

## Spooks sold down the river

*Clive Stafford Smith*

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The past month has seen a parade of spies going public. Mostly, they seem intent on insisting how little they know about the terrible goings-on in the world.

First, it was the MI5 director general, Jonathan Evans, writing in the *Telegraph*. ‘We did not practise mistreatment or torture then and do not do so now, nor do we collude in torture or encourage others to torture on our behalf.’

Then it was the turn of Evans’ predecessor, Baroness Eliza Manningham-Buller. ‘It wasn’t actually until after I retired that I read that, in fact, [Khalid Shaikh Mohammed] had been waterboarded 160 times’, she told a parliamentary meeting.

Evans carefully shifted tenses, and thereby said nothing that was remotely relevant to the pending criminal investigation. Nobody has ever intimated that the British tortured Binyam Mohamed. Rather, the allegation is that they stood by and watched while the Americans did the abuse. Evans carefully refrained from saying ‘nor did we collude in torture’ – because we did.

Likewise, Manningham-Buller said absolutely nothing of significance. We know she did not read about Khalid Shaikh Mohammed’s waterboarding until after she left her job – she retired on 20 April, 2007, and the truth did not emerge until a year later. Nobody has ever made the remotest suggestion to the contrary: she set up a straw man and shoved him back down.

It is hardly surprising that the spooks are saying very little of relevance – that is in their nature. But why did they choose this moment to say very little so very loudly?

Our intelligence agents are not blind to

the obvious. Peering from their burrows like Punxsutawney Pete, they panicked. The cause of their dismay? The politicians – the only people who are revealing less about torture than the spies, albeit even more loudly.

Never did a team play for the final whistle more plainly than this government. If the ministers can get past a May election, the Labour realists expect to join Tony Blair on the lecture circuit, far from the perils of office. The thin red line of Labour optimists, afraid that the sins of their recent past could prove an electoral iceberg, pin their wavering hopes on a continued cover-up. They weave and dodge, dodge and weave. Their plan is simple: if they win the election, they will figure out another way to weave; if they lose, the Tories will be forced either to continue the dissimulation or, like President Obama, to shoulder blame for the wrongdoings of a predecessor.

The spooks are being sold down the river, and they know it. The torture scandal should have been long behind them. Had the politicians made a public acknowledgement – ‘Regrettably, mistakes were made in the political tsunami that followed 9/11’ – all would have rapidly been forgiven. Only the most sanctimonious media commentator would have been writing about it a fortnight later.

Richard Nixon taught the world the danger of the cover-up. The botched Watergate burglary was of minor significance; the White House conspiracy to keep it secret drove Nixon from office. It turned the word ‘gate’ into a suffix for every political evil. So now each day brings a further revelation in Torturegate. Jonathan Evans suggested in the *Telegraph* that ‘an allegation has been made that one of my officers might have committed a criminal offence’. Unfortunately for Evans, the seeping evidence suggests that this is not the case. It may not have been ‘my officer’ who committed the offence, but Evans himself.

‘My officer’ was the whistleblower who reported seeing a British prisoner being abused by the Americans on 10 January 2002 – and asked what he should do. It was very likely Evans – in charge of counter-terrorism at the time, and presumably working closely with his boss, Manningham-Buller – who sent back a telegram the next day, advising the agent that if he witnessed torture taking place in front of him, he could legitimately ignore it, given that the prisoner was in American custody. The police are not just investigating the small fry, but those responsible for the crimes as well.

Of course, we might have had sympathy for Evans and Manningham-Buller, as they were responding in the wake of 9/11, perhaps the most televised mass crime in history. But the political cover-up has eroded this sympathy. Rather than a frank admission, and an open apology, the original crime has been compounded by the subsequent dissembling.

Friday 12 March 2010 brought the latest bad news, when the Intelligence and Security Committee (ISC) released its 2009 report. Referring to evidence of abuse that had been hidden from it in the Binyam Mohamed case, the Committee noted that it had only recently learned ‘that at least four members of staff saw the information, including the team leader ... and their section head’. So five more members of MI5 will be drawn into the pending criminal investigation.

‘The allegations of collusion in torture and the lack of respect for human rights will wound [MI5 agents] personally and collectively, and ... will make it harder for them to do their jobs,’ said Manningham-Buller. But the problem is not the allegation of complicity, but the fact that the allegations have been proven true time and time again – against a background of concerted government obfuscation.

The next government must order a full and independent inquiry. Nobody who is forthright about his mistakes should be sent to jail. The process should be conducted in a spirit of honesty and reconciliation, for we can only learn from history if we know what that history was. Then, when the next inevitable crisis comes, we may hope to respond with greater wisdom. If, on the other hand, officials continue to dissemble, we will still be wading through this mire for many years to come.

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## **The Chilcot Enquiry**

*(Three haiku questions)*

After the Iraq  
invasion comes the Whitehall  
whitewash – why so bland?

Seven years too late,  
which sop will soothe a public  
still concerned with truth?

When slimy creatures  
wiggle, sliding off the hook  
as always – what’s new?

*Alexis Lykiard*