



BACKGROUND

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The National Security Case Against Torture

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When President Obama signed the executive order banning torture, he was surrounded in the Oval Office by sixteen retired generals and admirals. The presence of prominent military officials underscored the fact that torture is not only a moral or a legal issue – it is also a national security issue. Torture is wrong. It doesn't work. And it makes America less safe.

Advocates of “enhanced interrogation” have not taken these arguments lying down. They trumpet the virtue of harsh interrogation methods as a vital tool in America's fight against terrorism. In their view, torture saves lives – and those gains are worth the loss of American values. But they are wrong on all counts, and proving them wrong in the court of public opinion is vital to our country's security.

Torture: the Source of Bad Intelligence and the Key to New Enemies

From Barack Obama and John McCain to General Petraeus and a coalition of former interrogators, the case against torture has supporters across professions and ideologies. There are three key reasons why torture is harmful to our national security:

1.) Torture yields false intelligence. While intended to attain information and shield the U.S. from attack, “enhanced interrogation” has the overall result of yielding bad intelligence.

“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

“The use of force is not necessary to gain the cooperation of sources for interrogation. It 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.”

- U.S. Army Field Manual

years, tells us that.” Lieutenant General John Kimmons, Army Deputy Chief of Staff for Intelligence

2.) Torture creates a larger swath of individuals who want to do us harm. When we torture, we increase terrorists' ability to recruit, and enhance their appeal among fence-sitting populations.

“There are serving U.S. flag-rank officers who maintain that the first and second identifiable causes of U.S. combat deaths in Iraq – as judged by their effectiveness in recruiting insurgent fighters into combat – are, respectively the symbols of Abu Ghraib and Guantanamo.” Former Navy General Counsel Alberto Mora

3.) Torture jeopardizes our troops' safety. It removes the stigma of torturing prisoners and it creates more enemies, so the military is one of the top voices against torture.

“The number of U.S. soldiers who have died because of our torture policy will never be definitively known, but it is fair to say that it is close to the number of lives lost on Sept. 11, 2001. How anyone can say that torture keeps Americans safe is beyond me—unless you don't count American soldiers as Americans.” U.S. Air Force interrogator Major Matthew Alexander, author of How to Break a Terrorist

The Truman Doctrine

“Prisoner abuse and torture are to be avoided at all costs... because they can degrade the intelligence collection effort by interfering with a skilled interrogator's efforts to establish rapport with the subject.” **From a Statement signed by 20 former U.S. Army Interrogators**

“Trained and experienced interrogators refute the assertion that so-called “coercive interrogation techniques” and torture are necessary to win the “War on Terror”... You will also see that experienced interrogators find prisoner/detainee abuse and torture to be counter-productive to the intelligence gathering mission.” **Peter Bauer, Former U.S. Army Interrogator**

“Al Qaeda and Taliban terrorists are taught to expect Americans to abuse them. They are recruited based on false propaganda that says the United States is out to destroy Islam. Treating detainees harshly only reinforces that distorted view, increases resistance to cooperation, and creates new enemies.” **Senate Armed Services Committee Report, December 2008**

“I listened time and time again to foreign fighters, and Sunni Iraqis, state that the number one reason they had decided to pick up arms and join Al Qaeda was the abuses at Abu Ghraib and the authorized torture and abuse at Guantanamo Bay. My team of interrogators knew that we would become Al Qaeda's best recruiters if we resorted to torture.” **U.S. Air Force Interrogator Major Matthew Alexander, author of *How to Break a Terrorist*.**

“I don't know about you, but I'm sure if I were tortured, I think I would come to the same conclu-

In short, when we torture suspected terrorists, we decrease the likelihood of learning more about the next attack, while increasing the likelihood that new attacks are on their way.

The reality is that Dick Cheney and most former officials who still advocate “enhanced interrogations” played a role in creating and implementing such policies. So they naturally have a personal interest in clearing their own names and a legitimate interest in protecting their erstwhile employers. But damaging for the advocates of “enhanced interrogation” is the fact that their best evidence is hearsay. While they claim that the harsh treatment of detainees helped foil major terrorist plots and revealed critical information on high-level terrorists such as Khalid Sheikh Mohammed and Abu Zubaydah, government officials, intelligence analysts, and journalists are not so sure.¹ It is unclear what information was gained, and whether normal interrogation techniques had even been tried. At the end of the day, the pro-torture argument boils down to a dubious plea: “trust us.”

But we should not trust them; not when so many other officials – few of whom have similar personal or institutional axes to grind – insist from experience that torture doesn't work and makes us less safe. They have seen firsthand that it produces unreliable information that results in wild goose chases and motivates otherwise harmless individuals to take up arms against America, as U.S. troops in Iraq discovered after the scandals at Abu Ghraib and Guantanamo Bay.

Is it possible that an individual instance of torture will produce a reliable piece of information? Yes. It's possible. The problem is that, on the whole, torture yields a net negative. When we torture, we have no way of knowing whether a given piece of information is true. What we do know is that the act of torture helps terrorists attract new recruits and creates false intelligence that blurs the lines between fact and fiction, endangering our military and our homeland. In other words, torture is akin to betting the farm for a rotten piece of land.

As General David Petraeus explains:

“Some may argue that we would be more effective if we sanctioned torture or other expedient methods to obtain information from the enemy. They would be wrong. Beyond the basic fact that such actions are illegal, history shows that they also are frequently neither useful nor necessary.”

American Opinion on Torture

The ultimate arbiters of U.S. policy on torture are not the public officials who hold office at a given time – they are the American people who vote them into power. Torture is too serious a problem for our national security to allow it to be revived under a future president. To affect a long-term prohibition on torture, it is essential to convince the American people that it is in our best interests to do so. In order to do this, we must first understand where the American people stand on the issue – and why.

Recent polls conducted by The Pew Research Center, the *Washington Post/ABC*, and the *New York Times/CBS* reveal that the American people are split right down the middle on the question of torture.² The data indicates that the portion of the U.S. population that believes torture cannot be justified is roughly equivalent to those who believe it can be justified in extreme circumstances. Enforcing and projecting the right policy on torture requires convincing a larger majority of the U.S. public that torture runs counter to our nation's best interests.

Americans who claim that torture is justified tend to limit those feelings to extreme scenarios. “Torture may be evil,” so the thinking goes, “but if refusing to torture a terrorist will lead to the deaths of innocent people, then torture is a lesser evil that must be tolerated.” This is a false argument. However, it does not change the fact that millions of Americans believe it out of an honest desire to keep our country safe. The moral and security cases for ending torture go hand in hand. But to convince Americans, legal and moral arguments alone are not enough – national security must also be front and center in our case against torture. Torture is unquestionably wrong. Yet these

sion — that the way to stop the torture would be to say whatever they want, and I would try to imagine what it is that they want.” **Richard Clarke, Former Chief Counter-Terrorism Adviser on the U.S. National Security Council.**

“Rather than honor laws that respect both our history and our obligations as a nation amongst many, laws that have successfully protected us from threat while preserving our human values, the Bush administration decided to place politics and expediently misguided policies over law and morality. In the end, this left us more vulnerable, not more secure.” **Stephen Abraham, Lieutenant Colonel, U.S. Army Res. (Ret.), from 2004-2005, served in the Office for the Administrative Review of the Detention of Enemy Combatants at Guantanamo Bay.**

“The bottom line is these [enhanced interrogation] techniques have hurt our image around the world, the damage they have done to our interests far outweighed whatever benefit they gave us and they are not essential to our national security.” **Admiral Dennis C. Blair, Director of National Intelligence**

“It has never come to my attention in any persuasive way—from classified information or otherwise—that any intelligence of significance was gained from any of the detainees at Guantánamo Bay other than from the handful of undisputed ring leaders and their companions, clearly no more than a dozen or two of the detainees, and even their alleged contribution of hard, actionable intelligence is intensely disputed in the relevant

arguments will hold little weight for those who genuinely believe that torture might protect the United States from terrorists. Those of us who oppose torture must demonstrate that our primary objective is to keep America safe, while showing that we have a better way of getting the job done than our opponents. While righteous indignation might be an appropriate response

to George Bush, Dick Cheney, or other framers of public policy, it is an unacceptable attitude to adopt toward Americans who only wish to live free from the threat of terrorism. To win their confidence and create a solid base of support for the prohibition of torture, the case against torture must speak to the legitimate fears and concerns of the American public.

Good Answers to Tough Questions

How does torture produce bad information? Prisoners will lie to make the pain stop. Take the case of Ibn al-Shaykh al-Libi, who described to his Egyptian captors a false link between Saddam and Al-Qaeda in order to avoid torture.³ That’s exactly the sort of false “intelligence” that led us into war in Iraq, distracting us from the real terrorist threat in Afghanistan.

If we don’t use torture to obtain good information, how are we going to make hardened terrorists talk? We get good intelligence by using the same confidence-building approach that interrogators have used with great success since World War II. By appealing to a detainee’s fears, desires, and motivations – instead of destroying his mind and body – an interrogator can earn the confidence of the detainee and go back to him, time and time again, for new information. Military interrogators used these methods to locate and kill al Qaeda in Iraq leader Abu Musab al Zarqawi.⁴ And while we can’t measure precisely how much time and intelligence we would have sacrificed by resorting to “enhanced interrogation,” we do know that we would have missed the opportunity to take out Zarqawi as early as we did.

Why shouldn’t we use any means necessary to protect the United States? If torture worked, then we’d truly face a moral dilemma about whether it’s right to use “any means necessary.” But the fact of the matter is that torture doesn’t work. Although television and film can lead us to believe otherwise, torture is not some sort of secret weapon that has to be called in when all other methods fail. It’s not an effective weapon, because it leads to false information in order to make the pain stop—and with no trust built between interrogator and prisoner, we cannot separate the false from the true.

By releasing the torture memos, President Obama has told al Qaeda exactly what the U.S. will and will not do. Won’t that help them prepare for captivity? Terrorists have been tortured in Middle Eastern prisons for decades – so al Qaeda already knows what torture is and how to prepare for it. What they won’t be ready for are American interrogators who use tried-and-true confidence-building methods. When they see that America is not some monstrous “Great Satan” that tortures at will, we begin to undermine their worldview. And as their ideology erodes, their willingness to open up and trust their interrogators with quality information increases.

Vice President Cheney is pushing to declassify CIA documents that, he says, prove torture prevented terrorist attacks. Why would he lie about that? He’s probably not lying. Much more likely is that he’s wrong. He also believed that Saddam was working with al Qaeda, that Iraq had weapons of mass destruction, and that Iraqis would greet us as liberators. Dick Cheney holds his beliefs stronger than facts. Meanwhile, to trust Dick Cheney on the wider issue of torture is to distrust all the military and intelligence officials who have real experience with interrogation. Given Cheney’s failed track record, taking his word over theirs just doesn’t make sense.

communities such as intelligence and law enforcement.” Lawrence Wilkerson, Former Chief of Staff to Secretary of State Colin Powell

In an interview with *Vanity Fair* last year, F.B.I. director Robert S. Mueller III, was asked whether any attacks had been disrupted because of intelligence obtained through the coercive methods. “I don’t believe that has been the case,” Mr. Mueller said.

“Traditional interrogation techniques are successful in identifying operatives, uncovering plots and saving lives. There was no actionable intelligence gained from using enhanced interrogation techniques on Abu Zubaydah that wasn’t, or couldn’t have been, gained from regular tactics.” Ali Soufan, F.B.I. Supervisory Special Agent, 1997-2005.

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Good Answers to Tough Questions Continued

Shouldn’t we be allowed to use “enhanced interrogation” techniques in a ticking time bomb scenario? If we had any reason to believe that “enhanced interrogation” worked, then maybe. But there’s no evidence that these techniques produce the kind of quick intelligence we would need in such an immediate situation, just as there is no evidence that they work well under any other conditions.⁵ Even worse, if we are too quick to torture a particular detainee, we lose the opportunity to use proven confidence-building techniques and deny ourselves access to the kind of intelligence we might need to prevent a real attack. Besides, former FBI Special Agent/Interrogator Jack Cloonan has “been hard pressed to find a situation where anybody” can say “that they’ve ever encountered the ticking time bomb scenario.” It’s a “red herring” and “[i]n the real world it doesn’t happen.”

Won’t the torture memos prompt more people to become terrorists? The use of torture by the Bush administration is old news, so there’s no reason to believe it will prompt more people to join up with terrorists. What President Obama accomplished by releasing the torture memos was to show the world – especially to those on the fence who might be considering taking up arms against America – that we will stand by our commitment to human rights and American values. For people who live in places where they’ve never heard anything about the United States except hateful rhetoric, they now have a reason to think twice.

Conclusion

In the darkest hours of World War II, Winston Churchill refused to torture Nazi prisoners in British custody.⁶ He rightly feared that institutionalized torture would erode a nation’s moral fiber. What we must recognize today is that in the current international security context, the moral question is about more than a feeling of self-satisfaction. Rather, the “morality case” against torture is part and parcel of the national security case. US policy must live up to American values because, for our enemies, “hypocrisy” is a persuasive recruitment tool. And without confidence and trust, skilled interrogators stand little chance of acquiring the reliable intelligence we need to keep United States safe.

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