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Colin Powell, Torture and Terror

Jonathan Cohen

This paper will address evidence linking the former Secretary of State, General Colin Powell, to the hotly-debated torture program of the George W. Bush (GWB) administration. The evidence in this paper suggests that the policies and practices of torture in the War on Terror were planned and authorized by General Powell and other senior officials in the GWB administration.

To be sure, the senior officials of the GWB administration uniformly reject allegations of torture. President Bush has repeatedly denied torture allegations, for instance, once claiming that "The United States does not torture. It's against our laws, and it's against our values. I have not authorized it - and I will not authorize it."^[1] However, these claims have been contradicted by recently published reports from the International Committee of the Red Cross and *ABC News*. Senior GWB administration officials authorized interrogation methods that a majority of Americans consider to constitute torture.^[2] General Powell and other senior GWB administration officials have used the term "enhanced interrogation techniques" to describe submersion in water to the point of drowning, sleep deprivation, forcibly-prolonged standing, slapping, and confinement in boxes among other techniques. They have also used the term "combined interrogation techniques" to describe the use of several "enhanced" methods in combination. Ultimately, the debate on the torture program of the George W. Bush Administration, and General Powell's role therein, rests on questions of law.

The legal opinions at issue originate from the Justice Department Office of Legal Counsel. The opinions were authored by attorney John Yoo, who is currently under investigation for professional misconduct and faulty legal reasoning.^[3] The torture program of the GWB administration was justified by at least two of Yoo's opinions on the methods that could be used in interrogations, both of which have been repudiated and withdrawn. The first memo in question was dated August 1, 2002, and it defined torture as "only extreme acts" causing pain similar in intensity to that caused by death or organ failure.^[4] The memo stated that for "alternative procedures" to be considered torture, and thus illegal, they would have to cause pain of the sort "that would be associated with serious physical injury so severe that death, organ failure, or permanent damage resulting in a loss of significant body function will result."^[5] The second legal memo in question was dated March 14, 2003, and it defined such practices as acceptable "so long as military interrogators did not specifically intend to torture their captives."^[6] The legal justification for the torture program of the George W. Bush Administration is questionable, at best.

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Evidence has recently surfaced to suggest that General Powell participated in high-level discussions of the George W. Bush administration torture program as a member of the National Security Council Principals Committee. This evidence surfaced in reports from ABC News in 2008 and 2009, and the reports indicate that General Powell attended hundreds of meetings during his term as Secretary of State between 2001 and 2005. The members of the committee included other high-level George W. Bush Administration officials such as Vice President Cheney, former National Security Advisor Condoleezza Rice, and Defense Secretary Donald Rumsfeld, General Powell and other officials authorized CIA torture sessions on high-value detainees that "pushed the limits of international law," as well as those authorized by the Justice Department.^[7] These reports have been corroborated by other reports originating from the International Committee of the Red Cross.^[8]

The ABC News reports on the NSC Principals Committee suggested that its members "not only discussed specific plans and specific interrogation methods, but approved them."^[9] Senior GWB Administration officials authorized "specific details of how high-value al Qaeda suspects would be interrogated by the Central Intelligence Agency."^[10] An ABC News report characterized NSC Principals Committee discussions on "enhanced interrogation techniques" as "almost choreographed - down to the number of times CIA agents could use specific tactics."^[11] Another report suggests that "CIA officers would demonstrate some of the tactics" to the members of the Principals Committee.^[12] The Principals Committee was thus deeply involved in the authorization and implementation of the torture program.

The NSC Principals Committee was also involved with a global network of secret Central Intelligence Agency prisons. A 2009 report by the International Committee of the Red Cross exposed the specifics of this involvement. The Red Cross report detailed the stories of prisoners and details of "suffocation by water," "prolonged stress standing," "beatings by use of a collar," "confinement in a box" and other methods.^[13] The Red Cross report concluded: "The allegations of ill treatment of the detainees indicate that, in many cases, the ill treatment, either singly or in combination, constituted cruel, inhuman, or degrading treatment."^[14] In every case, General Powell and the other members of the NSC Principals Committee approved these "extremely specific" measures unanimously.^[15]

General Powell was in present at the National Security Council Principals Committee when it authorized the "Golden Shield" for Central Intelligence Agency interrogators. The "Golden Shield" legal opinion from the attorney John Yoo in the Office of Legal Counsel of the Justice Department justified the most extreme methods used at the Central Intelligence Agency "black sites." The "Golden Shield" memo claimed that "certain acts may be cruel, inhuman, or degrading, but still not produce pain and suffering of the requisite intensity to [constitute]... torture."^[16] The Principals Committee unanimously approved the use of "enhanced interrogation techniques" on high-value suspects. They also authorized "combined interrogation techniques" for recalcitrant suspects. Although the "Golden Shield" legal opinion that protected CIA interrogators was withdrawn, General Powell and the other members of the NSC Principals Committee continued to authorize torture. ^[17]

General Powell has commented through an aide that there were "hundreds of [Principals] meetings" but that he was "not at liberty to discuss private meetings."[\[18\]](#) And although General Powell has denied discussing torture with the other members of the NSC Principal's Committee, he has admitted to having participated in discussions about the "methods that could be used to extract information."[\[19\]](#) Otherwise, General Powell has repeatedly declined to comment on the ABC News reports on the interrogation program or private discussions in Principals Committee meetings. The evidence currently available suggests that General Powell, as a member of the NSA Principals Committee, has had a part in authorizing the most extreme interrogation methods used by Americans in the War on Terror.

While General Powell played an instrumental role in the development and authorization of the torture program of the George W. Bush administration, other evidence suggests that he may also have been a voice of dissent inside the administration. This understanding is informed by a classified memo leaked to the press that revealed a debate inside the GWB administration regarding the applicability of the Geneva Convention to suspected terrorists.

On January 25, 2002, General Powell reportedly "hit the roof" when he received a inaccurate and factually erroneous memo that White House counsel Alberto Gonzales had written to President Bush. General Powell and other State Department officials were "horrified," according to Newsweek.[\[20\]](#) The Gonzales memo assumed a radical conception of presidential authority and was pointedly against the application of the Geneva Convention to detainees from Afghanistan. Gonzales argued in the memo that the United States did not need to apply the Geneva Convention to prisoners from Afghanistan because it was a "failed state" that was "not capable of fulfilling its international obligations."[\[21\]](#) It argued that the imperatives of the War on Terrorism "render obsolete Geneva's strict limitations on questioning enemy prisoners."[\[22\]](#) Further, Gonzales argued that by applying the Geneva Convention to al Qaeda and the Taliban, the "U.S. will continue to be constrained" by its treaty obligations, military regulations, and international law.[\[23\]](#)

This resulted in an impassioned January 26 counter-memo that General Powell sent to the White House decried the legal reasoning and strategic implications of Gonzales' legal arguments. It took the form of a formal request to the GWB Administration asking that it reconsider its position on the applicability of the Geneva Conventions to Afghanistan.[\[24\]](#) His request raised salient objections to the Gonzales memo and offered an improved briefing for President Bush on the applicability of the Geneva Convention to the conflict in Afghanistan. In the request, General Powell strongly urged Gonzales to "restructure the [Gonzales] memorandum" to "give the President a much clearer understanding of the options available to him and their consequences."[\[25\]](#) General Powell encouraged Gonzales to "make clear the President's choice[s]," commenting that the memo from White House counsel Alberto Gonzales "[did] not squarely present the President the options that are available to him."[\[26\]](#)

General Powell argued in the January 26 counter-memo that the Gonzales memo was "inaccurate or incomplete in several respects," citing "important factual errors."[\[27\]](#) He commented that the Gonzales recommendation was "contrary to the official U.S. government position" and that it might be construed as hypocritical to label

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Afghanistan a "failed state" given that "the United States and international community have consistently held Afghanistan to its treaty obligations and identified it as a party to the Geneva Conventions."[\[28\]](#) General Powell also argued that nature of conflict between the U.S. military and non-state actors does not "render obsolete" the Geneva Convention because the "[Geneva Convention Relative to the Treatment of Prisoners of War] was intended to cover all types of armed conflict and did not by its terms limit its application."[\[29\]](#) Finally, General Powell pointed out that it would be redundant to claim that the "U.S. will continue to be constrained" by its treaty obligations and international law because the United States complies with "universally recognized standards."[\[30\]](#) General Powell believed that the Gonzales legal arguments were misleading to President Bush and that they could threaten American interests if discovered. The tone of General Powell's response imply that he believed that the standards of the Geneva Conventions should be deemed inviolable, even if Afghanistan was a "failed state." General Powell clarified two options for President Bush:

Option 1: the Geneva Convention on the treatment of Prisoners of War (GPW) does not apply to the conflict on "failed State" or some other grounds. Announce this position publicly. Treat all detainees consistent with the principles of the GPW [Geneva Conventions Relative to the Treatment of Prisoners at War];

and

Option 2: Determine that the Geneva Convention does apply to the conflict in Afghanistan, but that members of al Qaeda as a group and the Taliban individually or as a group are not entitled to Prisoner of War status under the Convention. Announce this position publicly. Treat all detainees consistent with the principles of the GPW [Geneva Conventions Relative to the Treatment of Prisoners at War].

The strongest evidence to contradict the assertion that General Powell supported the GWB administration torture program is implicit in the two options he proposed for President Bush. General Powell pointedly included in both options the imperative that the United States "treat all detainees consistent with the principles of the GPW [Geneva Conventions Relative to the Treatment of Prisoners at War]."[\[31\]](#) Neither option allows for torture. General Powell then elaborated upon the benefits and costs of each option in a detailed summary. While he admitted that Option 1 provided "maximum flexibility," he pointed out that it would "reverse over a century of U.S... support [for] the Geneva Convention," and "undermine the protections of the law of war for our troops."[\[32\]](#) He clearly preferred Option 2. However, over the objections of General Powell, Secretary of Defense Rumsfeld, and the Joint Chiefs of Staff, other officials in the GWB Administration successfully persuaded President Bush to refuse 'Prisoner-of-War' status to Taliban and al Qaeda detainees from Afghanistan.[\[33\]](#)

The evidence currently available seems contradictory. On one hand, General Powell was an early voice of dissent in the George W. Bush administration, authoring an impassioned counter-argument to the first of the "torture memos" that he received from White House counsel Alberto Gonzales on January 25, 2002. On the other hand, General Powell's voice of dissent afterwards faded into the chorus of the National Security Council Principals Committee, which unanimously authorized torture in secret Central Intelligence Agency prisons across the world.

Efforts to understand General Powell's apparently shifting position on torture become further complicated by other evidence.

A 2004 report on the prison abuses at the infamous Abu Ghraib prison has connected General Powell to a questionable CIA practice associated with the internment of "ghost detainees" in foreign prisons.^[34] The term "ghost detainee" was used by the George W. Bush Administration to describe persons in U.S. custody whose identity has been kept hidden by obfuscating their true names to keep their detention anonymous and secret. Many "ghost detainees" were proven to be innocent.^[35] The Washington Post has reported that "ghost detainees were regularly locked in isolation cells on Tier 1A [of Abu Ghraib] and that they were kept from international human rights organizations."^[36] U.S. Army Major General Antonio Taguba wrote in an official report that this practice was "deceptive, contrary to Army doctrine, and in violation of international law."^[37]

This illegal practice was orchestrated by top U.S. military commanders and CIA agents. At least one of these orders came from the top U.S. commander in Iraq, Lt. General Ricardo Sanchez, who illegally ordered military guards to hide a prisoners from Red Cross inspectors and to remove his name from official rosters.^[38] This cooperation between the Army and the CIA culminated in an arrangement between top military intelligence officials at the Abu Ghraib prison and the Central Intelligence Agency "to hide certain detainees at the facility without officially registering them" in violation of international law.^[39] This established link between Central Intelligence Agency agents and top military officials raise questions about General Powell's involvement with the a search for three innocent "Ghost detainees" in the Abu Ghraib prison in 2003.

The evidence suggests that General Powell was aware of this illegal arrangement between the U.S. Army and the Central Intelligence Agency. General Powell, acting as Secretary of State, was involved in a search for three falsely-imprisoned Saudi medical personnel at the infamous Abu Ghraib prison in 2003. It seems that CIA officers interned three Saudi medical personnel who had been working for the Coalition Provisional Authority in Iraq. The CIA officers placed them with false names in Abu Ghraib, preventing several attempts to locate them. A Saudi General, the commanding officer of the falsely imprisoned men, failed to locate them because their names were not in the official prisoner registry database. The US Embassy in Riyadh likewise failed to locate the prisoners. However, "shortly after the search for the Secretary of State [General Powell], a JIDC [Joint Interrogation and Detention Center] official recalled that CIA officers once brought three men together into the facility" and they were soon released.^[40] A former aide to General Powell has also argued that the Central Intelligence Agency regularly held innocent detainees in Abu Ghraib and Guantanamo Bay "in hopes they could provide information for a mosaic of intelligence."^[41]

From the evidence that can currently be brought to bear on this issue there emerges a picture of contentious debate on the issue of torture within the GWB administration. Reliable reports reveal an unexplained shift in General Powell's position on torture during his tenure as Secretary of State. This shift saw General Powell rejecting torture in an impassioned memo in January 2002 but later authorizing torture repeatedly as a member of the

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National Security Council. These reports also highlight connections between General Powell and the CIA torture program from its inception in Afghanistan, implementation in the global network of secret prisons administered by the Central Intelligence Agency, in Guantanamo Bay, and finally in the scandal at Abu Ghraib.

A caveat must be added to this discussion of evidence. There exists a possibility that the evidence used in this investigation was leaked to the press by General Powell himself. This would not be unprecedented. Some have suggested that General Powell used his public popularity to advance his own agenda in the news.^[42] New York Times columnist William Safire has noted that General Powell "doesn't zip his lip as well as a team player does when he loses."^[43] Additionally, a New York Times editorial remarked that "everyone in Washington" assumed that General Powell was Bob Woodward's key source for *Bush's War*.^[44] In another example, three days after he "hit the roof" after reading the January 25, 2002 memo from White House Counsel Alberto Gonzales, the Gonzales memo was leaked to the Washington Post. It is impossible to be sure if the evidence currently available informs an accurate understanding of General Powell's role in the torture program of the GWB administration.

It remains unclear what his motivations and aims were-if he believed that using torture in the War on Terror would promote American interests or if he was striving to bring moderation to the GWB administration. Crucial evidence remains classified.

Bibliography

Clifford, Alexander. "Colin Powell's Promotion: The Real Story." *New York Times*, December 23, 1997, pg. A19.

Knowlton, Brian. "Former Powell Aide Says Bush Policy Is Run by 'Cabal'." *New York Times*, October 21, 2005, pg. A15.

Dowd, Maureen. "Colin Powell Rules!" *New York Times*, September 17, 1995, pg. E15.

_____. "Powell Without Picasso." *New York Times*, February 5, 2003, pg. A27.

Danner, Mark. "A Doctrine Left Behind." *New York Times*, November 21, 2004, pg. WK13.

Echholm, Erik. "In a Hint of Progress, State News Media Cite Powell's 'Sorry'." *New York Times*, April 11, 2001, pg. A12.

Erlanger, Steven. "The Secretary of State." *New York Times*, December 18, 2000, pg. A20.

Friedman, Thomas L. "Policy by Obituary." *New York Times*, July 10, 2001, pg. A19.

_____. "Colin Powell's Eyebrows." *New York Times*, November 10, 2002, pg. C13.

Gelb, Leslie H. "Gen. Powell's Lament." *New York Times*, May 5, 1991, pg. E17.

_____. "Vance and Powell," *New York Time.*, " January 10, 1993, pg. E23.

Gordon, Michael R. "Beltway Warrior." *New York Times*, August 27, 1995, pg. SM40.

Greenfield, Jeff. "Seizing the Middle Ground." *New York Times*, October 9, 1995, pg. A17.

Guinier, Lani. "Credit Bush Doesn't Deserve." *New York Times*, August 8, 2000, pg. A27.

Halloran, Richard. "Cast of the Reluctant General." *New York Times*, October 5, 1987, pg. A18.

Herbert, Bob. "If Colin Powell Runs." *New York Times*, September 22, 1995, pg. A31.

_____. "Powell, Then and Now." *New York Times*, September 27, 2004, pg. A27.

_____. "Bush's Echo Chamber." *New York Times*, November 19, 2004, pg. A27.

Horowitz, Mark. "Laugh Riot in Los Angeles: Colin Powell co-conspirator?" *New York Times*, May 16, 1992, pg. 23.

Ingraham, Laura. "Powell is Bad for the G.O.P." *New York Times*, September 20, 1995, pg. A21.

Isaacson, Walter. "Colin Powell's Redeeming Failures." *New York Times*, November 16, 2004, pg. A27.

Keller, Bill. "The World According to Powell." *New York Times*, November 25, 2001, pg. SM60.

Keller, Bill. "Why Colin Powell Should Go." *New York Times*, March 22, 2003, pg. A11.

Lewis, Anthony. "Powell Was Right." *New York Times*, May 3, 1991, pg. A31.

_____. "The Powell Factor." *New York Times*, June 14, 1993, pg. A15.

_____. "To Thine Own Self Be True." *New York Times*, October 23, 1995, pg. A15.

_____. "General Powell's Chance." *New York Times*, September 25, 1995, pg. A15.

Lewis, Charles. "Colin Powell.'s Critique: Part II." *New York Times*, August 3, 2000, pg. A33.

Lind, Michael. "The radical center of the moderate middle?" *New York Times*, December 3, 1995, pg. SM72.

Luttwak, Edward. "Governing Against Type." *New York Times*, November 28, 2004, pg. WK11.

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Noonan, Peggy. "The Aftergloom of Colin Powell." *New York Times*, November 12, 1995, pg. E15.

Perlez, Jane. "A Test Ahead for Powell (and His Doctrine)." *New York Times*, December 17, 2000, pg. WK5.

_____. "Plan to Modify U.N. Sanctions Against Iraq Bogs Down, Powell Says." *New York Times*, June 30, 2001, pg. A3.

_____. "Powell Finds Setting Timetable for Mideast Peace Confounding." *New York Times*, July 1, 2001, pg. 8.

Powell, Colin L. *U.S. foreign policy in a time of transition* (Washington, D.C.: U.S. Department of State, Bureau of Public Affairs, 1988).

_____. *American foreign policy: opportunities and challenges* (Washington, D.C.: U.S. Department of State, Bureau of Public Affairs, 1988).

_____. "Is the future what it used to be?" Alfred M Landon lectures on public issues (Manhattan, Kansas: Kansas State University, 1990).

_____. *My American Journey* (New York: Random House, 1995).

_____. "No Country Left Behind," *Foreign Policy*, No. 146 (Jan. - Feb., 2005), pp. 28-35.

_____. *A soldier's way: an autobiography* (London: Hutchinson, 1995).

_____. (edited by Lisa Shaw). *In his own words: Colin Powell* (New York: Berkeley Publishing Group, 1995).

_____. (and Truman, Harry S.) *President Truman and the desegregation of the armed forces: A 50th anniversary view of Executive Order 9981* (Washington, D.C.: National Legal Center for the Public Interest, 1998).

Purdum, Todd S. "Imagining How Powell Might Still Have a Job." *New York Times*, November 21, 2004, pg. WK4.

Rubin, James P. "Powell's Complex Record." *New York Times*, January 17, 2001, pg. A23.

Rosenthal, A.M. "A Gift From Powell." *New York Times*, September 19, 1995, pg. A21.

Safire, William. "Colin Powell Dissents." *New York Times*, January 28, 2002, pg. A15.

_____. "Colin in the Cross-Fire." *New York Times*, April 28, 2004, pg. A21.

Toners, Robin. "A Colin Powell Warning on Race Hatred." *New York Times*, May 15, 1994, pg. 28.

No Author. "The Powell Shake-Up." *New York Times*, October 31, 1995, pg. A26.

No Author. "Colin Powell's Calypso Tour." *New York Times*, April 26, 1998, pg. SM19.

No Author. "Remarks at Announcement of Powell's Nomination as Secretary of State." *New York Times*, December 17, 2000, pg. 51.

No Author. "General Powell in the Middle East." *New York Times*, February 28, 2001, pg. A18.

No Author. "The Powell Mission." *New York Times*, April 15, 2002, pg. A22.

No Author. "D-Day for Colin Powell." *New York Times*, July 28, 2002, pg. C12.

No Author. "Which Powell is Which?" *New York Times*, April 20, 2004, pg. A18.

No Author. "The Cabinet Shuffle- Good Soldier Powell." *New York Times*, November 16, 2004, pg. A26.

[1] N.A. "US does not torture, Bush insists," *BBC*, November 7, 2005.

[2] N.A. "Poll Results: Waterboarding is torture," *CNN*, November 6, 2007.

[3] Michael Isikoff, "A Torture Report Could Spell Big Trouble For Bush Lawyers," *Newsweek*, February 14, 2009.

[4] Lara Jakes, "Cheney, Others, OK'd Harsh Interrogations," *ABC News*, April 11, 2009.

[5] Mark Danner. "Tales from Torture's Dark World," *New York Times*, March 15, 2009.

[6] Lara Jakes, "Cheney, Others, OK'd Harsh Interrogations," *ABC News*, April 11, 2009.

[7] N.A. "Sources: Top Bush Advisors Approved 'Enhanced Interrogation," *ABC News*, April 9, 2008.

[8] Danner, Mark, "Tales from Torture's Dark World," *New York Times*, March 15, 2009.

[9] Jan Crawford, Howard L. Rosenberg and Ariane de Vogue. "Sources: Top Bush Advisors Approved 'Enhanced Interrogation," *ABC News*, April 9, 2008.

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[10] Jan Crawford Greenburg, Howard L Rosenberg, and Ariana de Vogue, "Sources: Top Bush Advisors Approved 'Enhanced Interrogation,' *ABC News*, April 9, 2008.

[11] Ibid.

[12] Lara Jakes, "Cheney, Others, OK'd Harsh Interrogations," *ABC News*, April 11, 2009.

[13] Mark Danner. "Tales from Torture's Dark World," *New York Times*, March 15, 2009.

[14] Ibid.

[15] Jan Crawford, Howard L. Rosenberg and Ariane de Vogue. "Sources: Top Bush Advisors Approved 'Enhanced Interrogation," *ABC News*, April 9, 2008.

[16] Alberto R. Gonzales. "Standards for Conduct Under Interrogation," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 172,

[17] Jan Crawford, Howard L. Rosenberg and Ariane de Vogue. "Sources: Top Bush Advisors Approved 'Enhanced Interrogation," *ABC News*, April 9, 2008.

[18] Jan Crawford, Howard L. Rosenberg and Ariane de Vogue. "Sources: Top Bush Advisors Approved 'Enhanced Interrogation," *ABC News*, April 9, 2008.

[19] Colin Powell, interview by author, Chapman University, Orange, CA, March 28, 2009.

[20] John Barry, Michael Hirsh, and Michael Isikoff, "The Roots of Torture," *Newsweek*, May 24, 2004.

[21] Alberto Gonzales. "Decision Re Application of the Geneva Convention on Prisoners of War to the Conflict with al Qaeda and the Taliban," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 118-122.

[22] Ibid.

[23] Ibid.

[24] The request was dated January 26, 2002, and titled: "Draft Decision Memorandum for the President on the Applicability of the Geneva Convention to the Conflict in Afghanistan."

[25] Ibid, 124.

[26] Colin Powell. "Draft Decision Memorandum for the President on the Applicability of the Geneva Conventions to the Conflict in Afghanistan," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 122-125.

[27] Ibid.

[28] Ibid.

[29] Ibid.

[30] Ibid.

[31] Colin Powell. "Draft Decision Memorandum for the President on the Applicability of the Geneva Conventions to the Conflict in Afghanistan," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 122-126.

[33] Colin Powell. "Draft Decision Memorandum for the President on the Applicability of the Geneva Conventions to the Conflict in Afghanistan," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 122-126.

[34] MG George R Fay. "Investigation of the Abu Ghraib Detention Facility and 205th Military Intelligence Brigade," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 1057.

[35] Souad Mekhennet and Craig S. Smith, "German Spy Agency Admits Mishandling Abduction Case," *New York Times*, June 2, 2006.

[36] Josh White, "Army, CIA Agreed on 'Ghost' Prisoners," *Washington Post*, March 11, 2005.

[37] "Edward T. Pound, "Hiding a bad guy named Triple X," *U.S. News and World Report*, June 13, 2004.

[38] Ibid.

[39] Josh White, "Army, CIA Agreed on 'Ghost' Prisoners," *Washington Post*, March 11, 2005.

[40] MG George R Fay. "Investigation of the Abu Ghraib Detention Facility and 205th Military Intelligence Brigade," in *The Torture Papers*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge University Press, 2005), 1056.

[41] Andrew O Selsky, "Ex-Bush admin official: Many at Gitmo are innocent," *Associated Press*, March 20, 2009.

[42] William Safire. "Colin in the Cross-Fire," *New York Times*, April 28, 2004.

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[43] Ibid.

[44] Ibid.

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