

Amidst new torture reports, US military defends architect of abuse at Guantánamo

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16 July 2005

Even as new information emerged about US military torture of prisoners at Guantánamo Bay, Cuba, the Pentagon gave a clean bill of health to the individual who presided over the abuses.

Against the recommendations of the military's own investigators, who urged that Maj. Gen. Geoffrey Miller be reprimanded, Gen. Bantz Craddock, head of the US Southern Command, rejected any disciplinary action. There could hardly be a clearer signal that, despite the Bush administration's official disavowals, torture of prisoners is and will remain American policy.

Craddock explained his reasoning to the Senate Armed Services Committee, which held a hearing July 13 on the findings of the latest probe, the last of a dozen such inquiries by the military and supposedly independent investigators. This one was conducted by Lieut. Gen. Randall Schmidt and Brig. Gen. John Furlow.

Miller took command of the detention facility at Guantánamo Bay in late 2002, with a mandate to extract more information from prisoners. He was sent to Iraq in September 2003 with instructions to "Gitmo-ize" the interrogation of Iraqi detainees—i.e., duplicate the brutal methods utilized at Guantánamo.

As the *Washington Post* noted July 14, "Miller traveled to Iraq in September 2003 to assist in Abu Ghraib's startup, and he later sent in 'Tiger Teams' of Guantanamo Bay interrogators and analysts as advisers and trainers. Within weeks of his departure from Abu Ghraib, military working dogs were being used in interrogations, and naked detainees were humiliated and abused by military police soldiers working the night shift."

Schmidt and Furlow confirmed the use of dogs to intimidate prisoners at Guantanamo and other methods, which they acknowledged were "abusive and degrading," such as stripping detainees naked, depriving them of sleep, and using women interrogators to sexually humiliate them. They acknowledged that such methods were authorized from above, and not the actions of "rogue" interrogators. Nevertheless, they concluded that such "creative" and "aggressive" methods did not constitute torture.

At the same time, they recommended that Miller be reprimanded for his failure to properly supervise the interrogation of Mohamed al-Kahtani, the alleged "20th hijacker" in the September 11, 2001, terrorist attacks, who was subjected to prolonged and brutal interrogation at Guantánamo.

Craddock rejected the suggestion, telling the Senate committee, "My reason for disapproving that recommendation is that the interrogation of [Kahtani] did not result in any violation of a US

law or policy. And the degree of supervision provided by Major General Miller does not warrant admonishment under the circumstances." No officer of Miller's rank or higher has even been admonished in connection with the torture and abuse in Cuba, Afghanistan and Iraq.

Craddock claimed that the military achieved "solid intelligence gains" by using methods on Kahtani that even the military investigators called abusive and degrading. This has been the rationalization for torture of every authoritarian regime, from the Nazis to the Chilean dictatorship of Augusto Pinochet: the need to obtain information in the fight against "terrorism."

That the Schmidt-Furlow investigation would exonerate the military was entirely predictable. The probe stems from comments in emails sent by FBI agents at Guantánamo about the practices of military interrogators. The e-mails came to light only because of a Freedom of Information Act request filed by the American Civil Liberties Union (ACLU).

Notwithstanding its exculpatory conclusions, and the spin provided by sections of the US media (the *New York Times* absurdly headlined its July 14 article "Report Discredits FBI Claims of Abuse at Guantánamo Bay"), the Schmidt-Furlow inquiry shed additional and devastating light on US military practices and the extent to which sadistic and humiliating treatment is now considered acceptable.

In their messages, FBI agents had warned of potentially illegal conduct by American military interrogators at Guantánamo. They described "torture techniques" and claimed that detainees had been forced into painful positions for 18 to 24 hours at a time or left to foul themselves.

The *Times* wrote: "General Schmidt told the committee that his investigation could not substantiate some of the FBI accusations. His report said that some of the practices that evoked criticism among the FBI agents were approved interrogation techniques, like stripping detainees, forcing one to wear women's lingerie and wiping red ink on a detainee and telling him it was menstrual blood."

Schmidt said he could not substantiate, but did not refute, FBI claims that detainees were deprived of food and water as part of an interrogation regimen. The military investigation acknowledged FBI charges that prisoners were 'short-shackled' to the floor in an interrogation room, meaning they were chained in a way that forced them into a fetal position.

The Schmidt-Furlow inquiry confirmed that a military policeman

placed duct tape over the mouth of a prisoner who was chanting verses from the Koran.

The FBI agents claimed that military interrogators used excessive heat, cold and noise to harass prisoners; they also disrupted their sleep patterns. Schmidt-Furlow confirmed all this, but explained that these were authorized tactics.

Investigators found that a Navy lieutenant commander threatened to have a detainee's family killed.

Particularly savage treatment was meted out to Kahtani. As one account of the Schmidt-Furlow findings begins: "The interrogations went on for up to 20 hours a day, day after day. The prisoner was told his mother and sisters were whores. He was forced to wear a bra and put a thong on his head. At one point, an interrogator tied a leash to him and forced him to conduct a series of dog tricks." (*Globe and Mail*, July 14).

Kahtani was segregated from other prisoners for six months, made to stand naked in front of female soldiers, forced to dance with a male interrogator and had his copy of the Koran squatted on by an interrogator.

In acknowledging "abusive and degrading" treatment, while denying the use of torture, the military investigators are ignoring both the letter and spirit of international and US laws outlawing torture. The 1984 international protocol against torture in its very title rejects the type of distinction invoked by the US military. The protocol is entitled "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment." It defines torture as "any act by which severe pain or suffering, *whether physical or mental*, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession...." (Emphasis added).

Kahtani's interrogation took place in late 2002, months before the invasion of Iraq and subsequent incarceration and interrogation of detainees at Abu Ghraib. When photographs of Iraqi detainees subjected to sexual humiliation, paraded around on leashes and threatened by snarling dogs were made public in April 2004, the practices were blamed on a number of low-level military police, some of whom have subsequently been tried and convicted. But US military interrogators submitted Kahtani to precisely the same form of physical and mental torture months earlier. Clearly, these were standard practices, exported from Guantánamo to Abu Ghraib.

As the *Washington Post* noted July 14, "The report's findings are the strongest indication yet that the abusive practices seen in photographs at Abu Ghraib were not the invention of a small group of thrill-seeking military police officers."

The ACLU commented, "It is irrefutable that the government violated the Geneva Conventions and the Army Field Manual. The report backs up claims by FBI agents that the government was breaking the rules at Guantánamo Bay. As before, low-ranking men and women will take the full blame while the higher ups get off scot-free."

After detailing the barbaric methods applied to Kahtani and the rest of the Guantánamo horror stories, Schmidt calmly told the Senate hearing, "As the bottom line, though, we found no torture. Detention and interrogation operations were safe, secure and humane." This was more than enough for most of the Republicans

on the committee. Sen. Pat Roberts of Kansas called the Guantánamo abuse relatively "minor incidents" that should not be a matter of national interest.

Sen. James M. Inhofe of Oklahoma went even further. "When you contrast these interrogation techniques with those used in other countries, those fighting us, it's hard to understand why we're so wrapped up in this investigation," he declared. Inhofe urged harsher treatment, arguing that the investigators' discovery of so few abuses suggested that the interrogations might not be coercive enough. "It makes me wonder if we're really getting the most out of these detainees," he commented.

Registering concerns, Sen. John McCain of Arizona, a former prisoner of war, commented: "They may be Al Qaeda, they may be Taliban, they may be the worst people in the world, and I'm sure some of them are. But there are certain rules and international agreements the United States has agreed to, and that we will observe. Humane treatment might be in the eye of the beholder."

The Democrats on the committee muttered under their breath about this or that secondary matter. Sen. Jack Reed of Rhode Island complained that the Schmidt-Furlow investigation, "which was sincere and detailed," had been "turned it into a justification and exoneration for a senior officer [i.e., Gen. Miller]...which is consistent with all these other investigations. We're in this muddle because no one's taken responsibility at a senior level for what's been done."

Speaking in the same vein, Sen. Carl Levin of Michigan criticized Miller, an easy target, and lamented that "We are left once again with a lack of accountability for the confirmed mistreatment of detainees."

The Democratic Party leadership has gone out of its way to marginalize the issue of torture at Abu Ghraib, Guantánamo and US facilities in Afghanistan and elsewhere. The Kerry-Edwards campaign in 2004 never raised the issue.

We can safely predict: the issue of US military torture will once again be quickly dropped. The political and media establishment have, in fact, given their sanction, whether openly or tacitly, to the policy of sadistic treatment of prisoners of war—in open violation of international law.



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