

THE EXPERIMENT

The military trains people to withstand interrogation. Are those methods being misused at Guantánamo?

BY JANE MAYER

On a steamy morning last month, as Congress was debating the treatment of the approximately five hundred terrorist suspects being held inside the United States-run military detention center in Guantánamo Bay, Cuba, a small delegation of American officials led a tour through one of the prison camp's empty cellblocks. The International Committee of the Red Cross has made inspections of the site, the results of which it keeps confidential, and a few dozen American lawyers have had limited visits with detainees. Yet most of the prisoners, who come from some forty countries, have been held virtually incommunicado, without legal charges, for three and a half years.

The cellblock, which had been fashioned from steel shipping crates, resembled a horse barn. Six-foot-by-eight-foot cells, with walls and doors of metal mesh, stood in two facing rows. The cells were protected by a low metal roof but were open to the tropical air. Each door featured a narrow slot, at waist height, through which meals and other items could be handed to detainees, and handcuffs and belly chains could be secured. The first cell on the right was laid out like a display model, with neatly folded prison garb and an array of what the officials called "comfort items"—awarded to detainees for good behavior, or confiscated as punishment. Among these luxuries was a roll of toilet paper. The cell was furnished with a thin plastic-covered mattress on a metal slab; a metal sink; a metal toilet; and a surgical mask, which could be hung from the wall, allowing a detainee to store a small Koran inside it.

"I'd be proud to let the media see anything in this camp," Colonel Mike Bumgarner, the commander of the Joint Detention Operations Group, the military unit that oversees the daily handling of detainees, said. "I'd gladly invite the world in to see our guards in action. I'm very proud of what they do. They treat the de-

tainees humanely." Meals, he said, were excellent. "They get honey-glazed chicken and rice pilaf. They get lemon-baked fish." He noted that some detainees don't like to have their vegetables touching their meat: "So we serve them separately, in little Styrofoam clamshells, like the ones you get at a fast-food restaurant." He went on, "We have to be like the parents here. In loco parentis. That's how we look at it. It's like a big family."

As we reached the end of the cellblock, hysterical shouts, in broken English, erupted from a caged exercise area nearby. "Come here!" a man screamed. "See here! They are liars!" He was middle-aged, with a full beard and skinny bow legs, and wore an orange shirt and shorts. ("Privileged"—that is, cooperative—detainees wear white or beige uniforms.) "No sleep!" he yelled. "No food! No medicine! No doctor! Everybody sick here!" A soldier near the detainee began ferociously signalling to the officials leading the tour to usher me out. As I was leaving, the detainee pointed to his own cellblock, which was off limits to journalists, and screamed, "They are liars! Liars! Liars!"

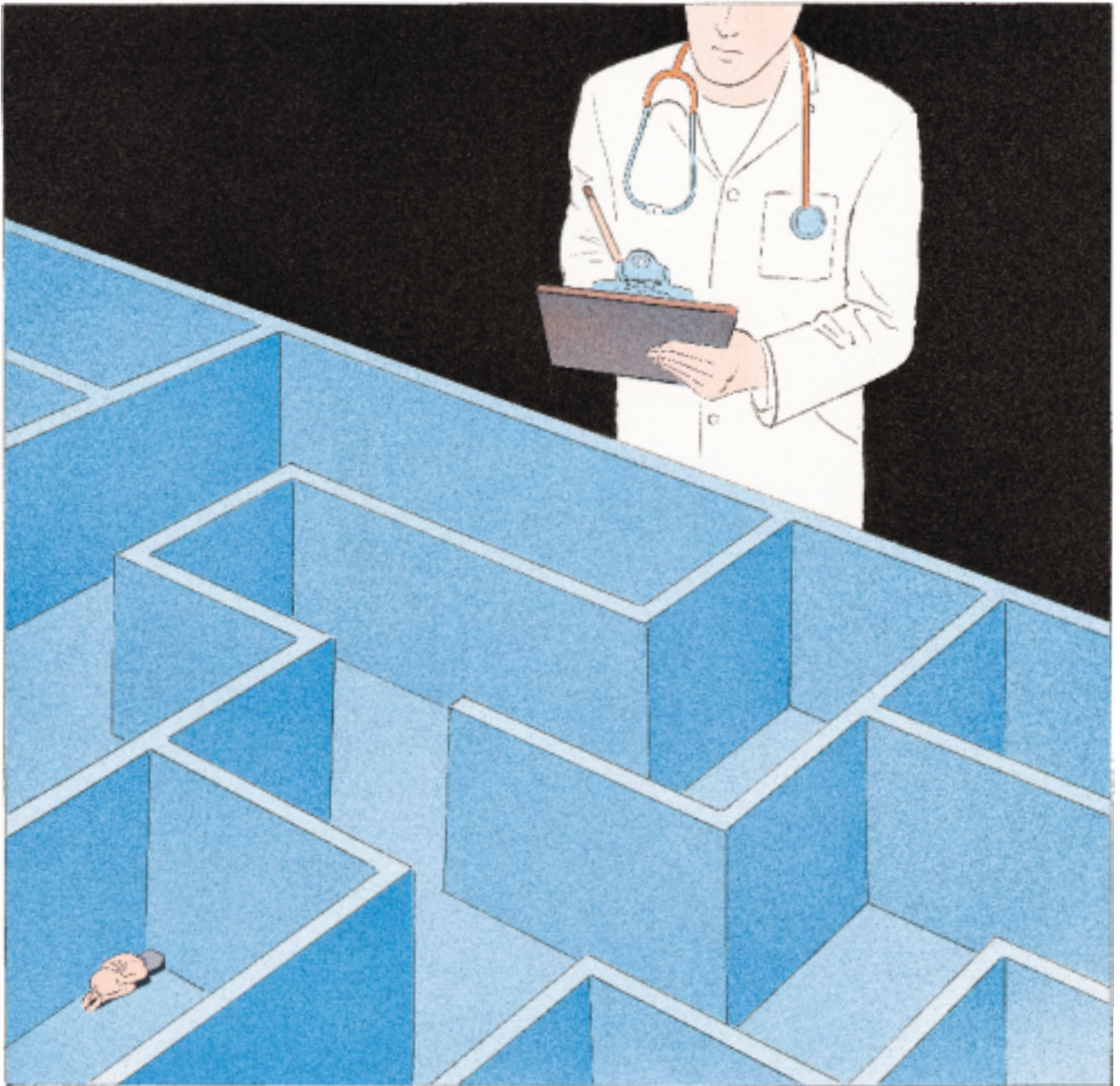
"His English is pretty good," one official joked wanly.

The military officials who run the Guantánamo prison maintain that almost all of the detainees' charges are untrue. A training manual written by Al Qaeda leaders, which is known as the Manchester Manual, because a copy of it was confiscated during a 2000 raid in England, counsels Islamists to "complain of mistreatment while in prison" and say that "torture was inflicted on them." Bumgarner said, "They are trained to make false accusations. It's part of their PR."

Brigadier General Jay W. Hood, the top commander of the camp, has worked to improve administrative control since taking over, in March, 2004. He has implemented random inspections of the cellblocks, to insure that "standard oper-

ating procedures" are being followed, and he has banished regular "cavity searches" for detainees. Lawyers and human-rights workers say that detainees are being treated less harshly, although their mental state continues to deteriorate. In an interview, Hood said that there have been "no demonstrated or consistent trends of abuse" inside Guantánamo, and "certainly nothing rising to the level of torture." From the beginning, however, the Guantánamo Bay prison camp was conceived by the Bush Administration as a place that could operate outside the system of national and international laws that normally govern the treatment of prisoners in U.S. custody. Soon after September 11th, the Administration argued that the Guantánamo site, which America had been leasing from the Cuban government since 1903, was not bound by the Geneva Conventions. Moreover, the Administration claimed that terrorist suspects detained at the site were not ordinary criminals or prisoners of war; rather, they would be classified under a new rubric, "unlawful combatants." This new class of suspects would be tried not in U.S. courts but in military tribunals, the Administration announced. In February, 2002, President Bush issued a broad directive that required American troops to treat detainees "humanely," in a manner consistent with the Geneva Conventions, within the limits of "military necessity." A year later, he explicitly denounced the use of torture.

A series of internal Department of Defense investigations found what General Hood described as "isolated cases where individuals hadn't followed standard operating procedures." Many of the incidents addressed by the Pentagon had been widely reported in the media, making the camp a focus of international outrage. In one case, a female interrogator, attempting to unsettle a Muslim detainee, smeared fake menstrual blood on him. And on five separate occasions Korans were defiled; one soldier urinated



Critics say that medical and scientific personnel have played a role, largely hidden, in helping to design and monitor interrogations.

through a ventilation shaft, splashing the text—accidentally, according to the Pentagon. (This spring, *Newsweek* reported that military investigators had evidence that guards at Guantánamo had flushed a Koran down a toilet. The Bush Administration adamantly denied the charge, and, ultimately, the magazine admitted that it did not have sufficient sourcing to stand by the story.) In each acknowledged case of impropriety at Guantánamo, Hood stressed, the transgressors had been reprimanded, but he doubted that their actions could be said to “rise to the level of abuse.”

Last year, Vice-Admiral Albert T.

Church III was appointed by the Pentagon to investigate the problem of detainee abuse. This spring, he released a three-hundred-and-sixty-eight-page report, most of which remains classified. In an unclassified section, Church concluded that there was “no link between approved interrogation techniques and detainee abuse.” When cruelties did occur, the report claimed, they were rare mishaps, the result of combat stress, insufficient oversight, or a “breakdown of good order and discipline.”

Yet a number of critics, including human-rights officials, detainees’ lawyers, and others with knowledge of the

inner workings of the detention center, believe that the problems at Guantánamo are the result of a more systematic effort. The strange accounts of torment that have steadily emerged, these critics say, are connected to decades of research by American scientists into the psychological nature of warfare and captivity. The research, which began during the Cold War, developed new currency after September 11th, when the Bush Administration declared a global war on terror and began trying to extract intelligence from radical Islamists, many of whom have been trained not to reveal anything about their activities. Since

2001, the critics say, medical and scientific personnel have played a role, largely hidden, in helping to design and monitor interrogations that are intended to exploit the physical and mental vulnerabilities of detainees. According to a former interrogator at Guantánamo who was interviewed at length by a lawyer, behavioral scientists control the most minute details of interrogations, to the point of decreeing, in the case of one detainee, that he would be given seven squares of toilet paper per day.

"It is both illegal and deeply unethical to use techniques that profoundly disrupt someone's personality," Leonard S. Rubenstein, the executive director of Physicians for Human Rights, an advocacy group that has been critical of the Bush Administration, says. "But that's precisely what interrogators are doing, in order to try to get people to talk."

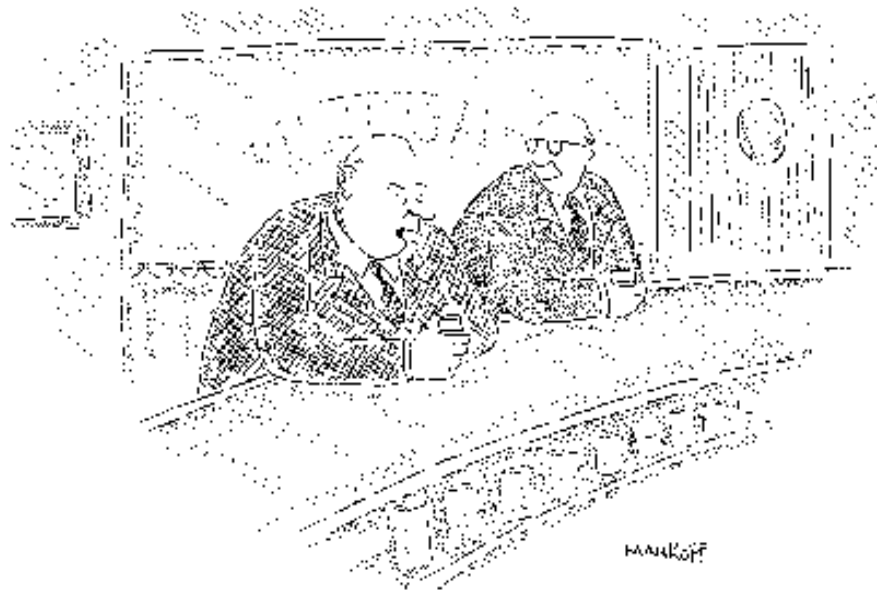
Baher Azmy, a professor at Seton Hall Law School, in Newark, New Jersey, represents a Guantánamo detainee named Murat Kurnaz, a twenty-three-year-old Turkish citizen who was born in Germany. Kurnaz, who was apprehended while on a trip to Pakistan, has been detained in Guantánamo since 2002. Azmy told me that Kurnaz has complained of being sexually taunted by female interrogators who, he said, offered to have sex with him in exchange for giving information. When one woman began embracing him from behind, Kur-

naz said, he turned and head-butted her. According to Kurnaz, he was then beaten by members of the Initial Reaction Forces, a military-police squad that patrols the cellblocks. Kurnaz claimed that he was made to lie on the floor, with his hands cuffed behind his back, for nearly a day. He also told Azmy that he was threatened with starvation and forcibly injected with unknown and debilitating drugs. (All of Kurnaz's charges have been denied by U.S. authorities.) Azmy told me, "These psychological gambits are obviously not isolated events. They're prevalent and systematic. They're tried, measured, and charted. These are ways to humiliate and disorient the detainees. The whole place appears to be one giant human experiment."

Concrete evidence of the medical and psychological mistreatment of detainees is all but impossible to obtain, in part because the Justice Department, in contravention of all national and international norms, has repeatedly blocked attempts by lawyers to get copies of detainees' medical records. "Prisoners, even terrorists, have the right to their medical records, according to federal laws, common laws, the American Medical Association, and court trials," Arthur Caplan, a bioethicist at the University of Pennsylvania, says. In an interview at Guantánamo Bay, Dr. John S. Edmondson, a Navy captain who oversees the facility's

medical command, denied that he had refused to turn over medical records. "I believe we've complied with the requests that have reached me," he said. A respect for confidentiality, he said, prevented him from specifying the names of detainees whose medical records he had released. Yet Rob Kirsch, a partner at the law firm Wilmer Hale, who represents six Guantánamo detainees, provided me with a file of letters from the Justice Department denying him access to his clients' medical records, even though he had obtained waivers from the clients authorizing their records to be released to him. "They still wouldn't let us see the records," he said. Kirsch contends that at Guantánamo medical care is sometimes withheld or dispensed depending on a detainee's willingness to talk to interrogators. All his clients, he said, have made this complaint, despite having had no opportunity to talk to one another. One of his clients, Mustafa Ait Idir, was deemed resistant by guards, and they allegedly broke two of his fingers; Idir was not allowed to see a doctor after the incident, Kirsch said, and his hand is now severely misshapen. (Kirsch visited Idir at Guantánamo several times after the hand was damaged.) All six of Kirsch's clients have requested dental care to no avail. One client's teeth were so damaged that he was unable to eat regular food; after dental treatment was withheld, the prisoner requested a soft-food diet, which tasted so bad that he lost forty pounds. Edmondson denied that care had been deliberately withheld from any detainee. He also denied that medical professionals under his command had colluded with interrogators.

Scott Sullivan, a lawyer at Allen & Overy, a firm that represents eleven detainees from Yemen, alleged that medics under Edmondson's command routinely violated codes of medical ethics. For example, medics supervised the beating of one of his clients, Saeed Abdullah Sarim, he said. After Sarim was hit repeatedly in the face, an English-speaking detainee nearby allegedly told him that a medic had tried to calibrate the abuse, saying, "Hit him *around* the eye, not *in* the eye." After the beating, according to a report compiled by Sullivan's firm, Sarim asked a nurse for stitches. The nurse, Sarim said in the report, "did not answer me and did not treat the wound."



*"And another thing. When they start telling you
'You've still got it,' you don't."*

Another client of Sullivan's, Abdul Aziz al-Swidi, claimed to have been interrogated by a psychiatrist, who allegedly showed him a picture of a telephone and asked him what it was. When Swidi answered that it was a telephone, the psychiatrist angrily responded, "It's not a telephone—it's a bomb!" Swidi was shown other images and asked to identify them, and each time he was told that his answer was wrong. The goal of the exercise, Sullivan believes, was to make Swidi think that he was going crazy. ("We have no records or reports of this allegation," a Guantánamo spokesman said.)

Last month, a report in the *Times* said that doctors at Guantánamo had provided interrogators with information from some detainees' medical records. In one case, interrogators were told that a detainee had a profound fear of the dark, and ways were suggested to exploit this phobia, in order to break down the detainee's resistance to questioning. Also last month, an article in *The New England Journal of Medicine* revealed that a military policy statement instructed caregivers at Guantánamo to offer clinical information to interrogation teams on request. And last year a confidential report by the International Committee of the Red Cross, parts of which were leaked to the *Washington Post*, charged that doctors consulted detainee medical records to help interrogators, in a "flagrant violation of medical ethics." Edmondson said that the Red Cross's charges were wrong, but he added that national-security concerns might sometimes justify the breaching of a detainee's medical confidentiality.

The role of physicians, who take the Hippocratic oath to "do no harm," is ethically complicated in wartime. Doctors are often described as having "dual loyalties," to patients and to country. But at the Nuremberg trials, after the Second World War, revulsion at Nazi atrocities led to the establishment of rules barring medical mistreatment, even for reasons of national security. A section of the 1950 Geneva Convention, for example, states that "no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned." In 1962, the U.S. passed the first

law requiring doctors to obtain "informed consent" from patients. And in 1975 the World Medical Association, or W.M.A., issued the Declaration of Tokyo, which barred medical personnel from participation in either torture or abuse, even as monitors. The American Medical Association is a member of the W.M.A., which means that U.S. doctors must follow its ethical standards.

In June, the Pentagon released a new set of formal ethical guidelines, titled "Medical Program Principles and Procedures for the Protection and Treatment of Detainees in the Custody of the Armed Forces of the United States." The document, which was issued by Dr. William Winkenwerder, Jr., the Assistant Secretary of Defense for Health Affairs, stresses the importance of upholding "the humane treatment of detainees." It states that "health-care personnel charged with the medical care of detainees" cannot participate in interrogations. In this phrase is embedded a troubling loophole, however: scientific and medical personnel who are not directly responsible for a patient's care may take part in interrogations. Leonard Rubenstein, of Physicians for Human Rights, argues that "the Administration has basically given a green light for medical personnel to participate in abuse."

Winkenwerder, who formerly worked in the insurance industry, argues that most of the detainees have never received better care than they have been getting at Guantánamo. The Pentagon, he told me, took extraordinary pains to insure that detainees were treated in compliance with medical ethics and American values, and he presented statistics showing that last year Guantánamo detainees got more frequent medical treatment than most Americans. A state-of-the-art field hospital had been set up on the periphery of the prison camp, he said, and trained Navy medical corpsmen checked on the detainees' health and welfare three times a week. "A lot of good people are being besmirched by these stories," he said, referring to media reports that have described abuses of detainees at Guantánamo.

Winkenwerder did acknowledge, however, that a number of medical and scientific personnel working at Guantánamo—including psychologists and psychiatrists—are not providing care for

detainees. Rather, these "non-treating" professionals have been using their skills to "assist the interrogators," as he put it.

People working in this advisory capacity are members of what are called Behavioral Science Consultation Teams, or BSCTs. (In military jargon, the teams are known as "Biscuits.") In past wars, the U.S. military has used health-care consultants for therapeutic purposes, to evaluate the combat readiness of soldiers with psychological or physiological problems, and to provide soldiers with counselling and psychotropic drugs. But Major General Geoffrey D. Miller—who commanded the Guantánamo Bay detention center between November, 2002, and March, 2004, and who was then sent by Secretary of Defense Donald Rumsfeld to manage Abu Ghraib prison, in Iraq—established a new role for health-care advisers. "These teams, comprised of operational behavioral psychologists and psychiatrists, are essential in developing integrated interrogation strategies and assessing interrogation intelligence production," Miller explained in an internal report in September, 2003.

Winkenwerder told me that BSCT members are not under his command; rather, they fall under military intelligence. He said that he knew little about the program's daily operations but had heard that a number of BSCT psychologists and psychiatrists had received specialized training. "It's connected to some military acronym," he said. "Something to do with Survival and Evasion."

Winkenwerder was referring to a Pentagon-funded program known as SERE, which stands for "Survival, Evasion, Resistance, and Escape." SERE was created by the Air Force, at the end of the Korean War, to teach pilots and other personnel considered at high risk of being captured by enemy forces how to withstand and resist extreme forms of abuse. After the Vietnam War, the program was expanded to the Army and the Navy. Most details of the program's curriculum are classified.

Each branch of the military now has its own version of SERE training. The flagship program is conducted by the Army's John F. Kennedy Special Warfare Center and School, at Fort Bragg, North Carolina, where Green Berets train. There are several levels of SERE

courses; one, Level C, includes a gruelling exercise in which trainees endure days of physical and psychological hardship inside a mock prisoner-of-war camp.

This spring, I spoke at length with several people familiar with the SERE programs, including a longtime affiliate. According to these sources, a small number of psychologists and other clinicians oversee the SERE program at Fort Bragg. The supervisors discreetly check on trainees' progress at frequent intervals, keeping extensive charts and records of their behavior and medical status. Numerous experiments aimed at documenting trainees' stress levels have been conducted by SERE-affiliated scientists. By analyzing blood and saliva, they have charted fluctuations in trainees' level of cortisol, a stress hormone, and these data have been used to understand what inspires maximum anxiety in the trainees.

The theory behind the SERE program is that soldiers who are exposed to nightmarish treatment during training will be better equipped to deal with such terrors should they face them in the real world. Accordingly, the program is a storehouse of knowledge about coercive methods of interrogation. One way to stimulate acute anxiety, SERE scientists have learned, is to create an environment of radical uncertainty: trainees are hooded; their sleep patterns are disrupted; they are starved for extended periods; they are stripped of their clothes; they are exposed to extreme temperatures; and they are subjected to harsh interrogations by officials impersonating enemy captors. (Colonel Hans Bush, a spokesman at Fort Bragg, declined to "disclose the details of the specific challenges our students face.") Research in social psychology has shown that a person's capacity for "self-regulation"—the ability to moderate or control his own behavior—can be substantially undermined in situations of high anxiety. If, for instance, a prisoner of war is trying to avoid revealing secrets to enemy interrogators, he is much less likely to succeed if he has been deprived of sleep or is struggling to ignore intense pain.

According to the SERE affiliate and two other sources familiar with the program, after September 11th several psychologists versed in SERE techniques began advising interrogators at Guantánamo Bay and elsewhere. Some of these psychologists essentially "tried to reverse-

engineer" the SERE program, as the affiliate put it. "They took good knowledge and used it in a bad way," another of the sources said. Interrogators and BSCT members at Guantánamo adopted coercive techniques similar to those employed in the SERE program. Ideas intended to help Americans resist abuse spread to Americans who used them to perpetrate abuse. Jonathan Moreno, a bioethicist at the University of Virginia, is a scholar of state-sponsored experiments on humans. He says, "If you know how to help people who are stressed, then you also know how to stress people, in order to get them to talk."

Carol Darby, a spokeswoman at Fort Bragg, said that the SERE program has not deviated from its original purpose. In an e-mail, she wrote, "SERE training is not designed and it does not teach anyone how to interrogate individuals. Students who go through SERE are taught methods to resist interrogation techniques that may be used against them; they are taught how to respond when they are on the receiving end of interrogation."

Yet many of the interrogation methods used in SERE training seem to have been applied at Guantánamo. One component of the training program, called the "religious dilemma," parallels Guantánamo detainees' chronic complaints about Koran abuse. At SERE, trainees in the Level C course are given the choice of seeing a Bible desecrated or revealing secrets to interrogators. "They are challenging your faith," the SERE affiliate explained. "The Holy Book is torn up. They say they'll stop if you talk. Sometimes they rip the Bible and throw it in the air." The goal is to make detainees react emotionally to the desecration. Some trainees who are devout Christians become profoundly disturbed during the exercise.

In May, an e-mail written by a graduate of the SERE program was posted on

Informed Comment, the blog of Juan Cole, a history professor at the University of Michigan, who is critical of the Bush Administration. The e-mail, which was anonymous, asserted, "Gitmo must be being used as a 'laboratory' for all these psychological manipulation techniques." Cole provided me with contact information for the SERE graduate, and I spoke on the phone with him. He confirmed his identity, but said that he wished to remain anonymous, fearing that his comments about the program might have legal repercussions.

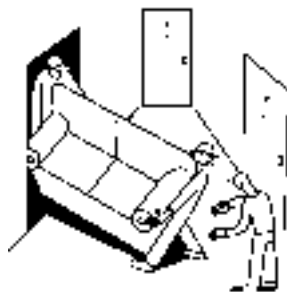
The SERE graduate explained that he had attended Army Ranger school, and had served on active duty in the Marines for eleven years, part of the time as an intelligence officer. In 1999, he attended the Navy's SERE training program in Coronado, California. He told me that the program had been "very professionally run." But, he said, when he read about the treatment of detainees at Guantánamo he was reminded of his experiences during SERE training simulations.

On the blog, the graduate offered a detailed account of a SERE training exercise. (He confirmed the account's details with me.) He wrote, "One of the most memorable parts of the camp experience was when one of the camp leaders trashed a Bible on the ground, kicking it around, etc. It was a crushing blow, even though this was just a school."

The graduate wrote that his experience with the "Bible trashing" took place "towards the end of the camp experience, which was 2-3 days of captivity." He continued:

We were penned in concrete cell blocks about 4' x 4' x 4'—told to kneel, but allowed to squat or sit. There was no door, just a flap that could be let down if it was too cold outside (which it was). Each trainee was interrogated to some extent, all experienced some physical interrogation such as pushing, shoving, getting slammed against a wall (usually a large metal sheet set up so that it would not seriously injure trainees), with some actually water-boarded (not me).

The Bible trashing was done by one of the top-ranked leaders of the camp, who was always giving us speeches—sort of "making it real" so to speak, because it is a pretty contrived environment. But by the end it almost seemed real. Guards spoke English with a Russian accent, wore Russian-looking uniforms. So the Bible trashing happened when this guy had us all in the courtyard sitting for one of his speeches. They were tempting us with a big pot of soup that was boiling—we were all starving from a few days of chow deprivation. He brought out the Bible and



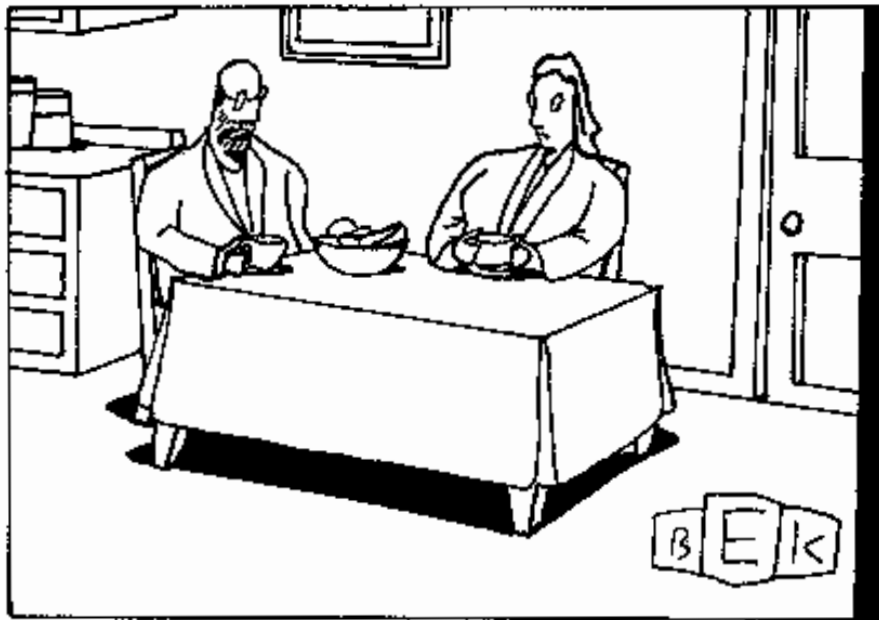
started going off on it verbally—how it was worthless, we were forsaken by this God, etc. Then he threw it on the ground and kicked it around. It was definitely the climax of his speech. Then he kicked over the soup pot, and threw us back in the cells. Big climax. And psychologically it was crushing and heartbreaking, and then we were left isolated to contemplate this.

The SERE graduate, who is religious, said that the repeated mistreatment of the Koran at Guantánamo was “sickening” and “immoral.” Referring to the interrogators there, he said, “They have turned the whole world against us.”

The graduate’s claim that waterboarding took place at the Navy’s SERE school was confirmed by the SERE affiliate. Waterboarding is intended to simulate drowning and asphyxiation. Khalid Sheikh Mohammed, a top Al Qaeda operative who was apprehended in Pakistan in 2003, has reportedly been subjected to it. (It is unknown if the technique yielded useful intelligence.) In the version used in the Navy’s SERE training program, the affiliate said, the student is bound to an inclined board, his feet higher than his head. A stream of water is then slowly poured up his nose. In SERE training, the technique is highly controlled to prevent serious physical harm (although the trainees don’t sense this). There is a strict limit of only a few cups of water per student. As an extra precaution, the trainees do jumping jacks first, to elevate their heart rate, which enables them to hold their breath for long periods during the ordeal.

Another SERE technique that has apparently surfaced at Guantánamo is the use of “noise stress.” The SERE affiliate told me that trainees often think that the interrogation portion of the program will be the most gruelling, but in fact for many trainees the worst moment is when they are made to listen to taped loops of cacophonous sounds. One of the most stress-inducing tapes is a recording of babies crying inconsolably. Another is a Yoko Ono album. Detainees at Guantánamo have reportedly been subjected to blaring audiotapes of loud music, cats meowing, and human infants wailing.

Critics also allege that the SERE program has become a testing ground for interrogation techniques involving sexual embarrassment and humiliation. (Detainees at Guantánamo have complained



“I bumped into a new girlfriend last night.”

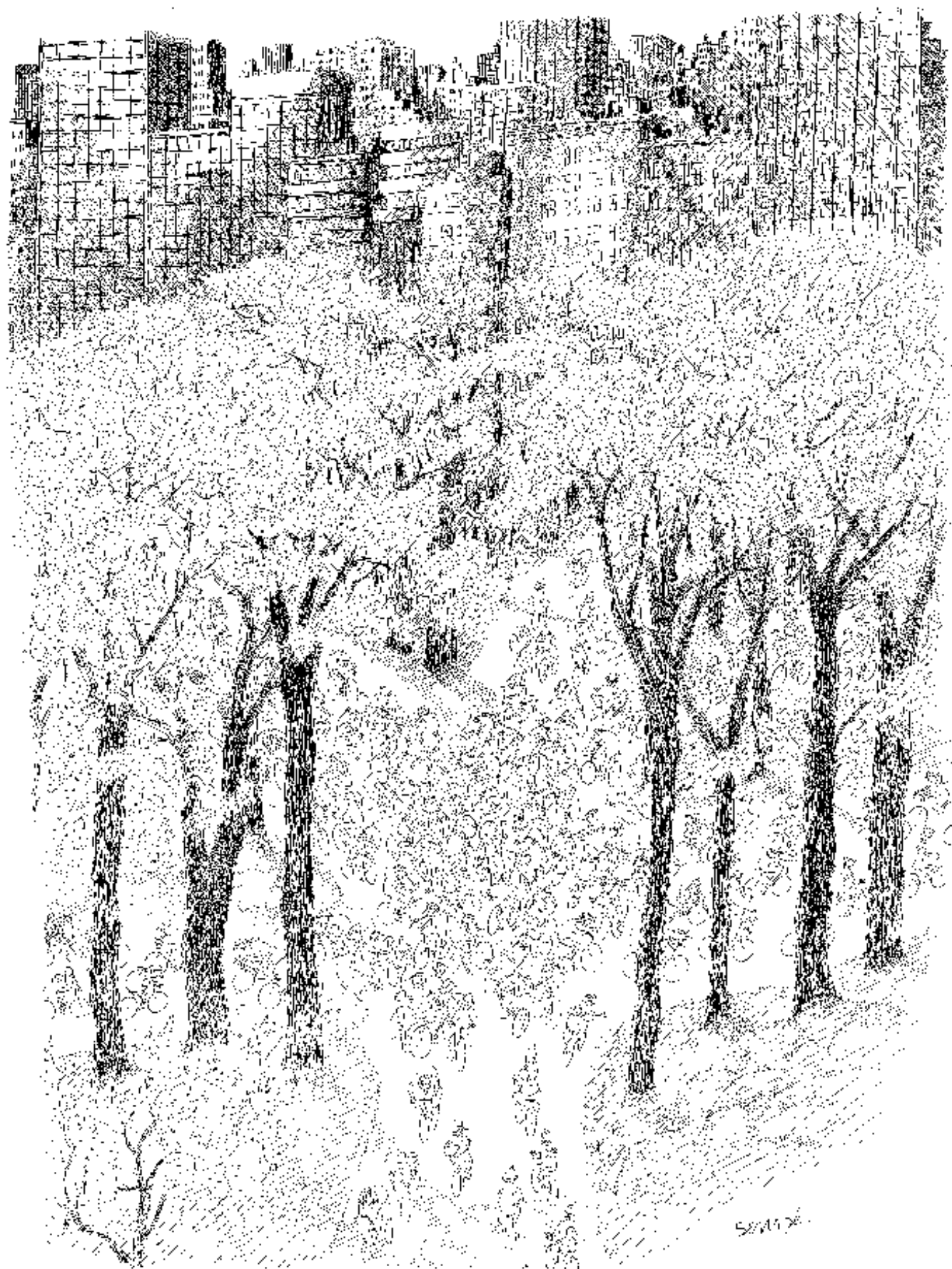
of such methods, and the scandal at Abu Ghraib last year revealed that guards there photographed prisoners naked and in sexually humiliating poses.) A former military-intelligence officer who was familiar with practices at Guantánamo told me that a friend who had gone through Level C SERE training, which lasts three weeks, said that he had been sexually ridiculed by females during the program. “They strip you naked and make you do work while women laugh at the size of your ‘junk,’” the intelligence officer told me. “Apparently, it’s very humiliating.” The SERE affiliate described another disturbing training technique: the “mock rape.” In this exercise, a female officer stands behind a screen and screams as if she were being violated. A trainee is told that he can stop the rape if he cooperates with his captors.

Erik Saar is a former Army intelligence analyst at Guantánamo and the author of “Inside the Wire,” published in May, which first disclosed the interrogation incident involving fake menstrual blood. He told me that the perpetrator of this particular form of abuse might have come up with the idea herself. But he said that the notion of using sexual gambits to unnerve detainees was promoted by “the BSCTs, who were these psychiatrists and psychologists from Fort Bragg.” He went on, “The BSCTs would help in-

terrogators strategize about what techniques to use, and where someone would be vulnerable, and what the best ways to manipulate them would be. Sex, I believe, came from the BSCTs. I have a hard time thinking it was a couple of rogue interrogators, if that’s what the Army says, because it was very systematic. It wasn’t hidden.”

The manipulation of national flags for psychological effect is another element of SERE training. The mock captors create psychological stress in trainees by mutilating and burning the American flag, in a procedure known as the “flag dilemma.” This technique also has echoes in the experience of detainees at Guantánamo. The American Civil Liberties Union recently revealed the contents of a confidential e-mail written by an F.B.I. agent stationed in Guantánamo to his superiors. It describes a detainee “sitting on the floor of the interview room with an Israeli flag draped around him, loud music being played and a strobe light flashing.” Marc Falkoff, a lawyer defending several Guantánamo detainees, informed me of another flag incident. According to Falkoff’s clients, a mass suicide attempt at Guantánamo, in August, 2003, in which two dozen or so detainees tried to hang or strangle themselves, was provoked by instances of Koran mistreatment—in-

SKETCHBOOK BY J. J. SEMPÉ



5/197

cluding one in which the text was allegedly wrapped inside an Israeli flag and stomped on.

Although the SERE affiliate said that many of the program's officials were careful and dedicated people, he said that "some of the folks" associated with the program seemed to enjoy using manipulative techniques. "They'd play these very aggressive roles, week after week," he said. "It can be very seductive." Although there is no scientific basis for believing that coercive interrogation methods work better than less aggressive ones, the affiliate said that some of the SERE psychologists he knew believed that to get someone to talk "you have to hurt that person."

Retired Army Colonel Patrick Lang, who was both a Special Forces officer and a Defense Intelligence Agency expert on the Middle East, told me that he had attended a SERE school as part of Special Forces training, and had found the experience disconcerting: "Once, I was on the other side of the exercise, acting as captor and interrogator," he said. "If you did too much of that stuff, you could really get to like it. You can manipulate people. And most people like power. I've seen some of these doctors and psychologists and psychiatrists who really think they know how to do this. But it's very easy to go too far."

It is not yet possible to pinpoint when ideas from the SERE program began to influence interrogations of terrorist suspects. But, as early as March, 2002, James Mitchell, a psychologist formerly affiliated with SERE, appeared inside an interrogation room where the C.I.A. was holding a "high-value" Al Qaeda suspect. (The interrogation took place at an undisclosed location.) Mitchell worked for years as a SERE administrator. In an interview, he said that he is now a private contractor and does not currently work with the Department of Defense. Asked if he has worked with the C.I.A., conducting interrogations, he said, "If that was true, I couldn't say anything about it." (A press officer at the C.I.A. also declined to comment on Mitchell.)

According to a counter-terrorism expert familiar with the interrogation of the Al Qaeda suspect, Mitchell announced that the suspect needed to be subjected to rougher methods. The man should be treated like the dogs in a classic behavioral psychology experiment, he said, referring

to studies performed in the nineteen-sixties by Martin Seligman and other graduate students at the University of Pennsylvania. The dogs were placed in harnesses and given electric shocks that they could not avoid; they were then released into pens and shocked again, but this time they were given a chance to escape the punishment. Most of them, Seligman observed, passively accepted the shocks. They had lapsed into a condition that he called "learned helplessness." The suspect's resistance, Mitchell was apparently saying, could be overcome by inducing a similar sense of futility. (Seligman, now a psychology professor at Penn, has spoken at a SERE school about his dog research.)

Mitchell's position was opposed by the counter-terrorism expert, who had not spent time at a SERE school. He reminded Mitchell that he was dealing with human beings, not dogs. According to the expert, Mitchell replied that the experiments were good science. The expert recalled making the argument that the U.S. should not "do things that our enemies do, like using torture." When asked about this incident, Mitchell confirmed that he admired Seligman's research. He declined to comment on any interrogations that he might have taken part in, though he added, "I don't have anything to hide."

Another scientist connected to SERE, Colonel Louie (Morgan) Banks, a senior Army psychologist who is an administrator of the program, has played a significant advisory role in interrogations at Guantánamo Bay. He has recommended that the psychologists working with the BSCTs in Guantánamo have SERE backgrounds. In an interview, Banks said, "I do go down to Guantánamo occasionally. I have provided assistance." He said that he saw no problem with psychologists helping in interrogations, "as long as they don't break the law." Asked to provide details of his consulting work, he said, "I just don't remember any particular cases. I just consulted generally on what approaches to take. It was about what human behavior in captivity is like."

Banks emphatically denied that he had advocated the use of SERE counter-resistance techniques to break down detainees. When asked about the similarities that have emerged between SERE training methods and interrogation practices at Guantánamo, he replied, "I'm not

saying people don't do some stupid things sometimes. Some people who received SERE training may have sometimes done things they shouldn't because they misunderstood what the training was about. I'm not going to tell you it didn't happen. I can't say that someone didn't say, 'Hey, let's try waterboarding' because they'd seen it at SERE." In fact, the problem was pervasive enough so that, last year, Banks introduced a new requirement at SERE: graduates must sign a statement promising not to apply the program's counter-resistance methods to U.S.-held detainees. "We did this when we learned people were flipping it," he said.

Banks has a Ph.D. in psychology from the University of Southern Mississippi. A biographical statement for an American Psychological Association task force on psychological ethics and national security, which Banks serves on, mentions that he "provides technical support and consultation to all Army psychologists providing interrogation support." It also notes that, starting in November, 2001, Banks was detailed to Afghanistan, where he spent four months at Bagram Airfield, "supporting combat operations against Al Qaeda and Taliban fighters." In an interview at Guantánamo Bay, General Hood spoke warmly of Banks. "He is a very bright guy," the General said. "He's very qualified. He has assisted in offering assessments on several of our detainees."

Esteban Rodriguez, a Cuban-American civilian who has overseen the interrogation program at Guantánamo since July, 2003, as director of the Joint Intelligence Group, told me that Banks had been a valuable adviser, particularly on the subject of "resistance" to interrogation. "I talk to him all the time," Rodriguez told me in his office at Guantánamo. "He's a very good man."

Rodriguez has had twenty-six years of experience in the field of interrogation. In the nineteen-eighties, he worked for the Defense Intelligence Agency and was stationed in Berlin, where he debriefed émigrés from East Germany. In comparison with the Cold War, he said, the war against terrorism seems confusing and uncivilized. "You don't know who the enemy is," he said. Speaking of Guantánamo, he said, "There are some very dangerous people here." One detainee vowed, if he ever got out, to slit Rodriguez's throat. Rodriguez told me

that a number of SERE psychologists had been helpful to the BSCTs at Guantánamo. “The SERE people have learned the psychology of what prisoners of war go through,” he said. As a result, he said, “they may have advice, and be able to see certain things going on, such as if this person has been trained in how to avoid interrogation.” In such cases, he said, SERE officials can offer valuable advice on “how to use different tactics.”

Rodriguez declined to say what kinds of “different tactics” were used on detainees. He emphasized that with most prisoners his interrogators simply tried to use what he called “the direct approach,” in order to “build rapport.” He said that during his tenure waterboarding had never been used “on this island.”

Sex, Rodriguez said, was never offered as an enticement to detainees, but he sometimes used women interrogators, who acted as surrogates for wives and mothers. “It’s about finding ways to build rapport,” he said, adding, “I wouldn’t rule out coercion. It just has to be the individual cases.” He estimated that there had been twenty-eight thousand interrogations since Guantánamo opened. Of these, he guessed that “ten to twenty per cent” involved tactics other than just talking. “We do use additional tactics,” he acknowledged. “I have a few tools left in my arsenal. I hate to discuss them.” He winked. “Nothing to do with coercion or fear.”

Rodriguez told me that only a quarter of the detainees hold any intelligence interest for him at this point. The rest, he said, are no longer being interrogated. Even these detainees, however, could remain incarcerated indefinitely. The Pentagon considers many of them to be security threats.

Rodriguez would not reveal which cases SERE psychologists had been directly involved in. However, one clue has emerged. On June 3, 2004, General James T. Hill, of the U.S. Southern Command, held a press conference at which he mentioned how interrogators at Guantánamo had tried to break an especially resistant, and presumably important, detainee. (The detainee’s name was not made public.) The detainee, he explained, “had been trained in resistance techniques and was using them.” To get him to talk, Hill said, officials at Guantánamo looked for expert help in counter-

resistance. He said, “The staff at Guantánamo, working with behavioral scientists, having gone up to our SERE school, developed a list of techniques which our lawyers decided and looked at, [and] said were O.K. I sent that list of techniques up to the Secretary”—Rumsfeld—“and said, in order for us to get at some of these very high-profile, high-value targets who are resistant to techniques, I may need greater flexibility.”

Hill, who retired in January, could not be reached for comment. A source familiar with the episode that Hill was describing says that the detainee in question was No. 063, Mohammed al-Qahtani, who was captured in Afghanistan and is reputedly the missing “twentieth hijacker” in the September 11th conspiracy—the plotter who failed to board the United Airlines plane that crashed in Pennsylvania. But by the summer of 2002 military interrogators were reportedly frustrated by their inability to elicit useful information from him.

Documents related to interrogation practices that were released by the Administration last year show that in October, 2002, Guantánamo officials asked the Pentagon for permission to use several harsh interrogation techniques on highly resistant detainees, including isolation, sensory deprivation, removal of clothing, hooding, exploitation of the detainee’s phobias (such as a fear of dogs) to induce stress, and “scenarios designed to convince the detainee that death or severely painful consequences are imminent for him and/or his family.” The officials also requested permission to use waterboarding.

In a memo to General Richard B. Myers, the chairman of the Joint Chiefs of Staff, Hill wrote that he was “uncertain whether all the techniques” were “legal.” He expressed concern that some of them might violate the federal statute against torture. Another obvious obstacle was the Uniform Code of Military Justice, which prohibits U.S. forces from engaging in “cruelty,” “maltreatment,” or “oppression” of prisoners, and bars both physical assault and threats of injury.

Pentagon lawyers, however, tried to find ways around this, documents released by the Administration show. In October, 2002, Diane Beaver, a lawyer at the Pentagon, wrote a memo to superiors, arguing that waterboarding might

“be permissible if not done with the specific intent to cause prolonged mental harm, and absent medical evidence that it would.” She added, “Caution should be exercised with this method, as foreign courts have already advised about the potential mental harm that this method may cause.” She noted that physical contact with the detainee “will technically constitute an assault under . . . UCMJ.” But Beaver’s memo implied that if an interrogator were to obtain “immunity” from command authorities in advance, the laws criminalizing waterboarding and other rough techniques could be circumvented. There is no evidence that anyone in the chain of command, apart from Hill, objected to the content of Beaver’s memo.

As it turned out, Rumsfeld did not authorize waterboarding or threats to harm family members. Nevertheless, the documents released by the Administration show that in December, 2002, he signed off on sixteen other aggressive counter-resistance techniques for use on Qahtani and others, beyond those authorized in the Army Field Manual. This June, *Time* published a report containing excerpts of the interrogation logs, which revealed that Qahtani was forced to strip naked, told to bark like a dog, deprived of the opportunity to use a toilet after having been force-fed liquids intravenously, ordered to dance with a mask on his face, sat on by a female interrogator, exposed to loud noise, allowed limited sleep, and forced to pick up piles of trash with his hands cuffed while he was called “a pig.” According to the *Times*, Qahtani also underwent a phony kidnapping, during which he was injected with tranquilizers and taken up in a plane wearing blackened goggles.

The logs show clearly that a BSCT psychologist participated in the interrogation and they reveal that, after three days of sleep deprivation, Qahtani became ill. A doctor was summoned, and the coercion stopped, but even then Qahtani was subjected to noise levels that kept him from sleeping. His heart rate dropped. A brain scan was performed. He was given an ultrasound, to check for blood clots; none were found. Stephen Xenakis, a psychiatrist and former brigadier general in the Army medical corps, questioned whether the doctors involved notified authorities about how ill the treatment was

making Qahtani, as is required by virtually every code of medical ethics. In an e-mail, Xenakis told me, "The clinical picture indicates that the combined effects of the interrogation over December 4-7 contributed to significant physical and metabolic symptoms such that he required close cardiac monitoring. He is evaluated for 'blood clots' . . . which can be fatal." Xenakis asked whether this carefully monitored interrogation, authorized at the top levels of the Pentagon, put "this patient in danger of dying."

According to Elena Nightingale, a pediatrician and the co-editor of a 1985 anthology of essays about doctors and torture, "The Breaking of Bodies and Minds," medical experts are often called on to assist with torture, because "people trust and confide in them, which is useful to torturers, and because they have the know-how to keep a person under torture alive, so that more information can be extracted." Dr. Darryl Matthews, a psychiatrist whom the Army brought in as a consultant after many suicide attempts at Guantánamo, and who has since become a critic of conditions at the prison camp, told me, "As psychiatrists, we know how to hurt people better than others. We can figure out what buttons to push. Like a surgeon with a scalpel, we have techniques and we know what the pressure points are."

Leonard Rubenstein, of Physicians for Human Rights, described the role of psychologists and medical personnel in the Qahtani interrogation as "conduct that's been considered forbidden for thirty years." Psychologists, he said, are subject to the same standards as medical doctors. "Of course they can't participate in coercive interrogations!" he said. "It's clear as day. You can't advise, you can't develop plans, you can't review interrogations, you can't sign off on them, and you can't even be present in the room."

The Pentagon has argued that Qahtani's treatment was rough but always "humane." However, documents released by the A.C.L.U. reveal that F.B.I. officials were disturbed when they learned of it. In May, 2004, for instance, an F.B.I. memo entitled "Detainee Interviews (Abusive Interrogation Issues)" noted the Bureau's "concerns" and "objections" to "SERE techniques to interrogate prisoners."

In August of that year, an F.B.I. agent who visited Guantánamo sent an e-mail

to his superiors. "On a couple of occasions, I entered interview rooms to find a detainee chained hand and foot in a fetal position to the floor, with no chair, food or water," he wrote. "Most times they had urinated or defecated on themselves, and had been left there for 18 to 24 hours or more." The agent related that he had also visited an "almost unconscious" prisoner in a room where the temperature was "probably well above 100 degrees." There was a "pile of hair next to him." (He seemed to have pulled out his own hair.)

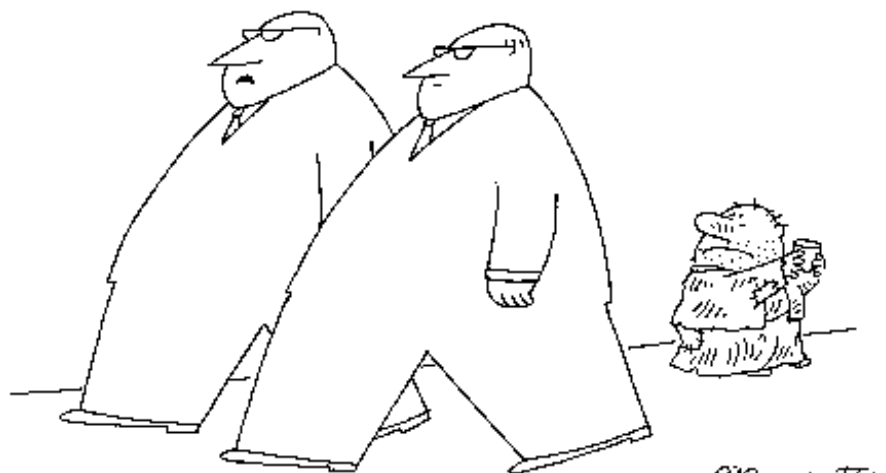
In a subsequent letter, other F.B.I. agents claimed to have observed, in November, 2002, a Guantánamo detainee "after he had been subjected to intense isolation for over three months." The letter continues, "During that time period, [the detainee] was totally isolated (with the exception of occasional interrogations) in a cell that was always flooded with light. By late November, the detainee was evidencing behavior consistent with extreme psychological trauma (talking to non-existent people, reporting hearing voices, crouching in a corner of the cell covered with a sheet for hours on end)."

Soon after the establishment of the Guantánamo camp, the F.B.I. sent several of its top counter-terrorism agents to the prison to interview detainees. By the fall of 2002, these agents believed that they were making progress with detainees, including Qahtani, by slowly establishing a dynamic of friendly rapport. According to several sources at the F.B.I., when General Miller assumed his administrative role at Guantánamo he became impatient with the F.B.I. interro-

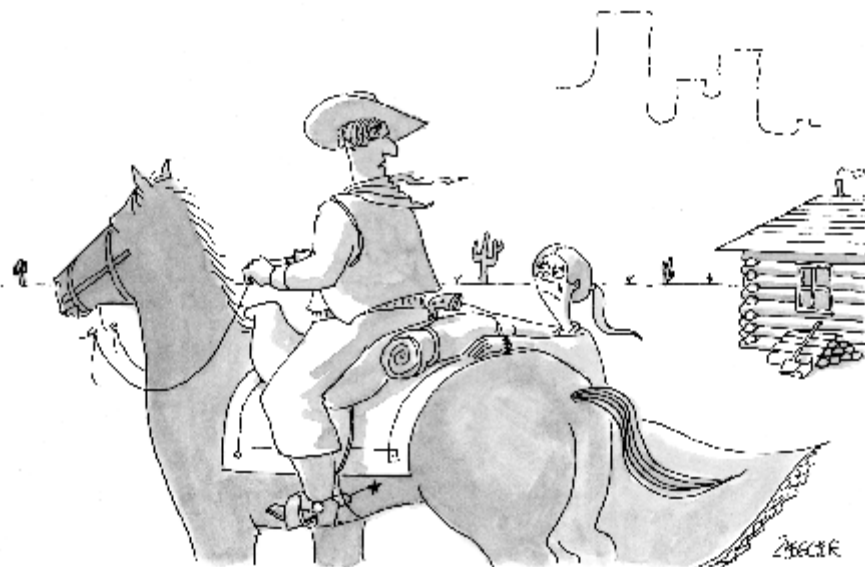
gations, and insisted that harsher methods be used. The agents said that even if other interrogators managed to break the detainees through force the intelligence would be unreliable, and it would be impossible to prosecute the cases in any U.S. court. These clashes are now under investigation by the Justice Department's Inspector General, who is trying to determine if laws were broken during interrogations at Guantánamo and elsewhere.

A former F.B.I. official who has extensive experience interviewing terrorist suspects spoke to me at length about his battles with Department of Defense officials. The former official said that he had used only noncoercive, "rapport-based" techniques in his interviews with terrorist suspects. "You can know how evil suspects are, and still make them think you're their friend," he said.

The former official said that he and other F.B.I. agents didn't want to interview detainees without first reading them their Miranda rights. But the military officers argued that if detainees were read their rights "they'd be able to get lawyers and due process, which would clog the whole system." The former official said that he told a Pentagon official, "Some of these techniques, I don't want to see, or be part of. I took an oath to the Constitution to uphold the laws against enemies both inside the U.S. and out." He recalled, "The D.O.D. guy got really upset. He said he took the oath, too. I told him that we must have different interpretations, then." (A Pentagon spokesman said, "Miranda rights are not applicable to enemy



"Is it my fault he guessed the wrong hand?"



"Let me go, honey. That eight-o'clock commuter express out of Yuma don't wait for no man."

combatants detained in the war on terrorism. . . . They are treated in accordance with the Geneva Conventions subject to military necessity.")

The former F.B.I. official said that he opposed coercion on practical grounds, as much as anything else. "I don't believe these things make successful strategies—sensory deprivation and such," he said. "There's a big lack of knowledge about the mind-set of extremists. Doing these things just makes them more determined to hate us. And eventually they are going to be released. When they are, they're going to talk and exaggerate what happened to them. They're going to become heroes. So then we'll have more extremist networks and more suicide bombers." He also felt that there was a moral imperative to avoid coercive interrogations. "We can't go down to the level of our enemies," he said. "If we do, it's going to come back at us later on."

Officials at the Washington headquarters of the Naval Criminal Investigative Service were also incensed by the use of coercive techniques at Guantánamo. Some N.C.I.S. officials are participating in a combined task force preparing detainee cases for eventual prosecution, and they had access to computerized versions of the interrogation logs at Guantánamo. When the officials read the details of Qahtani's interrogation, they had an extraordinary internal dispute.

According to a passage in Vice-Admiral Church's report that is unclassified but has not been released to the public, in December, 2002, Dr. Michael Gelles, the chief psychologist at the N.C.I.S., spoke with Alberto J. Mora, the Navy's general counsel, saying that, in his professional opinion, "abusive techniques" and "coercive psychological procedures" were being used on Qahtani at Guantánamo. Gelles warned of a phenomenon known as "force drift," in which interrogators encountering resistance begin to lose the ability to restrain themselves.

In July, 2004, Mora wrote a memo to Church's investigative team, in which he recounted his discussion with Gelles. He said that he had found the tactics he had read about in the Qahtani interrogation logs to be "unlawful and unworthy of the military services." Mora argued that these practices "threaten the entire military commission process." According to the Church report, an N.C.I.S. official subsequently said that if the abusive practices continued "N.C.I.S. would have to consider whether to remain co-located" in Guantánamo. According to a recent ABC News report, in January, 2003, Mora also told William J. Haynes, the Pentagon's general counsel, that "the use of coercive techniques" could expose both interrogators and their administrators to criminal prosecution.

That same month, Rumsfeld sus-

ended his earlier authorization of harsh interrogation methods at Guantánamo. He put together a working group on the subject of interrogation, which, on March 6, 2003, drafted a memo stating that to continue using such aggressive techniques would require Presidential authorization. There is no evidence to date that such an authorization was granted.

Eight days after the release of the draft memo, the Justice Department's Office of Legal Counsel released a classified legal opinion clarifying the Administration's policy on interrogation. Vice-Admiral Church was allowed to read the document, but he was not given a copy. According to Church, the memo's language was "virtually identical" to an August, 2002, memo approved by Jay S. Bybee, then the assistant attorney general, in which torture was defined as anything causing pain comparable to "physical injury such as organ failure, impairment of bodily function, or even death."

The pressure on interrogators, meanwhile, particularly during 2002 and 2003, remained intense. The military-intelligence officer who was familiar with practices at Guantánamo told me that the order from above was "Get me results!" He said, "There was huge frustration. General Miller really unleashed a lot of aggressive tactics." He added, "At the time, we didn't even understand what Al Qaeda was. We thought the detainees were all masterminds. It wasn't the case. Most of them were just dirt farmers in Afghanistan."

Earlier this year, a former interrogator at Guantánamo, whose statement to a lawyer was obtained by *The New Yorker*, said that he had refused to use more "assertive" methods on the detainees, and had incurred the anger of his superiors. Extensive records of interrogations were meticulously kept, he said, in what were called "knowledgeability briefs," copies of which were sent to officials at the Pentagon. The former interrogator said that BSCT psychologists were heavily involved in drawing up and monitoring interrogation plans, which were designed individually for each detainee. At least one of the BSCT scientists he worked with, he said, was a medical doctor. Sleep deprivation was such a common technique, he said, that the interrogators called the process of moving detainees every hour or two from one cell to another "the

frequent-flier program.” He said that interrogators also used pornography to manipulate detainees, giving pictures as a reward to compliant prisoners who were not religious, and forcing “noncompliant” Muslims to look at them. Detainees were routinely shackled in painful “stress positions.” The interrogator said that he overheard colleagues talking about the possibility of waterboarding detainees, but he never saw waterboarding used himself.

Until the spring of 2003, the former interrogator said, he had open access to detainees’ medical histories. But after that he had to go to the medical staff whenever he had a health-related question, and a staff person would retrieve the records. As an example, the interrogator provided details of a medical problem involving a detainee who claimed that his eyesight was deteriorating. The interrogator said he knew that the detainee had a genuine problem with his eyes, because “I read it in his medical files.” When he mentioned the detainee’s medical complaints to authorities, he said, they refused to do anything, saying, “Fuck him. He should have gotten the medical help before he went on his jihad.”

A Guantánamo detainee who appears to fit this description is Rhuhel Ahmed. In 2004, Ahmed, a British citizen, was released without charges. A statement put out by his lawyer says, in part, “Rhuhel in particular has suffered irreversible damage to his eyes. He suffers from a condition where the cornea of his eye is misshapen (into a shape like a rugby ball). The condition is controllable by a gas-permeable contact lens. . . . Throughout the time he was at Guantánamo, he was urgently asking for lenses. . . . No lenses were ever provided. . . . His eyesight has drastically deteriorated as a result.”

In the former interrogator’s view, fewer than a quarter of the detainees had any intelligence value. More important, he said that most of the coercive methods used on the detainees at Guantánamo were counterproductive. As he explained to the lawyer, “If you don’t have a terrorist now, you will by the time he leaves.”

Esteban Rodriguez, the chief of interrogations, said that the interrogations at Guantánamo have provided invaluable information that may have saved American lives. He said that he still uses

BSCT members in interviews with detainees. He also said that he doesn’t use techniques such as sleep deprivation, sexual humiliation, or isolation. “I have no place to isolate people!” he said. This argument seemed dubious after I toured Camp Five, a new maximum-security facility in Guantánamo Bay, in which high-value detainees are confined in sealed white climate-controlled cells. (Officials later explained that they call this “segregation,” not “isolation.”)

Lawyers for the detainees also dispute Rodriguez’s claim. Although they acknowledge that the situation at Guantánamo has improved, they say that some of the aggressive techniques are still practiced. Joshua Colangelo-Bryan, an associate at Dorsey & Whitney, a law firm that represents six detainees from Bahrain, recently told me, “I have clients who have been kept for over a year in cells by themselves. Other than for interrogations or occasional showers, they are allowed out of their cells for no more than an hour of exercise a week, during which they are alone in small exercise pens. That those who run Guantánamo choose not to describe these arrangements as isolation or solitary confinement does not change reality. My clients have been utterly deprived of human contact—other than with interrogators and guards—for over a year and, according to the government, could be deprived of human contact for the rest of their lives.”

During Colangelo-Bryan’s last two visits to Guantánamo, in October, 2004, and March, 2005, one of his clients, Jumah al-Dossari, a Bahraini whom U.S. authorities caught in the Tora Bora region of Afghanistan, described his experience. Dossari said that a man who called himself Dr. P.—and who military police told him was a psychiatrist—had ordered him placed in isolation and deprived of both toilet paper and water for washing himself. Another psychiatrist

quizzed him in detail about his childhood. On a separate occasion, he said, an interrogator wrapped him in Israeli and American flags. The interrogator told him that there was a war going on between the Star of David and the Cross, on one side, and the Red Crescent, on the other. Then, Dossari said, the interrogator stepped on a Koran. Dossari told Colangelo-Bryan that he found the whole experience “bizarre.”

Dossari also claimed that he was beaten by riot police after he complained about personal items having been moved in his cell. During the beating, which was corroborated by Human Rights Watch, his head was bashed so hard against the metal floor that he fainted. He was taken to the naval hospital, where he was given a brain scan. According to Dr. Edmondson, the Navy captain, no doctor raised any questions with him about abusive treatment of Dossari.

Dossari also told Colangelo-Bryan that one time he was taken into an interrogation room whose door was open to an adjacent room filled with computers. Military police shackled him to the floor, he said. In the computer room, a naked man and woman were having sex on a table. Afterward, he said, the man put on his clothes and started to question him, telling him that if he cooperated he, too, could have sex with his “girlfriend.” Dossari said that he did not respond. (Esteban Rodriguez said that he had never heard of such an incident.)

Dossari claims to have spent the past eighteen months in solitary confinement. Colangelo-Bryan said that he had concerns about his client’s mental state. He told me, “On the last day of one visit, as I was about to leave, he looked me directly in the eye and in a very quiet voice asked, ‘What can I do to keep myself from going crazy?’”

Exerting psychic stress is, of course, the goal of the SERE program. To the extent that scientists and doctors are implicated in this process, Jonathan Moreno, the bioethicist, worries that “Guantánamo is going to haunt us for a long time.” He said, “The Hippocratic oath is the oldest ethical code we have. We might abandon our morality about other professions. But the medical profession is sort of the last gasp. If we give that up, we’ve given up our core values.” ♦

