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Report: Pentagon Warned on Torture, Abuse

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WASHINGTON (AP) - The Navy's former general counsel warned Pentagon officials two years before the Abu Ghraib prison scandal that circumventing international agreements on torture and detainees' treatment would invite abuse, according to a published report.

Legal theories granting the president the right to authorize abuse in spite of the Geneva Conventions were unlawful, dangerous and erroneous, Alberto J. Mora advised officials in a secret memo. The 22-page document was obtained by The New Yorker for a story in its Feb. 27 issue.

A Pentagon spokeswoman said Sunday she had not read the magazine story.

The memo from July 7, 2004, recounted Mora's 2 1/2-year effort to halt a policy that he feared would authorize cruelty toward suspected terrorists.

It also indicates that some lawyers in the Justice and Defense departments objected to the legal course the administration undertook, according to the report.

Mora said Navy intelligence officers reported in 2002 that military-intelligence interrogators at the U.S. prison at Guantanamo Bay, Cuba, were engaging in escalating levels of physical and psychological abuse rumored to have been authorized at a high level in Washington.

"I was appalled by the whole thing," Mora told the magazine. "It was clearly abusive and it was clearly contrary to everything we were ever taught about American values."

Mora said he thought his concerns were being addressed by a special group set up by the Pentagon. But he discovered in January 2003 that a Justice Department opinion had negated his arguments with what he described as "an extreme and virtually unlimited theory of the extent of the president's commander in chief authority."

When the first pictures from the Iraqi prison Abu Ghraib appeared in the press in spring 2004, Mora said, he felt stunned and dismayed that what he had warned against had taken place, and in a different setting than Guantanamo.

Mora retired this year and now is a general counsel for Wal-Mart.

A U.N. report issued last week called for the U.S. to close its prison at Guantanamo Bay. In response, Defense Secretary Donald H. Rumsfeld rejected accusations of torture or abuse and said the detention facility is well-run.