

# Unjustifiable Means: The Inside Story of How the CIA, Pentagon, and US Government Conspired to Torture, by Mark Fallon

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BG (Ret) Stephen N. Xenakis, M.D.*

*Unjustifiable Means: The Inside Story of How the CIA, Pentagon, and US Government Conspired to Torture* is Mark Fallon's detailed account of the tactics, practices, and procedures that he witnessed as a special agent and counterintelligence officer at Guantánamo Bay military prison (Guantánamo) after the terrorist attacks of 11 September 2001 ([9/11] or [the attacks]).<sup>1</sup> Fallon provides a first-hand account of the struggles faced by U.S. government agencies in investigating the planning and execution of the attacks, both behind the scenes and on the front pages. He is a natural storyteller and his reports of the action on the ground make for compelling reading.

The book is written from Fallon's perspective as a seasoned professional with in-depth experience of investigating terrorist operations against the United States of America.

He investigated the first bombing of the World Trade Center in New York City in 1993 and the attack on the *USS Cole* on 12 October 2000. Over the years, Fallon's work has protected the US from threats to national security and brought perpetrators to justice. Fallon reminds us that his story takes place after 9/11, when there was a fervor to react vigorously and when the US government could no longer guarantee safety and security for its citizens.

I disagree with the thesis of the first chapter; that the 9/11 attacks were a "new kind of warfare." The attacks were the failure in preparing for and anticipating the next phase of sophisticated terrorism. For decades, terrorists had threatened the United States. The intelligence agencies had even been tracking Osama bin Laden since the 1990s. Numerous reports by independent journalists over the past few years have criticized the agencies and national security apparatus for not acting to stop him. More than one writer has documented that national intelligence agencies failed to coordinate and share information they had acquired on the planning and activities of bin Laden and other terrorist threats. Labelling the attacks as a new kind of warfare only excuses what followed. Fallon is right however—the US was unprepared and felt it necessary to take drastic action in order to convince its citizens of their safety. With that in mind, senior US government leaders committed to obtaining intelligence that had been missed leading up to the attacks.<sup>2</sup> Fallon tells the story of how their policies

1 The opinions represented in this review are the author's own, and do not necessarily represent the views of the Journal.

\*) Executive Board, Center for Ethics and Rule of Law, University of Pennsylvania Law School  
Correspondence to: [snxenakis@hotmail.com](mailto:snxenakis@hotmail.com)  
Twitter: @SteveXen

2 Many Bush Administration leaders continued to defend the use of torture in interrogations long after the official end of the program, and many still defend to this day. (Friedersdorf, 2018; see also Finkelstein & Xenakis, 2018; Open Hearing, Nomination of Gina Haspel to be the Director of the Central Intelligence Agency, 2018; Rizzo & Xenakis, 2018).

and procedures led the US to committing acts recognized by sources including the US Military Commissions as *torture*.

After 9/11, the US Department of Defense launched an aggressive plan to conclude how the attacks had happened. As part of this, Fallon accepted the assignment as deputy commander of a newly created Criminal Investigation Task Force in Guantánamo and was responsible for dealing with the Al Qaeda terrorist network and other suspected perpetrators.

The account opens with Fallon's trip to US Central Command (CENTCOM) headquarters in Tampa, Florida. CENTCOM's military operations include Iraq and Afghanistan and its responsibility extends to managing and interrogating the individuals captured in combat. The Naval Criminal Investigation Service (NCIS) had been delegated to conduct investigations for CENTCOM. Fallon was assigned to lead the efforts and was ordered by the Pentagon to "bring the terrorists to justice." He writes about the participants in the first meetings that included "a plague of lawyers" and a host of psychologists with no experience with interrogations or gathering intelligence. The operations and climate became increasingly chaotic. The already unclear rules and guidelines that applied to the conduct of interrogations became increasingly blurred. The media's explanation was that the attackers were the "worst of the worst" and that innovative tactics were required to protect the country. Fallon explains the details of how this led to cruel, inhuman, and degrading treatment of the prisoners disclosed in the descriptions of the enhanced interrogation tactics that qualify as torture.

The US government justification for this was that the traditional practices and

policies for gathering intelligence had failed. The blame for the failures to protect against the attacks was also implicitly attached to frontline intelligence agents and those conducting interrogations. That, in turn, opened the door for inexperienced and untrained individuals to design ill-conceived practices in Guantánamo, Abu Ghraib prison, Bagram, and a number of other locations. As the chaos unfolded, Fallon tried to sustain proficient operations.

Fallon, to his credit, does not digress to titillating sidebar stories, such as what happened at black sites or during extraordinary rendition. He provides fair and objective impressions of all those involved and does not indulge in psychologizing or unpacking personalities. He is a witness to a trying time in US history and has recorded valuable testimony.

There's a military saying—"...you just have to see this—you can't make up this stuff ..." Fallon's book is a must-read—we all should know about how the US "conspired to torture" and learn from it.

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