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In 2002, President Bush outlined his policy goals, the Bush Doctrine, in a speech at West Point. The Bush Doctrine goals included a focus on antiterrorist efforts, a revitalized network of national security agencies, and a network of alliances to combat international threats.<sup>1</sup> One of the policies the Bush Administration used to further his goals was enhanced interrogation. The Bush Administration policy of enhanced interrogation failed to advance the Bush Doctrine goals of antiterrorism, powerful and unified national security agencies, and a network of international alliances due to the ineffectiveness of enhanced interrogation, misrepresentations of the program by the CIA, and the international fallout regarding the practice.

Enhanced interrogation failed to forward the Bush Doctrine objective of antiterrorism because of the ineffectiveness of enhanced interrogation to elicit credible information. In 2014, a Senate Select Intelligence Committee (SSIC) report on the CIA's enhanced interrogation program noted that the policy failed to extract information, citing that many detainees produced no intelligence and multiple others produced fabricated information on critical issues.<sup>2</sup> It also states that, contrary to previous claims by members of the CIA, the enhanced interrogation of Khalid Sheikh Mohammed (KSM) produced crucial information to find Osama Bin Laden. The report states that even after undergoing enhanced interrogation techniques, KSM gave interrogators false information about Bin Laden's courier, Abu Ahmed Al-Kuwaiti, who the CIA claimed was crucial to locating Bin Laden's compound.<sup>3</sup> The policy of enhanced interrogation

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<sup>1</sup> "Text of Bush's Speech at West Point," *The New York Times*, June 1, 2002, accessed October 19, 2019, <https://www.nytimes.com/2002/06/01/international/text-of-bushs-speech-at-west-point.html>.

<sup>2</sup> Senate Select Committee, Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, S. Rep., at 9 (Dec. 13, 2012). Accessed October 18, 2019.

<sup>3</sup> Senate Select Committee, Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, S. Rep., at 9 (Dec. 13, 2012). Accessed October 18, 2019.

failed to advance the goal of antiterrorism efforts because of its failure to elicit credible information from detainees.

The enhanced interrogation program missed the Bush Doctrine goal of transforming America's national security institutions to meet the challenges and opportunities of the twenty-first century because of the misrepresentation of the program and the obstruction of investigation of the program by the CIA. The SSIC report states that the CIA's secretive use of enhanced interrogation and refusal to share information impeded the efforts of the FBI and State Department maintain national security.<sup>4</sup> The CIA withheld information from White House officials or gave out inaccurate information for fear of backlash, impeding oversight and decision-making. The CIA also withheld information from Congress until September 6, 2006, when Bush publicly acknowledged the program, refusing to answer questions or brief members of Congress with inaccurate information.<sup>5</sup> The enhanced interrogation program failed to pursue the objective of transforming America's national security institutions because of the misrepresentation and secrecy by the CIA to the White House, Congress, and other national security agencies, which obstructed oversight and decision-making.

The policy of enhanced interrogation did not forward the Bush Doctrine target of creating a strong network of alliances to combat international threats because of the damage to the legitimacy of the US policy due to the disputed legality of enhanced interrogation. In a letter to Attorney General Alberto Gonzales, John Yoo interprets the Geneva convention definition of torture: "For purely mental pain or suffering to amount to torture (under U.S. law), it must result

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<sup>4</sup> Senate Select Committee, Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, S. Rep., at 9 (Dec. 13, 2012). Accessed October 18, 2019.

<sup>5</sup> Senate Select Committee, Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, S. Rep., at 9 (Dec. 13, 2012). Accessed October 18, 2019.

in significant psychological harm of significant duration, e.g., lasting for months or even years.”<sup>6</sup> However, numerous cases of psychological damage over a decade later exist in the form of nightmares, depression, PTSD, and anxiety, which clearly violates the Geneva Convention under John Yoo’s interpretation.<sup>7</sup> Additionally, Supreme Court cases on enhanced interrogation have resulted in rulings against the US government, further damaging the legitimacy of the policy. In *Hamdi v. Rumsfeld*, the Supreme Court decided that indefinite detention of US citizen Yaser Hamdi, without access to an attorney, based on his identification as an “enemy combatant” violated Hamdi’s Fifth Amendment right to due process of law. The court rejected the government’s argument that separation of powers allowed the Executive Branch the power to determine that he was an enemy combatant and therefore refuse him a trial.<sup>8</sup> Enhanced interrogation counteracted the Bush Doctrine goal of spreading American institutions abroad because its violations of the Geneva Convention and US Constitution damaged the reputation of the US internationally.

The Bush Administration policy of enhanced interrogation counteracted the Bush Doctrine goals of antiterrorism efforts, upgrading national security institutions, and creating a network of international alliances to combat global threats. The program failed to extract credible information for antiterrorism efforts, particularly for locating Osama Bin Laden. The CIA withheld information from or misrepresented information to the White House, Congress, and

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<sup>6</sup> U.S. Department of Justice Office of Legal Counsel, *Memorandum for Alberto R. Gonzales Counsel to the President*, by Office of the Assistant Attorney General, 1, August 1, 2002, accessed October 19, 2019, <https://www.justice.gov/olc/file/886061/download>.

<sup>7</sup> Matt Apuzzo, Sheri Fink, and James Risen, "How U.S. Torture Left a Legacy of Damaged Minds," *The New York Times*, October 8, 2016, accessed October 19, 2019, <https://www.nytimes.com/2016/10/09/world/cia-torture-guantanamo-bay.html>.

<sup>8</sup> *Hamdi v. Rumsfeld*, No. 03-6696, slip op. (June 28, 2004). Accessed October 19, 2019. <https://www.oyez.org/cases/2003/03-6696>.

other national security agencies, inhibiting cooperation and decision-making to achieve national security. The program was found to violate the Geneva Convention and US Constitution by the Supreme Court, damaging the legitimacy of US counterterrorism efforts and hurting the reputation of the US abroad. The enhanced interrogation program clearly failed to advance these three goals of the Bush Doctrine.

## Bibliography

Apuzzo, Matt, Sheri Fink, and James Risen. "How U.S. Torture Left a Legacy of Damaged Minds." *The New York Times*, October 8, 2016. Accessed October 19, 2019.  
<https://www.nytimes.com/2016/10/09/world/cia-torture-guantanamo-bay.html>.

This article details the long-lasting psychological trauma of victims of the enhanced interrogation program. It describes the anxiety, depression, nightmares, and PTSD suffered by former detainees of the CIA who underwent waterboarding and other enhanced interrogation techniques. Apuzzo, Fink, and Risen are reporters and correspondents for the New York Times. The article does not display statistical data or professional psychological evaluations of victims, instead relying on the testimonies of victims, which may diminish the strength of the article as evidence of long-lasting psychological trauma. The article's description of long-lasting trauma contrasts with the John Yoo memo prediction of only short-term psychological trauma.

Hamdi v. Rumsfeld, No. 03-6696 (June 28, 2004). Accessed October 19, 2019.  
<https://www.oyez.org/cases/2003/03-6696>.

Keating, Joshua. "What America Learned about Torture from Israel and Britain." *Slate*, December 15, 2014. Accessed October 18, 2019.  
<https://slate.com/news-and-politics/2014/12/what-america-learned-about-torture-from-israel-and-britain.html>.

*The New York Times*. "Text of Bush's Speech at West Point." June 1, 2002. Accessed October 19, 2019.  
<https://www.nytimes.com/2002/06/01/international/text-of-bushs-speech-at-west-point.html>.

Senate Select Committee, Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, S. Rep., at 9 (Dec. 13, 2012). Accessed October 18, 2019.  
<https://web.archive.org/web/20141209165504/http://www.intelligence.senate.gov/study2014/sscistudy1.pdf>.

This report investigates the CIA's detention and interrogation program. The report concludes that the CIA's execution of the program was flawed and the information about the program that the CIA delivered to other branches and agencies of government was incomplete and inaccurate. The Senate Select Committee on Intelligence is a body of fifteen members that conducts audits, writes reports, and prepares legislation regarding the agencies that compromise the intelligence community. Despite all the criticisms of the CIA's execution of the enhanced interrogation program, it is difficult to determine the extent to which terrorist actions were or were not prevented by the program. The extent of the harm caused to detainees by the program far exceeds the extent of the harm described in the memorandum for Alberto R. Gonzales.

U.S. Department of Justice Office of Legal Counsel . *Memorandum for Alberto R. Gonzales Counsel to the President*. By Office of the Assistant Attorney General. August 1, 2002. Accessed October 19, 2019. <https://www.justice.gov/olc/file/886061/download>.

This memo by John Yoo to Alberto R. Gonzales describes John Yoo's views on the standards and legality of the enhanced interrogation program. The memo states that, in order for enhanced interrogation to constitute torture, it must cause significant and long-lasting psychological harm. John Yoo was the Assistant Attorney General under the Bush Administration. The description of enhanced interrogation juxtaposed with the Geneva Convention contrasts with the description of enhanced interrogation given in the Senate Select Committee on Intelligence report, which describes the program as more extreme and brutal than Yoo's memo. In executive Order 13491, President Obama repudiated all legal counsel by John Yoo on interrogation since the 9/11 attacks.