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The Latest Torture Cover-Up Scam

by James Bovard

The Obama administration appears increasingly devoted to covering up the worst crimes of the Bush era. On Monday, CIA chief Leon Panetta formally objected to federal judge Alvin Hellerstein, who was considering releasing detailed information on 92 videotaped CIA torture sessions of detainees.

Panetta asserted that releasing the written information “could be expected to result in exceptionally grave damage to the national security by informing our enemies of what we knew about them, and when, and in some instances, how we obtained the intelligence we possessed.”

Panetta sounds like the only person on Earth who is not aware that the U.S. government has already effectively admitted that it used torture on detainees to squeeze out confessions, true, false, or whatever.

The CIA chief told the judge that the “disclosure of explicit details of specific interrogations” would provide al-Qaeda “with propaganda it could use to recruit and raise funds.” Panetta described the information at issue as “ready-made ammunition.”

And who manufactured this ammunition? The CIA and Bush administration officials who ginned up legal opinions authorizing war crimes. But according to Panetta, the CIA would be the victim. Panetta warned that disclosing the documents would “constitute a clearly unwarranted invasion of personal privacy” of the CIA employees involved in the “extreme interrogation” process.

Apparently, people who inflict torture under U.S. government orders are entitled to their good name, regardless of how many innocent people they kill. It is ironic to see such solicitude for the rights of individuals who may have violated the Geneva Convention. Perhaps privacy rights are the only rights that government respects any more. But the only people who are entitled to privacy are those who followed orders and committed horrendous crimes.

Panetta also asserted that his request to suppress all the evidence was “in no way driven by a desire to prevent embarrassment for the U.S. government or the CIA, or to suppress evidence of any unlawful conduct.”

Panetta neglected to add that he would sell the judge the Brooklyn Bridge for only \$29.95.

The Obama administration's objections to letting Americans learn the truth about CIA abuses is only the latest chapter in a cover-up that has lasted most of this new century.

In 2003, the American Civil Liberties Union filed a Freedom of Information Act request for information on the U.S. treatment of prisoners in Iraq, Afghanistan, and Guantanamo Bay. The Bush administration, scorning federal law, largely rebuffed the request. On September 15, 2004, Judge Hellerstein condemned the feds: "If the documents are more of an embarrassment than a secret, the public should know of our government's treatment of individuals captured and held abroad." The judge was outraged at the Bush administration's bogus invocation of "national security" to deny providing information. Hellerstein gave the feds a 30-day deadline to provide the information.

But the feds effectively ignored Hellerstein's deadline — as they did most of the other judicial deadlines that have arisen from the torture scandal. If all the photos and all the memos had been revealed in October 2004, voters might have denied Bush's quest for a second term.

The latest stonewalling is especially appalling because it comes from a president who promised transparency and openness when he took office earlier this year. Instead, the Obama team is crafting a rule that might justify covering up any government atrocity.

Jameel Jaffer, director of the ACLU's national security program, observed that the Obama administration's position is the same as asserting that "the greater the abuse, the more important it is that it should remain secret." The ACLU deserves three cheers for its almost six-year battle for the truth about how the U.S. treats detainees.

It was only last month that the Obama administration caved in to conservative criticism and announced that it would effectively prohibit Americans (and everyone else in the world) from seeing hundreds of photos of detainee abuses by U.S. forces in Iraq and Afghanistan. Obama compounded this outrage by supporting a legislative monstrosity known as the Detainee Photographic Records Protection Act. This bill, sponsored by Sen. Joe Lieberman (D-Conn) and Sen. Lindsay Graham (R-SC), would have given the Secretary of Defense almost unlimited sway to suppress evidence of abuses committed by the U.S. military.

This blank check for military censorship passed the U.S. Senate but, at last report, was blocked in the House of Representatives (thanks to liberal Democratic members).

The torture scandal sheds far more light onto the soul of American politics than the rhetoric of any politician. At a Holocaust Remembrance Day ceremony at the U.S. Capitol on April 23, Obama called for "fighting the silence that is evil's greatest co-conspirator." Perhaps Obama, like many officials of the previous administration, believes that the U.S. government is by definition incapable of evil.

In a speech six weeks ago at CIA headquarters, Obama declared: “What makes the United States special, and what makes you special, is precisely the fact that we are willing to uphold our values and ideals even when it’s hard.”

This is the same “invoke American values” defense that President George W. Bush used in 2004 and 2005 after the torture scandal first erupted. It is deluging people with national flattery as a substitute for ceasing national disgraces. But hot air is no substitute for hard facts.

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This article was originally published in June 2009.