The most important fact about the SSCI Report is that it was published, even though only the 500 page executive summary of 6,000 total pages was released in 2014. The Report documents in excruciating detail, with 2,725 footnotes, the ways in which US personnel abused detainees suspected of helping or having knowledge about al Qaeda. There can be no doubt that the US tortured many terrorist suspects in a variety of ways, as detailed in the Report.

The Report was authoritative in that it was a formal document of the Senate Select Committee on Intelligence, created and approved with bi-partisan support. It is also authoritative in that it is overwhelmingly based on CIA documents themselves (some 6 million pages). The CIA had ample opportunity to review drafts of the report, and its objections were taken into account in revisions. Significant redactions were made in response to CIA and White House concerns.

Understandably in 2001 the leadership of the Bush administration expected that there might be further attacks on the United States, and most of the impressive range of intelligence gathered about terrorists was done through legitimate means and was successful in protecting the country. But administration leaders decided that in order to gather further, “actionable” intelligence, they needed to break the laws against torture and undertake the fundamentally immoral tactics of brutal interrogation and torture. There is no doubt that al Qaeda committed atrocities, but with respect to the morality of torture, Senator John McCain (R-Arizona), who had been tortured in Vietnam got it right: “this question isn’t about our enemies; it’s about us.” The United States should be better than this unfortunate policy.

Although torture is immoral and illegal, the efficacy question is still important because some people think that it may still be a viable policy option for future administrations. Some former members of the Bush administration, as well as most of the candidates for the Republican nomination to the presidency in the 2012 campaign (and a few candidates for 2016) believe that Enhanced Interrogation Techniques (EITs) are essential for US security. The former head of the CIA Clandestine Services, Jose Rodriguez, wrote that refusing to use EITs amounts to “unilateral disarmament” in the war on terror. CIA Director John Brennan, though admitting EITs were counterproductive as a matter of policy, refused to rule out their use in future administrations.

The SSCI committee concluded that, for purposes of interrogation, torture did not work. They specifically rebutted 20 instances in which the CIA claimed to have gained important information from victims of EITs. The CIA did not accept the SSCI conclusions about the efficacy of EITs and published counter perspectives. One problem here is that
CIA and its defenders often conflated intelligence discovered from detainees who had been subject to EITs with intelligence that was discovered as a result of EITs. This significantly confused the broad claims of efficacy for the program. Despite the conclusions of the Report, it is possible that some useful intelligence was gained as a result of EITs, but the inability of the CIA to cite convincing evidence of any major breakthroughs produced by these methods is telling.

Even if one concedes that the CIA did obtain useful intelligence as a result of EITs, the question remains whether the bits of intelligence gained were worth the cost of using torture -- in terms of moral compromises, our international reputation, and precedents set. The Bush administration justification for using torture was not to find useful intelligence about al Qaeda; the EITs were justified because the interrogators were trying to find evidence of plots of future attacks. In this they failed, probably because the detainees did not know about whatever plans may have existed.

The assertions that EITs reduce the amount of time needed to “break” a detainee and elicit intelligence are also not supported by the experience of the CIA with EITs. Thus any reference to the ticking bomb justification for torture fails. The SSCI reported that of 119 total prisoners, the CIA found that 26 had no intelligence value to the US or did not pose a threat. Even if one posits that the number of “wrong men” tortured was fewer, the problem is that the intelligence was not strong enough to ensure that the detainees had the information we sought. Some of the detainees died from the abuse; that is, they were tortured to death.

To read this Report is to be profoundly saddened by what was done in the name of the United States. In order to learn from our mistakes of the past, we must admit what happened and recognize that we acted in error. The SSCI is the most important measure so far to help us learn from these mistakes. Documenting and publicizing these abuses makes it less likely that they will occur in the future.

It is unfortunate that these instances of abuse and torture have marred the reputation of the CIA as an institution. Intelligence is crucial to national security, and a strong, resilient, and responsive CIA is essential to our national security. That is why it is important to document any abuses and assure that they do not occur again. The primary objection to torture is not that it doesn’t work, but that it is wrong -- by virtually universal religious proscriptions as well as the principles of the United States Constitution, international law, and American values.

Diane Feinstein recognized the importance of documenting the abuses, and it was through her leadership that the Report was finally released. Her perspective is encouraging: “In my view, the beauty and the strength of this country – what makes it so different – is that we admit our mistakes and we go on. And it’s tough.”

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