

PSYCHOLOGISTS FOR SOCIAL RESPONSIBILITY

June 29, 2009

Open Letter in Response to the American Psychological Association Board

On June 18, 2009, the American Psychological Association (APA) Board issued an Open Letter on the subject of psychologists' involvement in abusive national security interrogations. The letter is among the first formal acknowledgements from APA leadership that psychologists were involved in torture and cruel, inhuman, or degrading treatment. We welcome this progress.

Similarly, the letter acknowledges APA's member-initiated referendum prohibiting psychologist participation in detention centers that are in violation of international law and overturning APA Council's repeated refusals to do so. This is an improvement over very recent messages from APA officials that characterized press descriptions of APA policy as supporting psychologist participation in such interrogations as "fair and balanced."

Nevertheless, the letter is profoundly disappointing. It continues the long tradition of APA leaders minimizing the extent of psychologists' involvement in state-sanctioned abuse as well as APA's own defense of such involvement. The authors speak as though the information about psychologist's involvement in torture is fresh news even though it has been available for a long time. Even now, the Board relies on the Bush Administration tactic, employed in the Abu Ghraib debacle, of blaming the abuse on a "few bad apples." This minimization of the greatest ethical crisis in our profession's history by those who claim to lead the profession is unacceptable. Similarly the APA Board continues to take no responsibility for its own grievous mismanagement of this issue. Instead, the tone of the letter suggests we should all come together and "reflect and learn," because this has been difficult for all of us, collectively. The Board also presumes the authority to continue to speak for psychologists in the future with neither redress nor evidence of remediation for what they have done:

This has been a painful time for the association and one that offers an opportunity to reflect and learn from our experiences over the last five years. APA will continue to speak forcefully in further communicating our policies against torture and other cruel, inhuman, or degrading treatment or punishment to our members, the Obama administration, Congress, and the general public. (Board letter, June 18, 2009)

Any meaningful approach to this issue must start by acknowledging the fact that psychologists were absolutely integral to our government's systematic program of torture. When the Bush administration decided to engage in torture, they turned to psychologists from the military's SERE (Survival, Evasion, Resistance, and Escape) program for help in designing and implementing the torture tactics. This fact was first reported in 2005, within days of the release of the APA's PENS (Psychological Ethics and National Security) report and was officially acknowledged by the Defense Department in its Inspector General's Report, declassified in May 2007. Other psychologists monitored torture to calibrate how much abuse a detainee could tolerate without dying. Nonetheless, APA leaders continued, and still continue, to pretend that psychologists' participation in abuse was the behavior of rogue members of the profession.

Similarly, the APA Board still refuses to acknowledge the evidence of apparent collusion between APA officials and the national security apparatus in providing ethical cover for psychologists' participation in detainee abuse. This collusion was most notable in the creation of the military-dominated PENS task force. Only a policy that comes to terms with this APA collusion can begin to reduce the furor among APA members, psychologists, and the general public.

APA leadership has much work ahead to begin to repair the harm they have caused to the profession, the country, former and current detainees, and their families. At a minimum the APA leadership should do the following:

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1. Fully implement the 2008 referendum as an enforceable section of the APA Code of Ethics. This entails a public announcement that APA policy and ethical standards oppose the service of psychologists in detention facilities at Guantanamo Bay Detention Camp, Bagram Air Base, CIA secret prisons, or in the rendition program.
2. Annul the June 2005 PENS Report due to the severe and multiple conflicts of interest involved in its production.
3. Bring in an *independent* body of investigative attorneys to pursue accountability for psychologists who participated in or otherwise contributed to torture or cruel, inhuman, or degrading treatment. APA should also: (a) clarify the status of open ethics cases and (b) remove the statute of limitations for violations involving torture or cruel, inhuman, or degrading treatment, so as to allow time for information on classified activities to become public.
4. Develop a clear and rapid timetable to remove Sections 1.02 and 1.03 (the "Nuremberg defense" of following orders) from the APA Code of Ethics. (We note that the APA Ethics Committee has stated that they will not accept a defense of following orders to complaints regarding torture; this statement is a welcome improvement but it is clearly inadequate as it is not necessarily binding on future committees nor does it cover abuses falling under the category of cruel, inhuman, or degrading treatment.) Revoke the equally problematic Section 8.05 of the Code, which dispenses with informed consent "where otherwise permitted by law or federal or institutional regulations," and Section 8.07, which sets an unacceptably high threshold of "severe emotional distress" for not using deception in the ethics of research design.
5. Retain an independent investigatory organization to study organizational behavior at APA. Due to potential conflicts of interest, independent human rights organizations should be enlisted to select this investigatory entity. The study should address, among other things, possible collusion in the PENS process and the 2003 APA-CIA-Rand conference on the Science of Deception, attended by the CIA's apparent designers of their torture program (James Mitchell and Bruce Jessen) during which "enhanced interrogation" techniques were discussed. The study should explore how the APA governance system permits the accumulation of power in the hands of a very small number of individuals who are unresponsive to the general membership. It should also propose measures to return the APA to democratic principles, scientific integrity, and beneficence, including restructuring for greater transparency and the assimilation of diverse viewpoints.

These five steps will not remove the terrible stain on the reputation of American psychology. However, by taking these steps the APA leadership would make both symbolic and substantive progress toward accountability for psychologists' contributions to detainee abuse and the APA's failure to adequately respond to the public record. These actions would constitute an important step toward rehabilitating the Association and restoring the good name of the profession itself.

Signatory Organizations:

Coalition for an Ethical Psychology	National Lawyers Guild
Physicians for Human Rights	Amnesty International USA
Psychologists for Social Responsibility	Program for Torture Victims, Los Angeles
Center for Constitutional Rights	American Friends Service Committee, Pacific Southwest Region
Bill of Rights Defense Committee	Physicians for Social Responsibility, Los Angeles
Network of Spiritual Progressives	Massachusetts Campaign Against Torture (MACAT)
New York Campaign Against Torture (NYCAT)	

Media Contact: Stephen Soldz, Ph.D.

ssoldz@bgsp.edu

617-935-4246