

U.S. Memo justifies harsh interrogation

by UPI

WASHINGTON -- A now defunct 81-page 2003 memo shows the Justice Department gave Pentagon officials justification to skirt laws banning harsh interrogation tactics. The document by John Yoo, a top official at the Office of Legal Counsel, gives a roadmap for the legal justification for extraordinary interrogation tactics on al-Qaida and other suspects detained as part of the so-called war on terror, The Washington Post said Wednesday. The document says if an interrogator injured "an enemy combatant" in a way that might be illegal, "he would be doing so in order to prevent further attacks on the United States by the al-Qaida terrorist network," Yoo wrote, arguing that motive justified harsh actions as self-defense. The existence of the document was known previously, but the contents came to light Tuesday following a Freedom of Information Act request filed by the American Civil Liberties Union, The New York Times reported. The document written to then-Pentagon General Counsel William Haynes II guides Pentagon lawyers on how to navigate the legal issues surrounding "military interrogations of alien unlawful combatants held outside the United States." The document resembles similar memos that define torture used during interrogation as treatment that would "shock the conscience" and bring the defendant close to organ failure and death. Legal scholars classified the document as evidence of "the imperial presidency," the Times noted, but Yoo, now a law professor at the University of California at Berkeley, defended the memo as normal and "far from inventing some novel interpretation of the Constitution."

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