

# Clashing Face-to-Face on Torture

**Exclusive:** It's rare on TV when you see two former senior U.S. officials clashing angrily over something as significant as torture. Usually decorum prevails. But ex-CIA analyst Ray McGovern wasn't going to let the ex-House intelligence oversight chief get away with a bland defense of torture, as McGovern recounts.

By Ray McGovern

When you get an opportunity like this, don't fall back I heard my Irish grandmother telling me last Thursday as I took my place at the table to discuss torture with a former congressional committee chairman whose job it was to prevent such abuse.

Almost rubbing shoulders with me on my right was former House Intelligence Committee chair (2004-2007) Pete Hoekstra, a Republican from Michigan. Central China TV had asked both of us to address the findings of the Senate Intelligence Committee report on CIA torture. I said yes, of course, since I was highly interested in how Hoekstra, with his front seat for the saga of "Enhanced Interrogation Techniques," would try to 'splain it all.

Here was a unique chance to publicly confront a malleable, moral dwarf who had been in a uniquely powerful position to end the torture. The moment was also an odd one, for Hoekstra not the brightest star in the constellation seemed oblivious to his gross misfeasance and dereliction of duty. Or how his behavior might look to non-torture aficionados.

Hoekstra took over the House intelligence "oversight" committee in 2004 when former chair, Porter Goss, a Republican from Florida, was picked as the perfect as in fully-briefed-and-complicit functionary to become director of the CIA, replacing "slam-dunk" George Tenet. Tenet left in disgrace in July 2004, still seeking those notional Iraqi "weapons of mass destruction" in vain.

Last week, amid the unfolding torture scandal, Hoekstra went on CCTV America's daily talk show, "The Heat," to offer a heated defense of what he insisted on still calling "enhanced interrogation techniques." My opportunity for a blunt exchange with him over exactly what the House Intelligence Committee knew came near the end of the show.

I had already been trying hard to decode for the TV audience the bull-excrement coming from Hoekstra and others quoted on the program. At one point, as luck would have it, the moderator asked me about the CIA's fear-driven argument that the "urgency" of preventing additional terrorist attacks justified short-cuts

like torture.

A hat tip here to my VIPS colleague Larry Johnson, who had called my attention earlier that day to the actual time sequence involving the capture and interrogation of detainee Abu Zubaydah, noting that if that scenario reflected "time-urgency," we are all in serious trouble.

After FBI interrogators, using the traditional rapport-building approach to Abu Zubaydah, extracted a good deal of useful information from him in April 2002, Washington (for reasons not yet fully clear) ordered the FBI to give him over to CIA officials. They kept him in solitary confinement, asking him no questions, from mid-June 2002 until Aug. 4, giving time for torture-friendly lawyers in Washington to come up with some tortured legal justifications to "authorize" waterboarding and other abusive techniques. Zubaydah was then waterboarded 83 times, yielding no useful intelligence.

### **Clashing with Hoekstra**

As the program neared its end, the host turned back to me and asked me to respond to former Vice President Dick Cheney's ardent defense of the torture program. I focused my criticism on Cheney as the "eminence grise" behind the Bush administration plunge into the "dark side."

But I also saw an opportunity to press Hoekstra on his knowledge and complicity, though I framed my question to give him an out on direct knowledge about the grisly torture techniques, from waterboarding and hanging people from ceilings to forced nudity and "rectal rehydration."

"I don't know if he [Cheney] checked with you, Congressman Hoekstra, he really should have, but I'm amazed if you were either unaware of these things or whether you condoned them," I said, addressing Hoekstra only inches away.

"I think I've been very open," Hoekstra responded, indicating that he did know and did approve.

McGovern: "You condoned them. My God!"

Hoekstra: "I explained this to you. Members of Congress, Republicans and Democrats, leadership on both sides, Gang of Eight".

McGovern: "Thought that torture was okay?"

Hoekstra: "Thought that the enhanced interrogation techniques

McGovern: "That's torture."

Hoekstra: " were appropriate."

McGovern: "Let's not use these sobriquets. This was torture."

Hoekstra: "No, the Justice Department characterized them as legal. To say that you were aghast that we heard, no."

McGovern: "I'm aghast that you were briefed on it. You're supposed to be overseeing these things, you should stop these things. You were co-opted."

Hoekstra: "No, we weren't. Republicans and Democrats were fully briefed on these programs and we agreed with them."

I still thought I'd give the former congressman a path out of the pro-torture corner that he was painting himself into, by suggesting that he might be simply embarrassed that he had been misled by the CIA and the Bush administration, that he had been kept in the dark about the darkest of the dark side, but Hoekstra just kept painting.

McGovern: "You were lied to and you're ashamed to admit that you were lied to."

Hoekstra: "I'm not ashamed that I was lied to. I'm admitting that these programs were briefed to us. I've talked to my staff going back and said after this 'revelation' came out how much of what is in this Dianne Feinstein report, this partisan report, this Democrat report, how much did we know? Ninety to 95 percent."

McGovern: "Oh, my God! What a terrible admission! Aren't you ashamed?"

Hoekstra: "No, I'm not ashamed."

McGovern: "My God!"

Then, Hoekstra tried to suggest that I was being disloyal to my former colleagues at the CIA as if the few senior officials who pushed for the torture and the few mostly contractors who carried it out were representative of most CIA personnel among whom I had served for 27 years. Hoekstra was waving a red flag, so I played the bull, forsaking the usually obligatory deference and politeness. I let him have it. (Sometimes it doesn't help to be Irish.)

Hoekstra: "I reached a different conclusion as did many of your colleagues at the CIA "

McGovern: "These are not my colleagues! These are thugs hired by Dick Cheney!"

Hoekstra: "These are people you walked away from. These are heroes for America"

McGovern: "These are thugs headed by Dick Cheney!"

Hoekstra: "who are protecting America."

That was when the host politely brought the program to a conclusion. [For this exchange, see minutes 8:23 to 10:41 of [Part Three](#), though I think the entire program is worth watching. [Part One](#), [Part Two](#) and [Part Three](#).]

### **Limited US Viewing**

Few Americans are likely to be among those who saw "The Heat" on Dec. 11 or will see it on YouTube. But there is some consolation in the claim that, according to CCTV, a billion Chinese-speakers normally watch the dubbed-into-Mandarin version of this program, and not only in China. Even if the actual number is only half that, well, that will amount to about 500,000 viewers more than the audience in the United States. Some solace.

Since Dec. 9, when the Senate report was released, I also have been interviewed on Canadian TV, Aljazeera, Russian TV, Sky News (UK), two taped Russian prime-time Sunday evening TV programs, Radio Scotland (BBC), Radio New Zealand, and three Radio Pacifica programs. Some of the above hosted me as many as four times, and I have had to turn down, or refer to others, additional invitations (yes, all of these from abroad, as well).

For some reason, despite a prompt press release issued on Tuesday morning, U.S. media remain uninterested in my blunt commentary on the subject of torture. As the CCTV interview indicated, I cannot be counted on to be pleasant when discussing torture, particularly with those who could have, and should have, prevented it.

Which reminds me that after [my four-minute impromptu debate](#) with Donald Rumsfeld in Atlanta on May 4, 2006, I was asked by CNN's Paula Zahn, "How long have you had this personal animus toward the Secretary of Defense? And why did you follow him all the way down to Atlanta?"

No personal animus, I could honestly explain to Paula; I just have this thing about folks who start wars of aggression and enable torture (the sobriquet "enhanced interrogation techniques" was not put into the public lexicon until four months later).

As for following Rumsfeld "all the way down to Atlanta," I explained that I had gotten to Atlanta the day before very pleased to have been honored with the ACLU's National Civil Liberties Award (won the previous year by Coretta Scott King). The chance to attend Rumsfeld's speech was just a bonus.

But I must confess. I do have a personal beef with Hoekstra, who, in 2006, pulled one of the dirtiest tricks I ever encountered personally. Without telling other members of the House Intelligence Committee, he added to the draft Intelligence Authorization Act for FY'07 (HR5020) a provision enabling the government to strip intelligence veterans of their government pensions. HR5020 passed the full House, but Congress opted instead for a continuing resolution.

So maybe it is more a case of Hoekstra having some animus toward my veteran intelligence colleagues and me, who had been exposing the torture overlooked (if not blessed) by his committee. His attempt to make revoking our pensions legal came shortly after March 2, 2006, when as a matter of conscience in protest against torture I went to his House office and returned the Intelligence Commendation Medallion given me at retirement for "especially meritorious service," explaining "I do not want to be associated, however remotely, with an agency engaged in torture."

On Dec. 11, after time ran out for "The Heat," I took the opportunity to let Hoekstra know very directly that we were very much aware of his low-life move against us.

Earlier, when the CCTV moderator, in introducing me, had noted that I had returned my Intelligence Commendation Medallion over the issue of CIA torture, I was sorely tempted to ask Hoekstra why he sent me neither acknowledgment nor reply to my letter. But I quickly decided that it would likely be easier and far more important to call him to task on his unconscionable misfeasance in condoning torture itself, than on the dirty trick he almost succeeded in pulling on my former intelligence officers and me.

So I waited until we ran out of time to tell him we are aware of what he had tried to do and what we thought of it, and suggested that the sooner he went back to Michigan the better it would be for honest people in Washington.

Below is the letter I gave Hoekstra in April 2006. Actually, I had to give it to his aides; there were indications that he was hiding in his inner office, but they said he was not. Perhaps he was at CIA being briefed on "Enhanced Interrogation Techniques."

March 2, 2006

Dear Congressman Hoekstra:

As a matter of conscience I am returning the Intelligence Commendation Award medallion given me for "especially commendable service" during my 27-year career in CIA. The issue is torture, which inhabits the same category as rape and slavery, intrinsically evil. I do not wish to be associated, however remotely,

with an agency engaged in torture.

Reports in recent years that CIA personnel were torturing detainees were highly disturbing. Confirmation of a sort came last fall, when CIA Director Porter Goss and Dick Cheney, dubbed by the Washington Post "Vice President for Torture", descended on Sen. John McCain to demand that the CIA be exempted from his amendment's ban on torture. Subsequent reports implicated agency personnel in several cases of prisoner abuse in Iraq, including a few in which detainees died during interrogation.

The obeisance of CIA directors George Tenet and Porter Goss in heeding illegal White House directives has done irreparable harm to the CIA and the country, not to mention those tortured and killed. That you, as Chair of the House Permanent Select Committee on Intelligence, show more deference to the White House than dedication to your oversight responsibilities under the Constitution is another profound disappointment. How can you and your counterpart, Sen. Pat Roberts, turn a blind eye to torture, letting some people get away, literally, with murder, and square that with your conscience?

If German officials who were ordered to do such things in the 1930s had spoken out early and loudly enough, the German people might have been alerted to the atrocities being perpetrated in their name and tried harder to stop them. When my grandchildren ask, "What did you do, Grandpa, to stop the torture," I want to be able to tell them that I tried to honor my oath, taken both as an Army officer and an intelligence officer, to defend the Constitution of the United States, and that I not only spoke out strongly against the torture, but also sought a symbolic way to dissociate myself from it.

We Americans have become accustomed to letting our institutions do our sinning for us. I abhor the corruption of the CIA in the past several years, believe it to be beyond repair, and do not want my name on any medallion associated with it. Please destroy this one.

Yours truly, Ray McGovern

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# The CIA's Bureaucracy of Torture

Bureaucratic inertia the CIA's desire for bigger budgets and then its fear of negative consequences helped drive the torture program from its frantic start to its belated finish, as Gareth Porter explains.

By Gareth Porter

The Senate Intelligence Committee's 500-page "executive summary" of the 6,700-page full report on the CIA's "enhanced interrogation" program has completely shattered the official myth that the torture of al-Qaeda detainees – which the CIA calls "enhanced interrogation techniques" – somehow helped to thwart further terrorist attacks.

After examining six million pages of official CIA documents, the committee staff refuted every one of the CIA's claims that its torture program generated the crucial intelligence that led to the disruption of plots and the apprehension of terrorist suspects.

The committee's case is documented in such mind-numbing detail, based on the CIA's own internal documents, that the CIA was compelled to acknowledge in its responses in June 2013 to each specific case analyzed that it had repeatedly "mischaracterized" the relationship between its detention and interrogation program and the disruption or failure of various proposed terrorist actions.

But the committee report leaves little doubt that the CIA was not simply mistaken about the issues involved; it had for years been systematically lying about virtually every aspect of the torture program.

The report revealed that senior CIA officials decided in 2005 to destroy the videotapes of interrogations carried out under the program when the idea of an independent investigation of the program was first broached. The destruction was clearly carried out in order to ensure that the evidence could not be used to prosecute those responsible.

The report's complete demolition of the rationale for the torture program raises an obvious question: if the CIA knew that it was not really getting information that would help prevent terrorist attacks, why did the program continue until 2008? Why not cut the agency's losses years earlier?

The answer to that question lies not in the normal human reasoning but in the fundamental logic of all bureaucratic organizations. By their nature, bureaucracies seek to expand and defend their power, prominence and resources, and the CIA is no exception. The agency's detention and torture program is a

perfect example of how national security institutions pursue their organizational interests at the expense of even the most obvious interests of the nation they are supposed to serve.

What created the opportunity for the program, as CIA Director George Tenet recalled later, was the fact that Pakistani counter-terrorism officials rounded up more than two dozen al-Qaeda operatives simultaneously in March 2002. This quickly led to the capture of Abu Zubaydah, the highest-ranking al-Qaeda operative at that time – although his actual status in the hierarchy was apparently not very high.

The prospect of extracting crucial intelligence from Zubaydah and other “high-value detainees” prompted Tenet and his associates to begin developing the idea for a whole new program that would go well beyond existing legal and ethical boundaries for interrogation. The CIA detention and interrogation program, based on hitherto forbidden abuses of detainees, was born.

The powerful appeal of such a program to the CIA’s counter-terrorism officials lay in the huge enlargement of the CIA role in U.S. national security policy. The currency by which senior CIA officials measure the agency’s bureaucratic power is what they referred to as their “authorities” – their freedom to undertake various activities.

By taking on a new role in detention and interrogation of terrorist suspects, the CIA clearly stood to make unprecedented gains in this kind of power. Tenet hints in his memoirs that: “We were asking for and we would be given as many authorities as the CIA ever had.” The most important such “authority,” of course, was the legal assurance that what had previously been considered illegal and “torture” would now be redefined as something else.

What was arguably equally or even more important to senior CIA officials working on terrorism was the opportunity to occupy center stage in what appeared to be the most compelling drama of the post 9/11 era. CIA officials certainly imagined themselves as extracting “actionable intelligence” from high-level detainees with their tough new approach to interrogation and being given credit for preventing the new attacks that they were certain were being hatched.

It was such dreams of basking in the glory of being responsible for saving the country from future terrorist attacks that gave the CIA torture project such bureaucratic momentum.

What animates national security bureaucracies to push for major new programs is the desperate need to be important – to be a major “player” in big issue of the era. James Risen recounts in his new book, Pay Any Price, how the CIA’s



Directorate of Science swallowed a fraudulent claim by a shady contractor in 2003 that they had a digital technology that could decode al-Qaeda terrorism instructions embedded in Al-Jazeera broadcasts – all because the directorate was afraid it had lost its importance in the previous several years.

The same need prompted the CIA to sign a deal up two contract psychologists who pushed an equally fraudulent theory of interrogation they called “learned helplessness,” which held that the way to get prisoners to spill all their secrets is to break their will.

Just as the Directorate of Science was taken in because of its dreams of a new status, the CIA bought into the false interrogation theory because it played into the heroic fantasy of breaking the will of the evil-doers and stopping the terrorists from striking again. It may not be accidental that the notion that torture would work on the bad guys surfaced in the wake of the enormously popular TV series “24” in which Jack Bauer showed millions of Americans how it could be done – albeit without the elaborate machinery of abuse that the CIA would create.

But the CIA’s efforts to extract actionable intelligence by breaking the will of the detainees turned out to be an unrealistic fantasy, as the Senate committee report documents. The detainees, who had often been cooperative prior to the application of torture tactics, simply told the torturers what they wanted to hear, as the Federal Bureau of Investigation (FBI) had warned before refusing to be associated with the CIA tactics.

Senior CIA officials had pushed false information about how successful the program had been from the very beginning, claiming credit for disruptions and captures that had nothing to do with the torture program. Yet by 2005, it was evident to many in the CIA that the experiment had been a failure. CIA officials involved in the program recognized that negative messages about the program were beginning to seep out – so they had to become even more aggressive in lying about the program.

The Senate report quotes the deputy director of the CIA’s Counter-terrorism Center in a message to a colleague in 2005 as saying: “We either get out and sell it or we get hammered.” If Congress sees negative media coverage of the program, he warned, “it cuts our authorities, messes up our budget. [T]here is no middle ground.”

So the program didn’t end when it became clear that it didn’t work the way it was supposed to for the simple reason that the officials involved had too much to lose.

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