

Educing Information: Interrogation: Science and Art

Intelligence in Recent Public Literature

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This compilation of 10 articles on interrogation methods and their efficacy comprises the first phase of a larger project sponsored by the Intelligence Science Board, which was chartered in 2002 to advise senior intelligence officials on scientific and technical issues of importance to the Intelligence Community. Robert A. Fein, a member of the Science Board, chaired the effort by what appears to have been a truly high-powered team. Eleven individuals with security and counterintelligence experience served on his "experts committee," drawn chiefly from the Federal Bureau of Investigation and military intelligence units. The project also enlisted an outside advisory group, made up of three Harvard University professors (including the distinguished historian and intelligence scholar Ernest May), two college presidents, a scientist with the Nuclear Threat Initiative, and a Goldman Sachs vice president. The dozen authors of these articles include forensic psychologists; a policy analyst; lawyers; a "neuroscience thrust lead" (whatever that is); a computer scientist; intelligence officers; a psychiatrist; experts in negotiation practices; and engineers. Several have been or are affiliated with the MITRE Corporation.

In producing this introductory volume, this body of experts has provided a very good service and my hat's off to the board and its authors for seriously pondering the weighty issues surrounding interrogation. But readers must first be warned: this anthology is not an easy read. Written, as it is, by a wide array of experts, it is laden with footnotes and professional jargon. One chapter alone offers 525 notes of legalistic overkill by two young scholars from Harvard University's School of Law. Beyond this challenge is the Orwellian, repellent nature of the topic itself--the pulling-out-of-fingernails connotation that the word "interrogation" carries. The extraction of information from unwilling subjects is obviously an unpleasant matter. It has also been hounded by controversy ever since the exposè at Abu Ghraib, which revealed questionable approaches adopted in 2003 by US military intelligence officers in their efforts to elicit information from Iraqi prisoners in Baghdad.

The odd and esoteric title, *Educing Information*, is an attempt to soften the topic for potential readers, but I doubt if it will accomplish much more than to confuse library catalogers as well as those searching for material on "interrogation," not "education." Since this is, after all, a Department of Defense publication, acronyms in the text are inevitable, and "educing information" is reduced to "EI" throughout the book.

In sum, the articles point to a central finding, one not so much confirmed by rigorous empirical inquiry as it is felt to be true by professionals in the field (the "art" side of the subtitle, I suppose). That conclusion: pain, coercion, and threats are unlikely to elicit good information from a subject. (Got that, Jack Bauer?) As one writer puts it, "The scientific community has never established that coercive interrogation methods are an effective means of obtaining reliable intelligence information." (130) The authors hedge their bets, however, by suggesting repeatedly that more research needs to be done on this question. (Any volunteers for these experiments?)

As I read the volume, my thoughts drifted back to James J. Angleton, the CIA's chief of counterintelligence from 1954 to 1974. In 1975, Senator Frank Church of Idaho led a Senate investigation into alleged intelligence abuses. I was his special assistant on the committee, and one of my assignments was to spend time with Angleton, probing his views on counterintelligence. At Angleton's suggestion, he and I met weekly for a few months at the Army-Navy Club in Washington DC. One of the key principles of counterintelligence interrogation, he emphasized to me, was this: if you torture a subject, he will tell you whatever you want to hear. The infliction of pain was a useless approach-- "counterproductive," as some of the

authors in this anthology would put it. Angleton also had little regard for the polygraph or for chemicals as instruments of truth-seeking. He was not above using some forms of discomfort, though, such as Spartan quarters for the subject, along with sleep deprivation, time disorientation, and exhaustive questioning by way of a "good cop, bad cop" routine. Like some of the authors in this volume, he believed in using a combination of rapport-building (the good cop) and the engendering of some fear (the bad cop--although not one armed with a pair of pliers).

If Angleton had been able to read this book, he would have discovered a considerable corpus of research that suggests that the induction of sleep deprivation, fatigue, isolation, or discomfort in a subject merely raises the likelihood of inaccurate responses during subsequent questioning. As for the polygraph, researchers in this study tell us that this approach has definite shortcomings, but "there is currently no viable technical alternative to polygraphy." (85)

"You shall know the truth, and the truth will make you free," states the oft-cited Biblical injunction (John 8: 31-32) engraved in the foyer of CIA Headquarters. That is the purpose of interrogation: trying to find out the truth from suspected adversaries--especially truth about nefarious schemes they may be plotting that could take the lives of American citizens. Interrogation can be an exceedingly important responsibility that might well save a platoon in Iraq or the entire city of Chicago or Washington. The stakes could be high.

Yet we also strongly value the protection of civil liberties and other human rights; we don't want the United States to turn into a Third Reich, Stalinist Russia, or today's North Korea. That is why we spend billions each year on national defense; we are determined to shield our democratic way of life, free from the pernicious influence of dictators, terrorists, and thugs around the world. By agreeing to the Geneva Conventions, we also have signaled (along with other civilized nations) that the protection of our own civil rights requires us to respect the basic rights of others--even enemies on the battlefield. This is not simply a matter of altruism; it is a matter of self-interest. If you won't torture my soldiers, I won't torture yours.

It is easy to stray from this commitment to civil liberties. As Gijs de Vries, a Dutch former counterterrorism coordinator for the European Union, has noted, "One of the time-honored tactics of terrorists is to draw government into overreacting." He cautions: "Governments should resist public

pressure to pile on new [security] measures after each [terrorist] incident.¹ During the Church Committee hearings in 1975, a key witness (Tom Charles Huston), the author of a master spy plan prepared for President Richard M. Nixon in 1970, remorsefully testified about what can happen when inappropriate intelligence-collection methods are adopted by the government:

The risk was that you would get people who would be susceptible to political considerations as opposed to national security considerations, or would construe political considerations as opposed to national security considerations--to move from the kid with a bomb to the kid with a picket sign, and from the kid with the picket sign to the kid with the bumper sticker of the opposing candidate. And you just keep going down the line.²

Here is the dilemma: we want to know the truth, especially when it comes to dangers that imperil the United States; but, at the same time, we don't want to pull out the fingernails of people we have captured on battlefields, or spy at home on individuals of Arab or Southwest Asian descent who are law-abiding US citizens. That's what happens in dictatorships, not democracies, and preserving the difference between the two types of regimes is important to most of us--all important.

Can interrogation methods be developed that draw out information from adversaries without the use of force and other harsh measures? The most thoughtful of the articles in this volume grapple with this central question, but none of the authors offers a definitive answer. Evidently even the experts in this field remain unsure about how, or if, this objective can be achieved. Perhaps Phase II will open up new vistas.

Even in this preliminary work many useful ideas emerge. One of the most promising research directions for understanding how effective interrogations can be conducted within the framework of democratic values may well be the study of negotiation theory. As one of the authors, Daniel L. Shapiro of Harvard University, observes, an interrogation "can be viewed as a complex set of negotiations. Government officials have

information needs, and sources have information they can disclose. The challenge is to determine how the government can negotiate most effectively for that information" (267)

Negotiation theory, first articulated in the 1960s, consists, some 40 years later, of a significant inventory of well-tested propositions. The focus has been on how individuals can develop sufficient trust in one another to exchange information about their preferences, then seek an accommodation of their differences. As the authors who write on this subject in the anthology concede, they are not entirely sure how good the fit is between negotiation behavior and interrogations; however, their work suggests heuristic parallels and their call for more research about the similarities makes sense.

Perhaps the most appealing and relevant aspect of negotiation theory is the principle that one should try to learn as much as possible about an opponent's strengths, weaknesses, fears, needs, and aspirations. This is exactly what good interrogators try to do as well. It is an approach that can lead to the development of a human connection between two sides. In contrast to the adoption of harsh measures involving the use of force, interrogations that rely on building rapport with a subject--so vital to successful negotiations--would seem an attractive method. It has the added advantage of comporting well with America's long-standing devotion to human rights and fair play. As with virtually all aspects of interrogation as a discipline of study, this rapport hypothesis has not been systematically and thoroughly tested. The tenets of negotiation theory may provide a valuable framework for additional scientific testing of interrogation practices.

Just as one appreciates the solid work that has gone into this initial exploration into interrogation, so does one look forward to further findings in the anticipated Phase II. The Intelligence Science Board should be careful, though, not to cast its net too narrowly, focusing only on the empirical science of how most profitably to question subjects. While this topic is important, the board needs to pay attention as well (as it does only fleetingly here) to the key ethical and foreign policy implications of interrogation techniques.

Perhaps nothing has hurt America's standing in the world so much recently as the media stories related to Abu Ghraib, Guantánamo, secret detention centers abroad, and extraordinary renditions. All are related to

interrogation as a means of intelligence collection. Any research team that looks seriously into the topic of interrogation should pay closer attention to this broader picture. Interrogation methods are not just about what works best to gather information; they are also about what can stand the light of day from a moral point of view in the eyes of American citizens and people around the world. For the next iteration, the Intelligence Science Board may wish to have an ethicist on board, and perhaps an expert or two who can look at the wider foreign policy implications that flow from the choices America makes about how to question detainees.

It would be helpful, as well, to have someone prepare a more refined index in the next volume, rather than simply offer a list of terms with dozens of page numbers that follow each item.

One can only wish the board well in carrying forward this vital research, helping the United States find better ways to protect itself through interrogations without throwing away its cherished identity as a champion of individual liberties.

Footnotes

1. Mark Landler, "Edgy Germany Seeks Balance: Rights vs. Safety," *New York Times* (13 July 2007): A11.
2. Loch K. Johnson, *Season of Inquiry: The Senate Intelligence Investigation* (Lexington: Kentucky University Press, 1985), 82.

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