PBS film documents Rumsfeld's role in authorizing torture

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The Public Broadcasting Service's October 18 edition of "Frontline" aired a documentary on US torture of detainees held in American prison camps in Cuba, Afghanistan and Iraq. Entitled "The Torture Question," the report makes clear that Secretary of Defense Donald Rumsfeld bears direct responsibility for the brutal methods of interrogation used against US prisoners. In a climate where the mass media functions primarily as a White House and Pentagon propaganda tool, the PBS investigation is a positive and refreshing exception.

In responding to the question, who is to blame for Abu Ghraib?, the documentary points out that despite twelve Defense Department investigations, culpability has been laid exclusively at the feet of a "few lower-level bad apples." Following the chain of accountability up the command structure, "The Torture Question" provides a visually harrowing depiction of the torture and abuse sanctioned and encouraged by the Bush administration and the military leadership. Incorporating interviews with high-level military, intelligence and White House personnel—in most cases retired—as well with interrogators from Abu Ghraib, the film documents the criminality of the US aggression in the Middle East.

Arriving last August in Iraq, the "Frontline" crew followed 50 recently captured Iraqi prisoners in the notorious Abu Ghraib prison. The documentarians acknowledge that of the 4,500 inmates undergoing 'coercive interrogation techniques,' many are probably innocent victims.

"The details of what happened in those cellblocks between the American soldiers and Iraqi detainees are well known," says producer/director Michael Kirk on the PBS web site, "but how and why it happened is what took us into the heart of Abu Ghraib that night [in mid-August]." As a result of its investigation, the program "brings the torture question to the highest levels of the American government."

"The Torture Question" traces the development of the US administration's interrogation policy in the aftermath of September 11, 2001, which led to authorization for military interrogators to degrade and intimidate prisoners through the use of dogs and sexual humiliation techniques.

"What probably is very new, and new with the war on terror, is that there exists now documentary evidence, including documents from the Department of Justice lawyers themselves, talking about these procedures and, in effect, approving them," states Mark Danner, author of *Torture and Truth: America, Abu Ghraib and the War on Terror* and one of the film's talking heads.

Featured prominently is John Yoo, who was a deputy assistant attorney general at the Justice Department's Office of Legal Counsel from 2001 to 2003. Yoo was the principal author of the Justice Department's memos arguing that President Bush had unlimited powers to prosecute the so-called "war on terror," dismissing the Geneva Conventions as outdated, and justifying a policy of state-sanctioned torture.

Coldly defending his views, Yoo tells "Frontline": "The one thing I think we don't want is for the government to be hamstrung in the way it interrogates people who have knowledge of pending attacks on the United States because we have so much disagreement about what those phrases mean and that we can't do anything. So I think it's important that the government do figure out what that language means and how to apply it rather than operating [in] this sort of vague fog of uncertainty." Yoo lauds Israeli 'coercive' techniques as the model for American interrogation methods.

Yoo also discusses the infamous August 1, 2002 Justice Department memo that sharply narrowed the definition of torture. The memo stated that physical pain must be "equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death" and that inflicting such pain must have been the "specific intent" of the defendant to amount to torture. It also claimed that US ratification of a 1994 anti-torture statute could be deemed unconstitutional because it infringed on the president's power as commander in chief.

Some of the documentary's most chilling moments are its images of the US Naval base at Guantánamo. In Camp Delta, the expression "packaging prisoners" means shackling inmates for 20 hours a day, while hooding and beating them. At a press conference, Rumsfeld is shown describing "sunny" Gitmo as "the least worst" place to hold detainees.

The escalation of torture at Guantánamo, the program asserts, began when General Geoffrey Miller arrived in November 2002 to take charge of its 625 inmates. As soldiers saluted while repeating, dozens of times a day, "honor bound" (to which the appropriate response was "to defend freedom"), Miller brought in behavioral scientists to determine the psychological vulnerabilities of the detainees. In December 2002, Rumsfeld personally approved a variety of torture techniques. The camera closes in on a memo in which he has written: "I stand for 8-10 hours a day. Why is standing [by prisoners] limited to four hours?"

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Mark Jacobson helped develop the detention policies at Guantánamo for the Office of the Secretary of Defense. Speaking to "Frontline," he describes the lack of adherence to international law that helped produce gross inconsistencies in the military's interrogation practices: "What is the written policy of the United States government? What is our goal? How are we going to treat captured terrorists? I don't think there is a clear policy. Some are tried in federal court, some are locked up in the brig in Charleston, South Carolina, and some are at Guantánamo, and there's no consistency. Clearly, this was ad hoc from the beginning."

"The Torture Question" exposes the extent to which torture—or what is euphemistically known as "taking the gloves off"—is used by American forces outside of the prison setting. Tony Lagouranis was an army interrogator from 2001 to 2005, and served a tour of duty in Iraq from January 2004 to January 2005. First stationed at Abu Ghraib, he joined a special intelligence gathering task force that moved among detention facilities around the country.

"The worst stuff I saw was from the detaining units who would torture people in their homes," he reveals. "They would smash people's feet with the back of an axe-head. They would break bones, ribs, you know. That was serious stuff." Describing his own use of military working dogs to intimidate prisoners, he states: "I mean, there's no way that what we were doing and what was sanctioned by the Pentagon through the IRE—the interrogation rules of engagement—there's no way that fits in within the Geneva Conventions."

Another retired interrogator, Roger Brokaw, worked in Iraq for six months in 2003 and estimates that only two percent of the people he talked to were dangerous or belonged to the insurgency. According to Brokaw, Americans in Iraq viewed everyone as a terrorist, "So when they went in to interrogate these people, they already had this mindset... I saw black eyes and fat lips, and some of them had to be treated for different bad abrasions on legs and arms, cuts."

Michael Scheuer, a retired CIA agent who specialized in Islamic extremism, defends the agency's program of "outsourcing torture," known as rendition, by which suspects are rendered to a country where torture is known to be used. In speaking about Ibn al-Sheikh al-Libi, the first alleged Al Qaeda member to be rendered to Egypt, Scheuer discloses the turf war that broke out between the CIA and the FBI over the fate of detainees. "Why bother putting him through the court system in the United States when you might be able to save American lives by using him in another manner," rhetorically asks the former intelligence agent.

Divisions within the political and intelligence establishment referred to in "The Torture Question" reflect anxiety regarding the country's negative image abroad as well as concern over the possibility of reprisals against American soldiers captured in the future.

As the former brigadier general in charge of the 800th Military Police Brigade in Iraq, Janis Karpinski points to the stupidity of the military brass in using Abu Ghraib as a prison. The 280-acre compound—strongly identified with the brutal repression of the Hussein regime—was located in an area of intense fighting and therefore difficult to secure.

In charge of Abu Ghraib when the abuses began, Karpinski was subsequently relieved of her command and demoted to colonel. She takes issue with the arrests and convictions of a few low-level soldiers on abuse charges, while the higher-ups escape scot-free, explaining: "They can do whatever they want; they could make it appear any way they want. I still won't be silenced. I will continue to ask how they can continue to blame seven rogue soldiers on the night shift when there is a preponderance of information right now, hard information from a variety of sources, that says otherwise."

"The Torture Question" underscores the enormity of the crimes perpetrated by the US government in the name of the American people. It makes the case that far from being the action of low-level or even mid-level military personnel, the decision to resort to torture was made at the highest political echelons and involved the personal and avid involvement of key administration figures such as Rumsfeld. The program also stands as a condemnation of the entire political and media establishment, including the Democratic Party, whose silence substantiates the fact there is no section within the ruling elite seriously opposed to this barbaric conduct.

Not surprisingly, the PBS exposé is limited by the fact that it ignores the connection between the use of torture and the nature of the war itself, as though the two phenomena could be separated. The use of torture to intimidate and terrorize flows inexorably from the predatory, colonial nature of the war.

The explosion of American militarism is the expression of a profound economic and political crisis, whose solution for the ruling class lies in the drive for global geo-strategic and economic domination. Lacking a deeper analysis, and perhaps in response to pressure from above, the documentary's producers find it possible to publish on the "Frontline" web site a debate regarding torture.

Part of the site is devoted to the question: "Is torture ever justified in a post-9/11 world?" The controversy is argued by a group of "legal thinkers" involved in a joint project between the Harvard Law School and the university's Kennedy School of Government, which issued a report, "Preserving Security and Democratic Freedoms in the War on Terrorism." The report attempts, according to PBS, "to establish some limits and a process for oversight and accountability for the use of 'highly coercive measures'—tactics sometimes called 'torture light.'"

This is entirely repugnant. There is no such thing as 'torture lite.' All forms of humiliating and cruel physical and psychological punishment are banned by international law.

Nonetheless, "The Torture Question" stands out for its boldness in asserting Pentagon responsibility for the atrocities carried out by the American military. Making the case, implicitly at least, that Rumsfeld is a war criminal, the film can only be seen to implicate his staunchest defender in the Oval Office.

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