

US Torturers Lose Psychologists' Corrupt Cooperation: APA Votes to "Prohibit Psychologists from Participating in National Security Interrogations"

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Boardman writes: "American psychologists have voted overwhelmingly against helping their government torture people. In an even more radical step, the psychologists voted to obey international law, even in instances where US law tolerates war crimes or crimes against humanity."

American Psychological Association acts to heal itself

American psychologists have [voted overwhelmingly](#) against helping their government torture people. In an even more radical step, the psychologists voted to obey international law, even in instances where US law tolerates war crimes or crimes against humanity.

That would be really good news if there weren't a huge exception: the psychologists also voted that it would be all right for them to take part in "constitutional" interrogations by federal, state, and local law enforcement in the US. Given the ragged history of US law enforcement, this is a loophole that could at any moment become another noose.



The American Psychological Association's in-depth role in U.S. torture of detainees was revealed in a landmark report released earlier this year. (photo: Justin Norman/flickr)

Nevertheless, this action by the American Psychological Association (APA), the largest organization of professional psychologists in the US, represents a significant sea change in the professional ethics of American psychologists since their [secret alliance with the Bush](#) administration's "dark side," as Vice President Cheney characterized their crimes against humanity. This ethical change has taken almost a decade since [other American psychologists](#) first started resisting their peers' violation of the primary principle of their professional oath: "Take care to do no harm."

Soon after September 11, 2001, a number of rogue psychologists, acting with the [covert connivance of APA leadership](#), started shaping and participating in the interrogation regimes and torture programs at Guantanamo, Abu Ghraib, Bagram Air Force base, CIA black sites, and all the other locations where Bush administration officials claimed that the best way to get reliable information from prisoners (including those who knew nothing) was to humiliate

and break them, to make them scream and bleed.

As awareness grew of the psychologist/Bush administration collusion in torturing prisoners and lying about it, resistance to this unprincipled behavior slowly emerged, led by, among others, Steven Reisner and Stephen Soldz. They were among the founders of the [Coalition for an Ethical Psychology](#) in 2006, mobilized to take psychologists out of the torture business. By 2008, an APA membership referendum resulted in 59 percent opposed to psychologists working in places like Guantanamo or CIA black sites (the bad news being that 41 percent thought those crimes were OK). Until this year, the APA leadership fought against any reforms, lying and denying reality for years, led by [APA ethics director Stephen Behnke \(removed July 8\)](#).

“Psychologists should not torture people” - no longer a radical idea

The American Medical Association and the American Psychiatric Association have long barred their members from participating in torture sessions. By 2006, both medical profession organizations had formally prohibited their members from taking part in any CIA, military, or other Bush administration interrogations. This made cooptation of psychologists that much more attractive to an administration determined to torture people and lie about it no matter what the cost.

Meeting in Toronto on August 7, the APA Council of Representatives, the association’s governing body, adopted a six-page anti-torture resolution by a vote of 157 to 1, with seven members not voting. The [Council has 173 members](#) (almost all PhDs, none MDs), representing the APA’s membership of more than 122,500 psychologists in the US and Canada. The emerging story of APA-sanctioned torture has received spotty coverage over the past year, but it seems that [only Democracy NOW!](#) chose to cover the vote in which the APA began repairing a decade of hypocrisy and dishonesty. As APA’s new President-elect Susan McDaniel said before the vote:

We’re here today to reset our moral compass and ensure that our organization is headed in the right direction. As I said on Wednesday, I believe in psychologists’ capacity to make the world a better place. We’re here today to decide how to do that.

After the vote, Steven Reisner characterized the approved resolution this way:

What just happened is that after nine years of collusion and deceit between the American Psychological Association and the Department of Defense and the Bush administration, after nine years of what has now become a major scandal,... the APA council turned that around. The APA council acknowledged that it had been led down a deceitful path, that all of our policies in the past, which claimed to uphold human rights, were shams. But today, for the first time, we passed a real policy that upholds human rights and prohibits psychologists from being involved in any way in torture, cruel, inhuman or degrading treatment, insofar as those are part of national security interrogations, in detainee conditions.

The APA has resolved to heal itself, not to make amends

Describing the context for action, [the six-page resolution](#) notes, among other points in the preamble, that:

- The APA is an accredited non-governmental organization (NGO) at the United Nations and is thereby committed to following the UN Charter and the Universal Declaration of Human Rights, neither of which condone torture by “enhanced interrogation” or any other Orwellian name;
- APA policy dating back to 1985 “condemns torture wherever it occurs”;
- Psychologists in military or “national security” may be asked to violate principles of the APA Ethics Code;
- The US, in ratifying the UN Convention Against Torture in 1994, did so with reservations that largely vitiated the treaty as a check on US behavior;
- The APA adopted a policy in 2006 that incorporated US reservations that largely vitiated the treaty as a check on APA behavior;
- “APA policy should clearly and consistently reflect the highest standard of human rights and should not be dependent upon a given statute or Presidential Executive Order, which could be rescinded at the will of a given Congress or President (even by the original author).”

The resolution proper begins by adopting the international law definition of torture in the UN Convention Against Torture, which is at variance with US law. The resolution also acknowledges that some 3,400 psychologists work for the Department of Defense (mostly at VA hospitals) and commits the APA to supporting the ethical behavior of these psychologists in these and similar “organizational settings.” And the resolution commits the APA to notifying the President, Congress, and other officials of the core of its mandate:

that, in keeping with Principle A of the Ethics Code to “take care to do no harm,” **psychologists shall not conduct, supervise, be in the presence of, or otherwise assist any national security interrogations for any military or intelligence entities, including private contractors working on their behalf**, nor advise on conditions of confinement insofar as these might facilitate such an interrogation. [emphasis added]

This prohibition does not apply to domestic law enforcement interrogations or domestic detention settings where detainees are afforded all of the protections of the United States Constitution, including the 5th Amendment rights against self-incrimination (“Miranda” rights) and 6th Amendment rights to “effective assistance” of legal counsel.

Bush administration survivors and Obama administration participants continue to fudge the definition of torture in order to justify what they’ve done or justify what they continue to do. Guantanamo is the most glaring example. Does anyone think there are no more black sites? Does anyone think there are no more renditions of prisoners to countries where there are no effective limits on torture? Does anyone think the United States is even close to conforming willingly to the standards of international law?

Torture is only one of militarism’s inhumane demands

This is the definition of torture in Article 1 of the UN Convention Against Torture, the definition to which the US takes formal exception and exempts itself from following:

... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted upon a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

That's not such a high standard, nor is it without its loopholes – what does “intentionally” really mean? – and all the same, the United States is officially unwilling to say it will abandon official savagery.

The lone dissenter in the APA vote was retired colonel [Larry James](#), a member of the Council representing APA Division 19, the Society of Military Psychologists. Larry [James practiced at Abu Ghraib and Guantanamo](#) as a high-ranking Army intelligence psychologist. He claims that he was a mitigating force in those places, that he ended many abuses. The evidence compiled by the APA's own outside investigation by the Sidley Austin law firm, the [542-page “Hoffman Report,”](#) contradicts Larry James' claims. So does a 70-page [2010 misconduct complaint](#) in Ohio, dismissed without explanation. In his statement before the APA vote, James offered clues to the way the US government will justify future torture routines:

Gosh, I get it. Abuse, human rights, no torture—who's going to disagree with that? But I'm worried about second-, third-order effects, unintended consequences. So, I need to know: Does international law supersede U.S. law? Because if the answer to that is yes, this has dire negative consequences for all federal employees, particularly in the VA and the department of homeland defense.

In other words, the US is comfortable being a rogue state and will continue to resist efforts to make the US conform to the same rules as most of the rest of the world. This is not an unusual view for a military official. This has been the essence of US state power since World War II. This is why the vote at the APA is only limited good news. That a dishonest organization of psychologists has decided to go straight is a fine thing. But there is no such inclination apparent at the Defense Department, at the CIA, at the White House, in any part of the American national security state. And those agencies are not likely to have great difficulty finding more psychologists to do their unprincipled bidding at a decent price.

The comment by Larry James affirms, if anyone doubted it, that militarism remains the first principle of American policy. The Defense Department's recent publication of its revised Law of War Manual reinforces that perception as it makes civilians into legitimate military targets and allows for treating reporters as spies. This has gone largely unreported (except for some whining about journalists being treated like enemies). And that helps explain why the APA vote has been widely unreported, and has been even less widely celebrated in a nation that has been morally adrift for more than thirty years.

William M. Boardman has over 40 years experience in theatre, radio, TV, print journalism, and non-fiction, including 20 years in the Vermont judiciary. He has received honors from Writers Guild of America, Corporation for Public Broadcasting, Vermont Life magazine, and

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