

Physicians for Human Rights

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://phr.org/our-work/resources/the-shamefully-unfinished-story-of-the-cia-torture-program/>

Public Facing Advocacy Writing

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This post originally appeared on the [ACLU's Speak Freely blog](#).

One year ago, the Senate Intelligence Committee released part of its massive [report](#) documenting the brutality and lawlessness of the CIA torture program. It exposed the Bush administration's legal sleight of hand to justify the illegal detention and torture of terror suspects after 9/11. It also exposed the deep complicity of health professionals in this program, despite their ethical duty to do no harm.

Yet 12 months later, those who designed, ordered, and carried out this deliberate and systematic effort to destroy human beings remain shamefully unaccountable for their crimes. It's time for that to change. In a [report](#) released today, [Physicians for Human Rights](#) demands that the torturers be charged, the investigation into their crimes fully disclosed, and redress and reparations brought to their victims.

The sordid story of the U.S. torture program began in the wake of the 9/11 attacks. Under the guise of national security, the government decided that international humanitarian laws and our own strictures against the use of torture did not apply, and the Bush administration turned to military psychologists James Mitchell and Bruce Jessen to develop an interrogation program based on the exploitation and abuse of CIA captives.

Mitchell and Jessen proposed that they could break down detainees so completely through mental and physical cruelty that they would become incapable of resisting interrogators. Human beings need a sense of control over their own bodies and minds and a sense of order or certainty in their lives. Mitchell and Jessen designed techniques calculated to destroy both of these things.

Many have chosen to focus on the graphic details in the Senate torture report and whether they were authorized. Yet authorization of torture cannot make it lawful. What's more, a focus on individual techniques risks distracting us from the larger reality: The methodology that Mitchell and Jessen designed went beyond a set of techniques. Complete psychological destruction was the goal, and prolonged isolation, sleep deprivation, sensory deprivation and overload, forced nudity and sexual humiliation, and waterboarding were means to this end.

Harm was consciously embedded in the design and execution of the CIA program, and Mitchell, Jessen, and the other health professionals who participated in this regime betrayed their professional ethics and surrendered their humanity. All health professionals, including mental health specialists, have an ethical duty to do no harm; by their flagrant violation of this fundamental tenet, those who took part in the CIA's torture program deeply compromised their integrity.

Torture is unequivocally forbidden under U.S. and international law, and all states have an obligation to investigate and prosecute those who commit this crime. Yet the U.S. government's continued failure to end the impunity it granted to those who ordered, designed, and operationalized the torture program sends a message that torture is not just permitted in certain circumstances it is actively encouraged. In fact, the CIA paid Mitchell and Jessen millions for their work designing the torture program: \$1 million each, \$81 million to their consulting company, and, most tellingly, a legal indemnification agreement worth \$5 million.

In September, the ACLU filed a [civil suit](#) against Mitchell and Jessen on behalf of three detainees who were subjected to their torture methods. The case is a crucial step in bringing to light much that remains shrouded in secrecy in the name of national security. But civil litigation can never replace full accountability or provide full redress for the victims.

Torture degrades us all. Torture inflicts profound, sometimes irreparable harm to the victims, their families, and communities. It degrades the perpetrators and debases the professionals that participate in or fail to stop the abuses. And it corrupts democratic institutions and processes by destroying confidence in the justice system.

Torture is a universally prohibited crime one so fundamentally incompatible with the rule of law that inaction is simply not an option. Accountability is critical to obtain justice for the victims, to restore trust in the rule of law, and to pursue a mechanism of prevention so that these human rights violations are not repeated.

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