoff – 12/19/12

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At long last, the Senate Intelligence Committee approved on Dec. 13, after three and a half years of research, its “Study of the Central Intelligence Agency’s Detention and Interrogation.” But We The People can’t read it yet. It’s still classified.

Over 6,000 pages long, purportedly with details of how each CIA “detainee” was interrogated and the information they provided, it now goes to the White House and the executive branch for review and comment. This may well take months, and only then will the Intelligence Committee decide how much of it we can see.

We already do have, however, a stinging chilling glimpse of the report by the chair of the committee, Sen. Dianne Feinstein (D-California) on the day it was issued, shrouded in secrecy aside from her comments.

“I strongly believe that the creation of long-term, clandestine ‘black sites’ (CIA secret prisons around the world after 9/11) and the use of so-called ‘enhanced interrogation techniques’ (the plain word, senator, is torture) were terrible mistakes. The majority of the Committee agrees.”

Feinstein’s statement does not mention that the Bush-Cheney torture policy served for years as a prime recruiting tool for terrorists against evil America as it was continually exposed by U.S. human rights organizations and reporters documenting its use by the CIA as well as other American agencies.

In the current courts of several of our allies, moreover, investigations are still underway charging CIA agents with involving these nations’ intelligence agencies with crimes of torture as they cooperated with American “renditions,” during which terrorism suspects were sent by the CIA to those nations to be tortured.

President Obama insists that he ended U.S. torture and renditions soon after taking office, but — gee whiz — he has continued renditions that remain classified. We don’t know who gets sent where and for what purpose. No wonder our re-elected commander-in-chief always insists on “looking forward” rather than back and insisting on investigating what a number of American constitutional lawyers and reporters, including this one, have documented as clear war crimes under international treaties we have signed and our own anti-torture laws.

I expect that President Obama, upon reviewing the Senate Intelligence

Committee report sent him by the committee, will strongly recommend a lot of cuts. But since all this is being done in secret, will we ever know what the Senate Committee decides to censor without telling us?

Not incidentally, during preparations for this report, as the New York Times' Scott Shane writes on Dec. 12, "the report was written by Democratic staff members after Republicans declined to participate." ["Portrayal of C.I.A. Torture in Bin Laden Film Reopens a Debate," Scott Shane, Dec. 12].

They did not want to be the Benedict Arnolds of the Bush-Cheney regime.

While I admire the emphasis with which Dianne Feinstein speaks in her additional Dec. 13 statements about the report's uncovering "startling details about the CIA detention and interrogation programs and raises critical questions about intelligence operations and oversight," (all of which Obama has ignored) I have no confidence in her rosy prediction of its great benefit to U.S. citizens and the world. Those benefits will be very limited if we only get to see the censored version.

She pledges: "I am confident the CIA will emerge a better and more able organization as a result of the committee's work. I also believe this report will settle the debate once and for all over whether our nation should ever employ coercive interrogations techniques such as those detailed in this report."

If I believed that, I would be able to tell my youngest grandchild that I truly believe in Santa Claus.

One Republican senator intensely interested in the Intelligence Committee Report is John McCain (R-Arizona), who has expert individual knowledge of torture, having been continually tortured while a prisoner in North Vietnam during that war.

On Dec. 13, in a letter to fellow members of the committee, McCain emphasized why the Senate report must be made public:

"At a moment when our country is once again debating the efficacy and morality of so-called 'enhanced interrogation practices,' this report has the potential to set the record straight once and for all. What I have learned confirms for me ... that the cruel, inhuman and degrading treatment of prisoners is not only wrong in principle and a stain on our country's conscience, but also an ineffective and unreliable means of gathering evidence" (More on that next week).

He continues: "Our enemies may act without conscience, but we do not. It is indispensable to our success in this war that those we ask to fight it know that in the discharge of their dangerous responsibilities to our country, they are never expected to forget that they are Americans ... we need not risk our country's

honor to prevail in that through the violence and chaos and heartache of war, through deprivation and cruelty and loss, we are always Americans and stronger and better than those who would destroy us.”

As one of many examples of how the CIA renditions — which involve snatching terrorism suspects off foreign streets — have involved other nations, dig this Dec. 13 story from the New York Times: “A German who was mistaken for a terrorist and abducted nine years ago won a measure of redress when the European Court of Human Rights ruled that his rights had been violated and confirmed his account that he had been seized by the CIA, brutalized and detained for months in Afghanistan.” (“Court Finds Rights Violation in C.I.A. Rendition Case,” Nicholas Kulish, Dec. 13). The European court ruled unanimously on this U.S. rendition.

To be continued here next week.