

Torture and the Human Mind

Larry D. Miller

Books Reviewed

Enhanced Interrogation: Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America
By James E. Mitchell, PhD, with Bill Harlow

Why Torture Doesn't Work: The Neuroscience of Interrogation
By Shane O'Mara

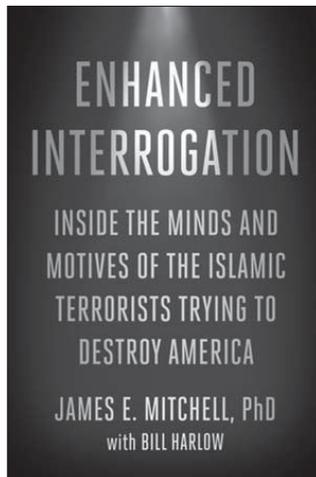
For the United States government to authorize the infliction of severe physical and emotional distress as a means of extracting information from detainees, the situation must be grave and the need for intelligence extreme. Whether understood as “enhanced interrogation” or “torture,” the process requires stepping outside the bounds of normal interrogation conduct. Evaluating the efficacy of enhanced interrogation techniques (EIT), therefore, is vital to the decision-making process as the consequences of a failed program of interrogation could be severe. Two recent books address the question of effectiveness by exploring enhanced interrogation as a way to achieve an end: *Enhanced Interrogation* by James E. Mitchell and *Why Torture Doesn't Work* by Shane O'Mara.

Considered separately, the two works appear to be in contrast with each other. Mitchell argues from personal experience that enhanced interrogation can be an effective method for extracting information, but only if undertaken with exacting care. O'Mara, on the other hand, argues from neuroscientific and biomedical evidence that torture is counterproductive to mission success. A careful read of each book in turn, however, illustrates the fine line between success and failure and demonstrates that, although sometimes credited with successful outcomes, torture techniques are far more likely to fail than to succeed and authorizing them may create more difficulties and roadblocks than desired.

Enhanced Interrogation details the author's insider account of the development and execution of “enhanced interrogation” techniques within the Central Intelligence Agency (CIA). Efforts to enhance interrogation were initiated early in 2002 in response to the 9/11 attacks. Enhancement adds coercive elements to conventional interrogation. Conventional interrogation operates from a “traditional rapport-based law enforcement approach,” excludes coercive manipulations, and maximizes social influence tactics in an effort to elicit information from reluctant informants (43). Army Field Manual 2-22.3, *Human Intelligence Collector Operations*, details approved techniques for interrogating prisoners and detainees. One might tersely summarize the field manual's guidance as: “talk, but don't threaten and don't hit.”

According to Mitchell, once EITs were defined and approved by appropriate agencies and authorities, they were employed on high-value detainees believed to harbor intelligence essential to US national security (51). Enhanced interrogation increases physical and mental stress through an array of manipulations, sensory deprivations, and progressively harsher treatment, to include life-threatening, but

Dr. Larry D. Miller is professor of communicative arts in the Strategic Studies Institute at the US Army War College. He is a graduate of the University of Michigan and the US Army War College.



James E. Mitchell, PhD, with Bill Harlow, *Enhanced Interrogation: Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America* (New York: Crown Forum, 2016), 400 pages, \$28.00

non-lethal force under monitored conditions in highly restrictive environments. The purpose is straightforward: create sufficient mental and physical distress to prompt a detainee to reveal what he or she knows. The enhancement increases distress, induces fear, and maximizes discomfort with hard-case, high-value detainees until they are willing to talk. Once they start talking, the interrogator opts for conventional social influence approaches.

Mitchell, a clinical psychologist, is exceptionally knowledgeable and highly experienced with EITs. Prior to being recruited by the CIA, he was an Air Force officer and an operational psychologist with experience in hostage negotiation and considerable expertise in preparing military personnel risking capture during critical missions (Survival, Evasion, Resistance, and Escape [SERE] training). Mitchell quickly became a leading figure within a relatively small cadre of interrogators responsible for both crafting enhancement techniques and establishing protocol at secret locations known as “black sites.” He was a CIA contract interrogator from August 2002 until the program ended in January 2009.²

In this book, Mitchell proffers an explanation, critique, and, in good measure, a defense of EITs and his CIA work. Mitchell believes he has been “the target of rumor and innuendo” for over a decade and until recently was relegated to silence by a “nondisclosure agreement with the US government.”³ He argues the official Senate report on CIA torture is incomplete, inaccurate, and, at best, one-sided (3, 5).⁴

Mitchell tells his side of the story in a direct, first-person, narrative style that is somewhat earthy at times. In 12 chapters, he explains how he was recruited by the CIA, why he was recruited, what he did, to whom and how he did it, what he observed, and his perspective on how his advice and council were received. He argues his views were sometimes ignored, overlooked, or dismissed by on-site authorities who took inappropriate liberties in applying unapproved EITs and/or ignoring safeguard protocols.

Mitchell enumerates 10 approved EITs employed at CIA black sites, noting the CIA’s Enhanced Interrogation Program “. . . used only the

1 Mitchell’s primary colleague was Bruce Jessen, a former Air Force colleague and a contract CIA operational psychologist.

2 Barack Obama, “Executive Order 13491—Ensuring Lawful Interrogations,” January 23, 2009, linked from The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=85669> (accessed January 22, 2017).

3 Mitchell and colleague Bruce Jessen have been charged in federal court with violation(s) of the Alien Tort Statute which allows foreign nationals to seek remedies in US courts for human rights violations committee outside the United States. A trial to adjudicate a suit initiated by three plaintiffs is slated for June 2017.

4 For the report of the Senate Select Committee on Intelligence, see *Committee Study of the Central Intelligence Agency’s Detention and Interrogation Program* (Washington, DC: US Government Printing Office, 2014). The full report contains three documents: primary findings and conclusions, additional views, and minority views.

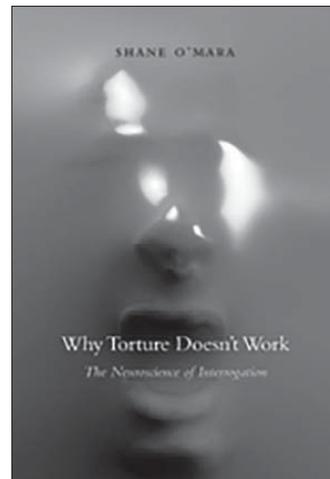
EITs that were cleared by the Department of Justice, approved by [President Bush], briefed to congressional leadership, and authorized by CIA headquarters” (51, 287). Cleared EITs included: attention grasp, walling, facial hold, insult slap, cramped confinement with or without insects, stress positions, wall standing, sleep deprivation, and waterboarding (52–53). Two additional EITs, “manhandling” and “smoking” were not recommended. Manhandling involves violently shaking a detainee using a towel “rolled up and placed like a cervical collar around the neck.” Smoking involves blowing smoke in the detainee’s face until a state of nausea is attained (54).

On balance, Mitchell advances an informative and concerning read anchored by three considerations. First, following 9/11 “getting rough” with high-value detainees (i.e., captives believed to possess needed intelligence) was essential to national security. Second, enhanced interrogation is inherently unpleasant for everyone except possibly those inclined toward excess and misconduct when given a free hand. Third, opportunities for misstep and error in judgment at black site operations are substantial as national security interests can quickly preempt and overwhelm American values.

Mitchell incorporates ample specifics detailing numerous interrogations while unpacking an enduring narrative of his experience with Khalid Sheikh Mohammed, or KSM, the fluent English-speaking terrorist who, along with Osama bin Laden, is believed to be “the principal architect” behind the 9/11 attacks.⁵ Mitchell’s initial encounter with Mukhtar, the title KSM preferred (which translates to “the brain” in English), revealed a short, pot-bellied, naked, angry man with shaved head and beard and “hands and feet shackled” (7).

In chapter six, “KSM: From Confrontation to Compliance,” Mitchell describes how he and Bruce Jessen systematically applied EITs to overcome resistance gradually by a very tough, psychologically resilient, hard-core jihadist who was “highly skilled at protecting information” (150). According to Mitchell, the Spartanesque black site environs involved shackles and chaining, assorted sensory deprivations including hooding, guards dressed in black head to toe behind fully covered faces, walling, around-the-clock interrogation, and waterboarding which, somewhat surprisingly, proved rather ineffective with KSM. Resistance was finally “. . . overcome [through] a combination of walling and sleep deprivation” (149).

Administering EITs, Mitchell believes, requires a careful balance of classical (Pavlovian) and avoidance conditioning. Generally, following any evidence of willingness to comply, Mitchell says he and



Shane O'Mara, *Why Torture Doesn't Work: The Neuroscience of Interrogation* (Cambridge, MA: Harvard University Press, 2015), 336 pages, \$29.95

⁵ KSM, detained at Guantanamo Bay, received a degree in mechanical engineering from North Carolina Agricultural and Technical State University in 1986. He beheaded *Wall Street Journal* reporter Daniel Pearl in 2002. See Marc A. Thiessen, “A Horrifying Look into the Mind of 9/11’s Mastermind, in His Own Words,” *Washington Post*, November 28, 2016.

Jessen shifted from EITs to conventional interrogation techniques, only returning to enhancement should cooperation diminish. The key to loosening the tongue, Mitchell intimates, derives from the interrogator's ability to identify when the detainee is lying or misdirecting and initiating enhancement at precisely the right time. Doing so usually produced results within 72 hours. From Mitchell's perspective, success is not due merely to distress, pain, or discomfort, but in good measure is a function of perceptive judgment resulting from careful observation and extensive familiarity with the detainee's behavior, mannerisms, response patterns, preferences, and rapport with the interrogator, however marginal. Interrogation of KSM reportedly produced information that helped disrupt five terrorist plots and was critical to locating Osama bin Laden. Mitchell maintains the Senate Select Committee on Intelligence report claiming the CIA's interrogation program "produced nothing with intelligence value" is ludicrous and views to the contrary were largely ignored by the media (4, 164).

Mitchell acknowledges having used EITs with five high-value detainees. He was also, at times, associated with additional applications and other detainees, and he observed other interrogators at work (201). Peppered throughout the book are statements and comments that EITs were sometimes applied inappropriately, too vigorously, and/or excessively by individuals whose desire to acquire information was compromised by unnecessary displays of authority, mistreatment of detainees for no identifiable or specific reason, and sometimes as an unrestrained desire to exact revenge for violence perpetrated against American citizens and/or uniformed personnel. Mitchell claims, when he expressed concern that cooperating detainees were being handled roughly and inappropriately by guards, he was told by his superiors to "mind his own . . . business" (103).

Mitchell's objections to the application of unauthorized and excessively coercive techniques resulted in his exclusion from interrogation rooms at some black sites. He describes witnessing a variety of unapproved coercive techniques (115). The "abusive drift" he observed early in the CIA program came under scrutiny following the fiasco at Abu Ghraib prison in Iraq. Problems with the Army's management of the facility prompted a concerted review of US personnel practices and eventually resulted in the termination of EITs within the CIA's Detention and Interrogation Program. Mitchell maintains that EITs, when expertly executed, remain effective tools for extracting intelligence from hard-core, high-value detainees. Based on his experience and observations, he believes walling and sleep deprivation to be the most effective techniques (237).

In *Why Torture Doesn't Work: The Neuroscience of Interrogation*, O'Mara advances a strikingly contrasting assessment regarding the efficacy of interrogation as a method for extracting information from unwilling informants. While Mitchell offers an intensely personal "hands-on" exposé of his experiences as an interrogator, O'Mara examines, critiques, and integrates a comprehensive body of biomedical research literature documenting the impact of coercive interrogation methods on the brain's ability to regulate "expression of thoughts, emotions, and behaviors" (3). Mitchell explains to the reading public what happens at black sites and how EITs work. O'Mara's goal is different

than Mitchell's goal. He hopes to stimulate "colleagues in neuroscience, psychology, and psychiatry to become more deeply involved in [what are important] public policy issues" (5).

O'Mara, a dedicated experimental neuroscientist, examines how the human brain functions in response to extreme physiological and mental stressors commonly employed to enhance information extraction from unwilling informants. In his view, the term "enhanced interrogation" is a euphemistic mask for the infliction of severe and sustained stressors, anxiety, fear, and pain such that fundamentally torturous acts are rendered more socially acceptable within the body politic. O'Mara maintains the evidentiary basis for torture lacks credibility in biomedical literature. Moreover, enthusiasm for torture generally, and EITs specifically, is largely the product of an "ad hoc mixture of anecdotal, cherry-picked stories," convincing counterfactual fabrications, and fanciful projections by contemporary screenwriters and production houses (2, 6).

In short, O'Mara argues there is no evidence information stored in the memory systems of detained persons is rendered accessible through EIT protocols. What is more likely is the "profound and extreme stressors [associated with EITs and other forms of torture] cause widespread and enduring alterations to the very fabric of the brain . . . upon which memory depends" (8). His fundamental question: Is there verifiable evidence enhanced interrogation techniques ". . . actually enhance the outcomes of interrogation" (15)?

Why Torture Doesn't Work, organized into eight well-crafted chapters, integrates and summarizes an extensive body of peer-reviewed biomedical literature, including nearly 250 studies. Although the primary targeted readership is the professional biomedical community, the text is accessible to the reading public. Technical and scientific terminology, while somewhat common, is readily clarified by brief explanations and parenthetical commentary.

The initial chapter, "Torture in Modern Times," succinctly details how modern democracies have used torture in pursuit of democratic ends. The records of the French, the English, and Americans, among others, are briefly noted. The primary focus, however, is on decision-making, standards of evidence, and arguments advanced as justification for state-sanctioned "rough handling" as a necessary aid to intelligence gathering. Chapters two and three focus respectively on the relationship between human memory and executive function, including the ability to recall, memory inconsistencies, lapses in eyewitness testimony, and the utility of technologies, such as brain imaging and truth serums, in detecting lying and deception. Chapter four reviews how stress and pain impact brain functioning. Evidence shows chronic severe stressors impair psychological functioning with deleterious effects on both memory and recall whether stress derives from drilling an unanaesthetized tooth (not a sanctioned EIT), physical restraint, claustrophobic confinement (with or without insects), social isolation, sensory deprivation, or a persistent foreboding something very bad, painful, and unknown is about to occur.

Chapter five examines the impact of sleep deprivation on the human brain and information processing ability. Sleep deprivation produces cognitive deficits, diminished verbal fluency and capacity to think,

hallucinations, and impaired motor performance. Somewhat surprisingly, it can also induce amnesia (163). Consequently, using sleep deprivation to enhance memory and recall may be counterproductive. O'Mara is clear: "Sleep deprivation is . . . not a tool that should be used under any circumstances [if] access to ongoing memory function in detainees is required" (167).

Chapter six explores how "manipulating the fundamental metabolic physiology of the body" through near drowning (waterboarding), extreme temperature reduction (lowering core body temperature), applying excessive heat (enhancing thirst), and dietary restrictions (reduced caloric intake) impact the brain's ability to function, process information, and recover memories. Metabolic enhancements are commonly known as "white torture" because they leave no visible marks (172). Compromising essential metabolic functions has a deep record of use in human history as the techniques are easy, inexpensive, and remarkably effective in producing fright, discomfort, and pain. What is patently lacking in the literature, however, is verifiable or even suggestive evidence that metabolic assaults on the body and the brain effectively prompt a willingness to disclose harbored intelligence.

Chapter seven addresses two important questions: Why do people torture, and what impact, if any, does torturing a person have on those who actually do it? The research literature is consistent and closely aligned with the outcomes of the famous 1960s Milgram experiments on obedience to authority. Human beings, all human beings, ". . . have a propensity to obey authority under the right circumstances" especially so when the context is inflamed by high levels of anger (209, 211). Many individuals, although not all, who impose extreme stressors on other human beings, even when the acts are authorized and sanctioned by the state, become troubled in ways that negatively impact their brain function, especially with regard to emotional stability, psychological health, and long-term decision-making. Jennifer S. Bryson, who interrogated detainees at Guantanamo observed "[e]ngaging in torture damages the torturer" because the dehumanization process is self-corrupting (222). Mitchell himself acknowledged the ". . . techniques are so harsh that it's emotionally distressing to the people who are administering them" (206).

In the final chapter, O'Mara makes his pitch: interrogation and talking sans coercion is a viable method with a high, albeit imperfect, likelihood of extracting useful intelligence from initially reluctant detainees. Terrorists, while reprehensible, are not generally crazy. Rather, most are highly dangerous rational actors who are prepared to kill and to be killed in the service of their cause (243). Accessing information and memories from these individuals using only language and enhanced social skills requires time and exceptional psychological and communicative insight. Regrettably, the methods will not work in every instance.

O'Mara acknowledges the extreme challenges inherent in interrogation when working with hostile detained populations. Simply put, harsh practices do not work well as useful intelligence-gathering enhancements. Fresh options are needed. His recommendations are numerous and include: study and refinement of humane interrogation practices, radical alternative approaches such as virtual reality-based

interrogation, and exploring narrative and role-playing reversals, among others.

O'Mara concludes that gathering intelligence through interrogation is an essential, critical competency in the modern world. Current initiatives and practices, however, have not been impressively productive as they are rooted in the whims of policymakers and the tactical methods of poorly prepared interrogators. What is needed is a solid evidence-based approach that establishes what works and what does not work—and most importantly, that is fully grounded in humane, appropriately legal, moral, and ethical interrogation practices (270).

Significance

On balance, “enhanced interrogation” as characterized by Mitchell is not meaningfully different from “torture” as characterized by O'Mara. Their respective experiences, backgrounds, and intents, however, for taking pen to paper are starkly different. Mitchell seeks to tell his story, justifying limited, specific use of torture by those with unequalled expertise; O'Mara seeks to marshal evidence with the potential to impact policy, eschewing torture as psychologically and physiologically ineffective. Both authors agree security considerations require extracting information from hostile and reluctant informants, and interrogation is a viable way through which to accomplish that end. Thus, despite general concurrence on ends and ways, independent readings suggest they maintain minimal agreement with regard to means.

Mitchell believes enhanced interrogation when properly applied works, despite associated problems acknowledged throughout his book. O'Mara views the application of coercion as counterproductive and antithetical to sane policy for responsible and sustainable intelligence gathering. Their points of clear agreement are two. First, both Mitchell and O'Mara acknowledge coercive interrogation negatively impacts the emotional stability and well-being, not only of the subjects in question, but also of the interrogators themselves—not a desirable outcome. Second, and much more subtle, both authors recognize acquiring useful intelligence is intimately aligned with the interrogator's ability to build and maintain a relationship with the detainee.

O'Mara demonstrates convincingly the relationship between detainees and interrogators is absolutely key to “. . . any process by which information, memories, and the like are to be recovered from suspects” (259). Mitchell agrees, contending enhancements alone do not produce useful intelligence, but rather only work when the interrogator is intimately familiar with the individual detainee through observation, sustained dialogue, and comprehensive study. Thus, he argues that although torture may be an effective tool in limited circumstances, it cannot be utilized in isolation as human connection is an essential component of any effective information-gathering campaign.

In sum, the two writers—worlds apart in terms of experience, investigative orientation, and mission—achieve an element of convergence with regard to the use of enhanced interrogation as a programmatic response to threats. Mitchell contends enhancement in the hands of an exceptional interrogator can produce results and, in so arguing, suggests his own exceptionalism. Absent his (or another's)

exacting expertise, enhanced interrogation becomes torture without results. O'Mara argues exceptionalism should never dictate policy, but rather policy should be based on solid, verifiable evidence. In effect, Mitchell's position that absent his (or another's) exacting expertise, enhanced interrogation becomes torture without results advances O'Mara's case against embracing enhanced interrogation at the policy level. Taken together, *Enhanced Interrogation* and *Why Torture Doesn't Work* provide thoughtful and compelling insights into where we have been as a nation and how we can move forward as the leader of the free world during challenging times.