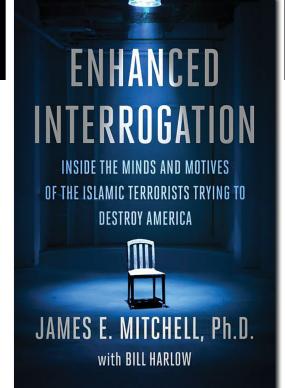
REVIEW ESSAY

Enhanced Interrogation

Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America

James E. Mitchell and Bill Harlow, Penguin Random House, New York, 2016, 309 pages



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y the early 1950s, Americans had learned that we were not the only country capable of inflicting atomic and, later, thermonuclear annihilation on perceived enemies. The United States was, at the time, rightly terrorized by a seemingly implacable adversary, the Soviet Union. At the direction of successive presidents, the newly created Central Intelligence Agency (CIA) responded with decades of covert action, both abroad and at home. Programs included the opening of U.S. mail, the surveillance of American journalists, and the penetration of U.S. college student groups. They included foreign assassination plots (including research, development, and fielding of chemical and biological assassination agents). Human experimentation programs included the testing of LSD (lysergic acid diethylamide) and other drugs on witting and unwitting subjects, all in a poorly conceived and implemented effort to learn how best to interrogate defectors, detainees, and other players in the ongoing Cold War.¹

One of those players was Yuri Nosenko, a KGB (*Komitet Gosudarstuvenno Bezopasnosti*, or Committee for State Security) officer who defected in the early 1960s. When CIA officials became concerned that some of his information did

not quite add up, they responded by imprisoning him for nearly four years in a dedicated black site built on a secret base inside the United States.² When he did not seemingly respond to traditional interrogation, agency officers, including doctors, set out to try to pressure and eventually break him psychologically.³ He was subjected to solitary confinement in poor conditions and other "coercive techniques" such as extended interrogations, sensory deprivation, and, possibly, mind-altering drugs—one or more of four drugs administered seventeen times.⁴ Nosenko was released in 1969 after the CIA's Office of Security determined he was a legitimate defector after all. The CIA ended up paying Nosenko a sizeable financial settlement and later hiring him as a consultant.

These misguided efforts were revealed only after

congressional hearings forced their exposure in 1975, which led to the establishment of dedicated Senate and House committees that still provide key legislative oversight to CIA covert action programs

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is the Commandant's Distinguished Chair for National Intelligence Studies at the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas. and other intelligence activities. After reviewing an inhouse damage assessment of the Nosenko incarceration, and after revelations about CIA drug testing on human subjects, Director Stansfield Turner (1977 to 1981) wrote in his memoirs that he "realized how far dedicated but unsupervised people could go wrong in the name of doing good intelligence work."⁵

Fast-forward to the horrific attacks of 11 September 2001. Once again, Americans were terrorized by another ruthless enemy, al-Qaida. As before, the CIA was tasked by the president to utilize covert action to eliminate this potential threat. (Remember that then CIA Director George Tenet reportedly briefed the president on a realistic, albeit short-lived, stream of threat reporting that al-Qaida may have gained access to a nuclear weapon and had smuggled it into the United States.⁶) One aspect of this overarching counterterrorism effort was a presidentially mandated Rendition, Detention, and Interrogation (RDI) covert action program. It was designed to snatch key al-Qaida operatives off the worldwide battlefield, place them into CIA-managed prisons, and potentially allow for collecting imminent threat information as well as vital strategic intelligence and tactically relevant terrorist-personality targeting information.

These efforts are the subject of James Mitchell and Bill Harlow's Enhanced Interrogation: Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America. Mitchell was one of at least two civilian contract psychologists hired by the CIA to adapt their knowledge of the U.S. military's Survival, Evasion, Resistance, and Escape (SERE) program, employing SERE-based techniques to break through al-Qaida detainee resistance to traditional interrogation. Harlow was formerly a spokesperson for the CIA and has subsequently coauthored several books with retired CIA officials previously involved with the RDI program, now wanting to tell their side of the story. Though the subtitle actively suggests the reader will gain some insight into the thinking and motivation of terrorists, there is little in Enhanced Interrogation to warrant this enthusiasm.

The book comes across as a self-serving rehash of well-worn arguments about the value of waterboarding and other enhanced interrogation techniques (EITs), as well as lengthy complaints about the unfair scrutiny on Mitchell and his business partner, fellow psychologist John Bruce Jessen. Its publication comes at a propitious time though, as both Jessen and Mitchell face a civil lawsuit from former detainees claiming to have been tortured at their hands; *Enhanced Interrogation* is not likely to bolster their defense. It does, however, make one think long and hard about the national security challenges we face going forward and the missed opportunities of the past.

Many commentators have focused on the effectiveness of EITs, *s*pecifically, waterboarding. I have previously written about the ethical and moral challenges associated with the CIA's RDI program.⁷ Unfortunately, I do not offer there or here any black-and-white answers; I doubt those exist. Mitchell, for his part, suggests, as have several of his contemporaries, that his actions were for the greater good, that the ends justified the means, and that the worse offense would be to *not* use EITs to protect Americans.⁸ The direct challenge to this is that one might claim that almost any action, however cruel, was necessary, as it resulted in or it was anticipated to result in a "good" outcome.

In fairness, perhaps there are moments when a brutal act becomes necessary or even mandatory, for example in an extreme emergency like a loved one put into imminent harm's way. Intelligence that al-Qaida might have smuggled a nuclear weapon into the United States might also reasonably be called an extreme emergency. But after that stream of intelligence quickly dried up, by his own account, Mitchell continued waterboarding Abu Zubaydah, even in the several days after it should have been obvious Zubaydah had no imminent threat information, and many months after he was first captured and interrogated:

Because of concerns about the next wave of attacks, the early interrogations always started with a focus on attacks inside the United States and for the first few days remained there. But Headquarters started sending intelligence requirements that, though still related to attacks on the U.S. homeland, focused on locational information for al-Qa'ida operatives in general, their leadership structure and their capabilities. ... As Abu Zubaydah began to offer up information that the targeters and analysts on-site judged valuable and wanted more of, we asked for permission to stop using EITs, especially the waterboard. To our surprise, however, headquarters ordered us to continue waterboarding him.⁹

According to Mitchell, there were headquarters officers who, despite his objections, insisted that Zubaydah's waterboarding should not only continue, but also extend to a full thirty days.¹⁰ From his retelling, the RDI effort seemed eventually to become much more of a strategic intelligence-gathering operation, pursuing lead information to target the next layer or generation of al-Qaida operatives. It is here where the once possibly coherent moral arguments about extreme emergency and the use of EITs such as waterboarding appear to fall apart. Mitchell seems to understand this, as he notes that by 2004, "Bruce and I decided that short of extraordinary circumstances (a nearly certain indication of a nuclear device in an American city, for example) and additional assurances from the CIA and the DOJ [Department of Justice] that we wouldn't be embroiled in legal difficulties later, we were not going to waterboard any more detainees."¹¹

Perhaps the most troubling aspect of the book is that it seems to reveal a program of human experimentation reminiscent of the CIA's failed Cold War LSD and coercive interrogation efforts. If true, such a program would have required building up an interrogation skill set through relevant experience—and that is, essentially, how the RDI program was rolled out. *Enhanced Interrogation* details a human trial-and-error research methodology spanning several years, employing a menu of EITs against detainees to figure out what worked best.

Mitchell takes great pains to detail for the reader his obviously extensive experience with SERE, the identification of resistance techniques employed by detainees, and the techniques that he suspected, but could not really know, would be most useful for the interrogation of al-Qaida prisoners. He appears to be arguing that his SERE experience gave him a significant interrogation skill set. But critics of this assertion might point out that the service members taking part in SERE do so of their own volition, know it's a training exercise, and can step out at any moment. The intelligence they may or may not possess also may be largely irrelevant, as the techniques they are subjected to seem designed to test and fortify the military student's resistance, not necessarily at all to extract the kind of useful information the CIA needed to defeat al-Qaida. And, as the book details, at some point the RDI effort mutated from extracting information about imminent threats to the collection of the much more culturally complex and nuanced intelligence required for targeting individual terrorists on a battlefield that might range from eastern Pakistan to a metropolitan area in Asia or, for that matter, Western Europe.

The CIA and its interrogators had no empirical evidence on which to base an assessment of the true effectiveness of EITs in obtaining this sort of actionable intelligence. If you remember, some headquarters managers wanted Zubaydah to be waterboarded for thirty days, even though to Mitchell it seemed pointless. Well, according to Mitchell, this misunderstanding was due to an assessment he provided before the RDI program began that a full thirty days would be needed to ensure a detainee "either didn't have the information or was going to take it to the grave."¹² He claims that this was a misunderstanding due to the later provision of waterboarding as an approved technique, but corporate lack of experience with interrogation appears to have contributed to the prolonged and seemingly pointless waterboarding of Zubaydah.

Before the program commenced, Mitchell and Jessen provided a list of EITs that could be applied.¹³ The approved list contained ten techniques-adapting behavioral psychology to interrogate a prisoner—"to condition [detainees] to experience fear and emotional discomfort when they thought about being deceitful."14 The waterboarding of Zubaydah in 2002 provided Mitchell and the CIA experimental evidence they could use on future detainees to, perhaps, more effectively induce this conditioning. For example, Mitchell found that pouring water for the legally allowed twenty to forty seconds was too long; when this was attempted on Zubaydah, he could not clear the fluid without Mitchell's intervention and Zubaydah's subsequent vomiting, potentially complicating the conditioning process. As he notes, the legally allowed waterboarding parameters could have caused permanent damage to the detainee—"I didn't think it was safe to take full advantage of the length of time Justice Department guidance would have allowed us to pour water on the cloth or to use as much water as was permitted."15

In 2006, after President Bush revealed the existence of the RDI program to the public, midlevel CIA officers studying the issue asked interrogators to provide a pared-down list of EITs for future use. Interrogators believed they understood what techniques worked or did not work, and they agreed that only two of the originally approved techniques were needed after all. Those were "walling" (roughly pushing an individual up and against a specially designed wall) and sleep deprivation:

The others, though occasionally useful, were not critical, and some such as nudity, slaps, facial holds, dietary manipulation, and cramped confinement, Bruce and I now believed were unnecessary. ... We had learned over the preceding years that the EITs the midlevel managers intended to retain did not lend themselves to the conditioning process as reliably as walling did.¹⁶ So, was all of this human-research-based pain and suffering worth it? Were EITs ultimately a useful tool in the global war on terror? By the conclusion of *Enhanced Interrogation*, Mitchell seems to call for the reestablishment of a CIA RDI program for future terrorist detainees, quite specifically now those "with knowledge that could prevent an impending catastrophic terror attack."¹⁷ But, he calls for *not* using EITs in this new program. This is not because he feels the techniques are ineffective, but, predictably, because he feels he and others involved with the RDI program received poor treatment.

The problem is that the mismanaged RDI program may indeed have limited the CIA's future options (at least with regard to interrogation) to effectively thwart even truly imminent, extreme emergency-type threats. A program of amateurish human experimentation with likely legal but certainly barbaric techniques has left few opportunities to extract threat information quickly from resistant detainees. Facing an enemy ruthlessly intent on ending an American way of life, what happens when we really do have a ticking time-bomb scenario?

That takes us to 2017 and a new presidential administration. Could the CIA ever waterboard a detainee again? History suggests that on many levels, this would be a very bad idea. Since its inception in 1947, the CIA has sought ways to manipulate individuals using drugs and various coercive and noncoercive techniques. Drugs and coercion always seem to backfire, with long-lasting and significant unintended consequences that negatively impact the CIA's ability to focus on what it does best—the clandestine recruitment and handling of spies who steal secrets. That is to say, what the CIA does best is to obtain the real intelligence that provides strategic insight into the plans and intentions of our enemies, from terrorists to near-peer adversaries. One cannot know but might reasonably suspect that if the CIA had not been focused on the coercive extraction of supposedly strategic intelligence from detainees, not to mention the subsequent public pillorying, it might have been more effective in training and using clandestine case officers to recruit operatives to penetrate al-Qaida, providing the CIA with the network and locational information it needed without the ethical and moral minefield of EIT's.

It turns out there was no nuclear weapon smuggled into the United States after all, and it took the United States almost a decade after the initiation of the RDI program to locate and kill Osama bin Laden. Soon after the Senate Select Committee on Intelligence published its *Committee Study of the Central Intelligence Agency's Detention and Interrogation Program* in 2014, CIA Director John Brennan said, "the Agency takes no position on whether intelligence obtained from detainees who were subjected to enhanced interrogation techniques could have been obtained through other means or from other individuals. The answer to this question is and will forever remain unknowable."¹⁸

Notes

1. John Prados, The Family Jewels: The CIA, Secrecy, and Presidential Power (Austin, TX: University of Texas Press, 2014); John Marks, The Search for the Manchurian Candidate: The CIA and Mind Control: The Secret History of the Behavioral Sciences (New York: W. W. Norton, 1991).

2. Prados, *The Family Jewels*, 117–18; Stansfield Turner, *Secrecy and Democracy: The CIA in Transition* (Boston: Houghton Mifflin, 1985), 44.

3. Turner, Secrecy and Democracy, 44–45.

4. Prados, *The Family Jewels*, 118–19; Turner, *Secrecy and Democracy*, 45.

5. Turner, Secrecy and Democracy, 45.

6. George Tenet, "CIA Interrogation of al Qa'ida Terrorists: The Rest of the Story," in *Rebuttal: The CIA Responds to the Senate Intelligence Committee's Study of Its Detention and Interrogation Program*, ed. Bill Harlow (Annapolis, MD: Naval Institute Press, 2015), 2.

7. John Breen, "The Ethics of Espionage and Covert Action: The CIA's Rendition, Detention and Interrogation Program as a Case Study," *InterAgency Journal* 7, no. 2 (Summer 2016): 71–80.

8. James E. Mitchell and Bill Harlow, *Enhanced Interrogation: Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America* (New York: Penguin Random House), 49.

9. Ibid., 72–73. 10. Ibid., 74. 11. Ibid., 249. 12. Ibid., 74. 13. Ibid., 52. 14. Ibid., 153. 15. Ibid., 69. 16. Ibid., 235. 17. Ibid., 296.

18. John Brennan, Memorandum for the Honorable Diane Feinstein and the Honorable Saxby Chambliss, "CIA Comments on the Senate Select Committee on Intelligence Report on the Rendition, Detention, and Interrogation Program," 8 December 2014, 3, accessed 1 January 2017, <u>https://www.cia.gov/library/reports/</u> <u>CIAs_June2013_Response_to_the_SSCI_Study_on_the_Former_De-</u> tention_and_Interrogation_Program.pdf.



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