

# Obama Justice Department indicts ex-CIA agent for exposing torture

Bill Van Auken  
7 April 2012

Thursday's indictment of John Kiriakou for exposing CIA torture of detainees confirms yet again that the Obama administration is continuing and deepening the crimes carried out by the Bush White House. Kiriakou, a CIA agent for 14 years, is being prosecuted for speaking to two journalists about the waterboarding of Abu Zubaydah.

In December 2007, he appeared in an ABC News interview, becoming the first CIA official to confirm the use of waterboarding of so-called "enemy combatants" and to describe the practice as torture. It is now known that Zubaydah was waterboarded 83 times in the space of one month while being held in a series of CIA "black sites" from Thailand to Poland to Diego Garcia.

Zubaydah, severely wounded when he was captured by US and Pakistani intelligence agents, had already been suffering the effects of a shrapnel wound to the head he received during the CIA-backed war in Afghanistan in the 1980s. Under US control, he was beaten, placed in extreme temperatures, and subjected to music played at debilitating volumes, sexual humiliation and sleep deprivation.

His interrogators also locked him for protracted periods in a small box, where he was forced to crouch in complete darkness, while the stressful position caused his wounds to open up and bleed.

At some point during this ordeal, the CIA removed Zubaydah's left eye.

Zubaydah's co-counsel, Joseph Margulies, in a 2009 column published by the *Los Angeles Times* provided a wrenching description of the effect of protracted torture, isolation and unlawful detention upon his client. He wrote: "Abu Zubaydah's mental grasp is slipping away. Today, he suffers blinding headaches and has permanent brain damage. He has an

excruciating sensitivity to sounds, hearing what others do not. The slightest noise drives him nearly insane. In the last two years alone, he has experienced about 200 seizures. Already, he cannot picture his mother's face or recall his father's name. Gradually, his past, like his future, eludes him."

Zubaydah's torture was overseen in detail by the top officials of the US government, from President George W. Bush and Vice President Dick Cheney on down.

Bush publicly described Zubaydah as Al Qaeda's chief of operations, in charge of "plotting and planning death and destruction on the United States." He was charged not only with planning 9/11, but with involvement in virtually every other crime attributed to Al Qaeda.

In September of last year, in response to habeas corpus filings by Zubaydah's attorneys demanding justification for his continued imprisonment at the US prison camp in Guantanamo Bay, Cuba, the government formally recanted these charges. It acknowledged that Zubaydah had no "direct role in or advance knowledge of the terrorist attacks of September 11, 2001," and had not been a "member" of Al Qaeda or even "formally" identified with the organization.

Yet, after a decade of imprisonment and torture, the government refuses to either try or release him. He is one of those designated by the Obama administration to be detained indefinitely without charges.

The reasons are clear. There appears to be no evidence against him, and his case raises a whole range of crimes by government officials, including torture and the CIA's destruction of videotapes recording his interrogation sessions, carried out in defiance of court demands that they be produced.

Nor have any of those responsible for the torture of

Zubaydah and countless others been brought to justice. This includes not just the CIA torturers, but Bush, Cheney, former CIA Director George Tenet, former National Security Advisor Condoleezza Rice, and ex-Justice Department officials like Jay Bybee, and John Yoo, who drafted the memos arguing that torture was legal.

The Obama administration has protected all of these individuals, repeatedly intervening in court and invoking “state secrets” to quash cases brought by torture victims.

While refusing to either try or release the victim of torture, Zubaydah, or to prosecute those responsible for the crimes committed against him, the Obama administration is prosecuting Kiriakou for daring to publicly expose these crimes, threatening him with up to 45 years in prison.

It is not an accident that the indictment of Kiriakou comes just a day after the Pentagon’s formal presentation of capital charges against Khalid Sheik Mohammed—waterboarded 183 times—and four others alleged to be part of the 9/11 conspiracy. It is a means of intimidating the attorneys of the defendants. The government wants to preclude any disruption of its rigged military commission at Guantanamo with charges of torture.

More fundamentally, the prosecution of Kiriakou is part of a policy of state secrecy and repression that pervades the US government under Obama, who came into office promising “the most transparent administration in history.” This marks the sixth government whistleblower to be charged by the Obama administration under the Espionage Act, twice as many such prosecutions as have been brought by all preceding administrations combined. Prominent among them is Private Bradley Manning, who is alleged to have leaked documents exposing US war crimes to WikiLeaks. He has been held under conditions tantamount to torture and faces a possible death penalty.

In all of these cases, the World War I-era Espionage Act is being used to punish not spying on behalf of a foreign government, but exposing the US government’s own crimes to the American people. The utter lawlessness of US foreign policy goes hand in hand with the collapse of democracy at home.

These cases make clear that it is the American

working people whom the government views as its most dangerous enemy. It is determined to keep them in the dark as it systematically erects the framework for a police-state dictatorship.

Over the last few months, Obama has signed into law legislation granting himself the power to condemn alleged enemies of the state to indefinite military detention without charges or trials, and his attorney general, Eric Holder, has publicly asserted the “right” of the president to order the assassination of American citizens alleged to be involved in “hostilities” towards the US government.

After more than three years in office, it is abundantly clear that the Obama administration has substantially escalated the crimes carried out by its predecessor, both in terms of militarism abroad and state repression at home. These crimes were not the outcome of some specific right-wing ideology of the Bush White House, but rather the response of the US ruling elite to the decline in the global position of American capitalism and the growth of social inequality at home, which has increasingly rendered democratic methods of rule untenable.

The repressive measures being implemented by the government are targeted first and foremost at an anticipated eruption of mass popular struggles against the policies of the ruling class and the conditions being created by the crisis of the capitalist system.

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