

From resistance to *resistance*

A narrative of psychoanalytic activism

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Suddenly, no, at last, at long last, I couldn't anymore, I couldn't go on. Someone said, you can't stay here. I couldn't stay there and I couldn't go on.

Samuel Beckett
Texts for Nothing I, 1967, p. 75

I plan to tell two intertwined stories. One is personal: the story of how I suddenly—no, at last, at long last—couldn't go on. I couldn't go on as simply an observer of the history of government abuses of detainees in the war on terror, but found myself unwittingly applying psychoanalytic skills to influence that history, and how I ultimately found that I had to act. It is not my story alone, but the story of how a small group of psychologists and psychoanalysts uncovered and changed the American Psychological Association's complicity our country's military and intelligence torture programs, and perhaps, in the process interfered with its continued execution.

The second story, simultaneous with the first, is the story of the Bush administration's program of torture and abuse of detainees, and of the essential role psychologists played in that program.

Telling the two stories together and discovering what I have to tell continues to surprise me. I still find it unfathomable that pulling on the threads of the role of psychologists unraveled the Bush administration's covert torture program—its development, its execution, its legal justifications, and its dissemination—and unfathomable, too, that all of these involved psychologists and psychology. But the reason we pulled these threads in the first place is because, as it happens, the story we were presented with—from the Bush administration and from the American Psychological Association—about the role of psychologists and psychology in national security interrogations didn't make sense. It wasn't that the story was incoherent or inconsistent. It wasn't that it was ethically suspect, even though that played a role. It was that, for me at least, the story aroused skepticism and curiosity *as a psychoanalyst*. I found myself listening *clinically* to the material that the government and the APA were presenting, much like I listen to my patients'

stories. I found myself listening for the hidden story—the story that was being obscured precisely as the surface narrative was being perfected.

Of course, in one very essential way, listening to political or social material is different than clinical listening. The neutral stance whose aim is to mobilize and resolve resistance in the patient is out of place in political listening because the analyst is part of the events of the world. The resistance that is mobilized through psychoanalytic political listening is a very different form of resistance—more akin to the French resistance. As Badiou (2005) has put it: “When all is said and done, all resistance is a rupture in thought through the declaration of what the situation is, and the foundation of a practical possibility opened up through this declaration” (p. 8).

An implication in Badiou’s statement is that psychoanalysis—the aim of which is to foster “a rupture in thought through the declaration of what the situation is”—makes possible, and perhaps makes necessary, the opening up of new practical possibilities: political resistance and activism. Badiou (2005) continues:

This does not amount to believing that it is the risk, very serious indeed, which prevents a good many from resisting; it is, on the contrary, the non-thinking of the situation that prevents the risk or the examination of possibilities. Not to resist is not to think; not to think is not *to risk risking*. (p. 8, emphasis in original)

One of the two stories, then, is the story of how a small group of psychoanalysts used psychoanalytic methods to overcome resistances and join the resistance.

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The other is the story that unfolded as our group began to research the backgrounds of the psychologists whom the APA leadership selected to decide its policy on psychological ethics and national security. We discovered that some of these psychologists and their colleagues were present at Guantánamo, Bagram, and Central Intelligence Agency (CIA) “black sites” when and where torture took place under their commands. Others organized brainstorming sessions on counterterrorism and interrogation techniques between psychologists and military and intelligence counterterrorist operatives, including, it turns out, torturers.

Following these links one degree of separation further, the threads unravel into intriguing and frightening associations—one former APA president was on the board of directors of Mitchell-Jessen Associates, the CIA’s psychologist-consultants in torture (Morlin, 2007); another former APA president invited one of the two originators of the torture program to his home for a “brainstorming” session (Shane, 2009), and later gave a lecture

on domination techniques to these and other CIA interrogations operatives (Mayer, 2008, p. 164). The psychological procedures that apparently came out of these sessions, combined with other psychological techniques developed elsewhere,* were approved by President Bush and directly overseen and guided by a White House team consisting of the vice president, the secretary of defense, the director of the CIA, the attorney general, the director of the National Security Agency, and the secretary of state for use in the U.S. torture program (Greenberg, Rosenberg, & De Vogue, 2008). In other words, the story leads to a conspiracy at the highest levels of government to use psychologists and psychological methods to torture prisoners, implicating an entire administration in war crimes.

* * *

The extent to which these two stories are intertwined is the stuff of spy novels—not the usual ambit of a psychoanalyst. In the end, our small group of psychologists (calling itself the Coalition for an Ethical Psychology) played a small but significant role, not only in changing the policy of the APA and helping to restore its ethical obligations to “do no harm,” but, more important and surprising, in exposing the government’s psychological torture program. We were part of a network that included other psychologist-activists, investigative journalists, and a handful of dedicated human rights activists and investigators (particularly one, our “deep throat,” who always managed to point us, the reporters, and eventually government investigative bodies in the right direction). Our network doggedly kept this issue on the Internet, in the news, and on the radar screen of the Senate Armed Services Committee.

Along the way, I came to believe that activism (personal and political) constitutes an important if underappreciated measure of the success of a psychoanalytic process. If psychoanalysis promotes rupture in thought, it promotes, too, the capacity to “risk risking.”

APRIL 2007: THE HOLLYWOOD MOMENT

If this story was being presented as part of a thriller, it would begin in April 2007, with the following scene. I received a call from our deep throat (I’ll call him Morty). Morty was coming to New York to meet with another

* Mitchell-Jessen Associates was responsible for the first reverse-engineered use of techniques taken from the military’s SERE (Survival, Evasion, Resistance, Escape) program. SERE training is a rigorous training process wherein our own soldiers undergo torture techniques as a kind of “inoculation” program—preparing them to resist if they were to be captured and tortured by an enemy that doesn’t observe the Geneva conventions. When our government decided to “take the gloves off” in interrogations, our nation became a nation that didn’t observe the Geneva conventions. The very torture techniques that we aimed to protect our own soldiers and Special Forces became the basis for our own interrogation procedures.

human rights investigator who had obtained a copy of a document each of them knew about but had never seen. It was called the “Brunswick memo” and laid out standard operating procedures for transforming Survival, Evasion, Resistance, and Escape (SERE) techniques into interrogation techniques at Guantánamo. Up until this point, the government had claimed that any abusive interrogation activities at Abu Ghraib and at Guantánamo were carried out by a few “bad apples.” APA psychologists, like Col. Larry James, who had been the chief of psychological interrogation activity at Guantánamo, had made the case that such activity was exceptional and had been cleaned up.* According to James (2005), “since Jan. 2003, where ever we have had psychologists no abuses have been reported.” The Brunswick memo revealed a very different story.

* * *

Brunswick was a classified memorandum apparently put together by a psychologist from Navy SERE school in Brunswick, Maine. The memorandum described SERE techniques in use at Brunswick that could be reverse-engineered for use at Guantánamo: “The premise behind this is that ... these tactics and techniques are used at SERE school to ‘break’ SERE detainees. The same tactics and techniques can be used to break real detainees during interrogation operations” (Moss, 2002). This “GTMO ‘SERE’ standard operating procedure,” dated 10 December 2002, followed a request, made two weeks earlier, by William Haynes, general counsel, to Defense Secretary Rumsfeld recommending that the “SECDEF approve the USSOUTHCOM Commanders’ use of those counter-resistance techniques ... during the interrogation of prisoners at Guantánamo Bay” (Haynes, 2002).† Accompanying e-mails, from as late as the end of December, described conversations between a psychologist at Brunswick and one at Guantánamo, addressing the great care necessary to instituting these procedures without “going ... too far.” The procedures detailed in the Brunswick standard operating procedure (SOP) included slapping, stress positions, hooding, manhandling, and walling.‡

* * *

* In his book *Fixing Hell* (2008), James takes personal credit for insuring that no abusive techniques were being used and that he personally instituted protocols to guarantee that the abuse stopped: “My role was to teach rapport and relationship-building approaches between the detainee and the interrogator without the abuse” (p. 55).

† The copy of the memo released by the Senate Armed Services Committee bears Rumsfeld’s signature, giving his approval.

‡ “Ensure only the broad part of the shoulders contact the surface of the wall. Grip the detainee’s clothing firmly enough so the collar acts as a restrictive constraint to preclude the detainee’s head from contacting the wall does this. If the detainee’s head inadvertently touches the wall, walling will be ceased immediately” (Moss, 2002).

Morty and I, and our three colleagues, had spent the previous 6 months trying to interest government and the press in the story that we had uncovered of the intimate role of psychologists, with the support of the APA, in abusive interrogations. We had decided the previous September to offer one reporter, writing for *Vanity Fair*, exclusive rights to the story and funneled everything through her. But the more we uncovered, the further up the chain of command the story seemed to go. We had learned about two psychologists, former SERE instructors for the Army now under contract with the CIA, who had tortured Abu Zubaydah at a CIA black site in Thailand using SERE techniques. The *Vanity Fair* reporter, using our contacts and others, had verified the information and was going to publish the story.

I suggested we meet in Chinatown at the Oriental Garden, a Cantonese seafood restaurant. From New York, Morty would be heading to Washington to confer with the Senate Armed Services Committee, which had begun an investigation into abusive interrogation practices; hopefully, he would find a way to share the information we were getting with them. He had stopped in New York to arrange a complicated passing of information.

Morty had a casual, Midwestern gait and look. He spoke in an easy-going manner, creating aphorisms and analogies that were simultaneously ridiculous and spot on. “Look, if the American program of torture is malaria, psychologists are the tsetse flies,” he explained to me as we entered the restaurant. “They aren’t the ones responsible for the disease—that’s a virus emanating from the top echelons of the system. But they are the carriers; they’re how it’s spread.”

The waiter came over and before I had a chance to say a word, Morty began speaking rapidly in Mandarin and ordered, off the menu, for both of us. Morty explained to me that if the story of the two contractors, from the Department of Defense (DoD) working for the CIA, was able to see the light of day, it might not bring down the APA leadership, but it could bring down the government. He explained what was, to me, a new concept: *jointness*. If both the CIA and the Department of Defense were sharing the same two psychologists, and these psychologists were using heretofore illegal interrogation techniques, then the approval for the use of these techniques must have come from a source higher up the chain of command than either the top echelons of the CIA or the DoD. A joint operation such as this, violating international and domestic law, would require executive branch approval. That meant that, were this to be made public, some major players in the Bush administration would be subject to prosecution.*

* As reported in the recently released CIA Inspector General’s report: In accordance with the [Torture] Convention, the United States criminalized acts of torture in 18 U.S.c. 2340A(a), which provides as follows: “Whoever outside the United States commits or attempts to commit torture shall be fined under this title or imprisoned not more than 20 years, or both, and if death results to any person from conduct prohibited by this subsection, shall be punished by death or imprisoned for any term of years or for life.”

Morty went straight from the restaurant to Penn Station to catch a train for his meeting with Senate Armed Services Committee. As he was leaving, he gave me a package. In it was a t-shirt of Dustin Hoffman and Robert Redford from *All the President's Men*.

2003: THE BEGINNINGS

It began for me in March and April of 2003. I had begun to comb the Internet for different perspectives of the news, because it had become clear since the attack on the World Trade Center and since the government's hijacking of public sentiment after that attack, that the American press, apparently traumatized by its own coverage of the World Trade Center attack, was reporting the war news superficially and in a manner that was heavily influenced by the government. To get some sense of what was really going on, I would habitually read multiple versions of the same story, not only from the American press, but, thanks to the newly introduced Google News and the Internet, from the European, Asian, and Arab press as well.

In March, I read a story in the British Press about the capture of Khalid Shaikh Mohammed, the alleged mastermind of September 11. Mentioned in the article was the fact that months earlier the CIA had kidnapped Mohammed's two young sons, ages 7 and 9, and continued to keep them in custody to pressure their father. According to the report, the CIA interrogators in charge of the boys didn't see anything wrong with kidnapping children to achieve their ends. The article continued with the kind of statement I could imagine from a Pinochet henchman, but it was a CIA "official" who stated, "His sons are important to him. The promise of their release and their return to Pakistan may be the psychological lever we need to break him" (Craig, 2003).

The American press presented the story from a wildly different perspective than the European press, reflecting a kind of journalistic "machismo" analogous in tone to that of the new journalists of the '60s. Except that where Hunter S. Thompson, Norman Mailer, and others were part of an anti-establishment journalistic rebel-machismo, these "war on terror" reporters piggybacked on the government-sanctioned bravado of national security operations and abuse of power. Like their neoconservative counterparts in government and in think tanks, these journalists had learned to co-opt '60s-style radical practice in support of neoconservative ideology:

Military interrogators say their prisoners can be lied to, screamed at ... stripped, forcibly shaved and deprived of religious items and toiletries ... [A]s long as the pain and suffering aren't "severe," it's permissible to use physical force and to cause "discomfort," as some U.S. interrogators euphemistically put it. Among the techniques: making captives

wear black hoods, forcing them to stand in painful “stress positions” for a long time and subjecting them to interrogation sessions lasting as long as 20 hours. U.S. officials overseeing interrogations of captured al Qaeda forces at Bagram and Guantanamo Bay Naval Base in Cuba can even authorize “a little bit of smacky-face,” a U.S. intelligence official says. “Some al Qaeda just need some extra encouragement,” the official says ...

Initially, interrogators will aim to disorient Mr. Mohammed. “You deprive him of food, water and sleep. You make morning night, and you make hot cold ...” U.S. authorities have an additional inducement to make Mr. Mohammed talk, even if he shares the suicidal commitment of the Sept. 11 hijackers: The Americans have access to two of his elementary-school-age children. (Bravin & Fields, 2003)

In many articles written at the time in the mainstream American press, there was not only the tendency to accept military and intelligence propaganda at face value, and not only the tendency to celebrate the machismo-revenge attitude offered by interrogators and spokespeople, but there was simultaneously a hint of something even more insidious: the role of health professionals in creating a strategic language for describing the effects of imprisonment and torture. The military directed reporters to pay attention, not to international standards of human rights or the Geneva Conventions to describe conditions of confinement and their effects, but to the psychological conditions and symptoms of the detainees. Health professionals appeared to be colluding with the military to describe imprisonment as a kind of mental health treatment, complete with group therapy sessions to treat depression. In this context, suicide attempts among juvenile prisoners at Guantánamo, for example, were described as stemming from previous conditions and not a result of confinement conditions.

Cmdr. Brian Grady, the staff psychiatrist at the camp’s medical facility, said in a recent interview that most prisoners suffering from depression brought their symptoms with them to Cuba ... Officials at Guantánamo have generally dismissed the notion that the confinement and uncertainty about the future are specifically to blame. “I would not particularly say these circumstances are a factor,” Commander Grady said. (Gall & Lewis, 2003)

I found myself reading such news in much the same way as I listened to my patients’ associations; I flagged certain claims that seemed to indicate something hidden, some “unthought known” and made a mental note of it.

I suspected that health professionals had begun to use psychological knowledge, including diagnoses and treatment, as a military tactic, even

while presenting them as healing processes. I suspected a cynical misuse of diagnostic jargon, and I intuited that there was a sinister purpose embedded in the peculiarly American denial of responsibility contained in the phrase “preexisting condition.” Perhaps, just as psychologists and psychiatrists on the payroll of insurance companies used this phrase to deny needed treatment, the psychologists and psychiatrists at Guantánamo were denying the effects of torture.

2004–2005: BSCTS AND PENS

It was more than a year later that the *New York Times* published segments from a leaked report submitted to the White House by the International Committee of the Red Cross (ICRC). Although it had been widely reported in the press that our government was torturing detainees at Guantánamo, at Bagram Air Force Base in Afghanistan, and at secret black sites around the world, the ICRC report revealed a striking, and in retrospect, essential part of the record of the United States and torture:

The [ICRC] team of humanitarian workers, which included experienced medical personnel, also asserted that some doctors and other medical workers at Guantánamo were participating in planning for interrogations, in what the report called “a flagrant violation of medical ethics.” Doctors and medical personnel conveyed information about prisoners’ mental health and vulnerabilities to interrogators, the report said, sometimes directly, but usually through a group called the Behavioral Science Consultation Team, or BSCT. The team, known informally as Biscuit, is composed of psychologists and psychological workers who advise the interrogators, the report said. (Lewis, 2004)

There was a huge uproar in the medical community in response to this obvious breach of medical ethics. The fact that health professionals were peering into the medical records of detainees in order to exploit vulnerabilities seemed beyond the pale to most professional organizations. But hidden in the exposé was not only the first public mention of the BSCTs, but a vague reference to bringing in “outside doctors”: “The report said that sometimes ‘outside doctors’ are brought in to help interrogators plan their strategy of interviewing detainees” (Lewis, 2004).

In January 2005, the *New York Times* published a follow-up article in which interrogators from Guantánamo confirmed the Red Cross report on the role of health professionals in interrogations:

The interrogators also discussed another factor in the Red Cross report, the use of a Behavioral Science Consultation Team, known as Biscuit,

comprising a psychologist or psychiatrist and psychiatric workers. The team was used to suggest ways to make prisoners more cooperative in interrogations ... “They were supposed to help us break them down,” one said. (Lewis, 2005a)

Rather quickly, physicians and medical associations around the world condemned any role for medical professionals in interrogations in general, and specifically condemned the use of confidential medical records as part of detainee exploitation. But the American Psychological Association remained silent on the issue.

To be honest, disturbing as this news was, it didn’t interfere with my going on. I didn’t really expect much from the American Psychological Association. I was a member for two reasons: First, because it enabled my involvement with the Division of Psychoanalysis (39). And second, it provided malpractice insurance. It never seemed to me that Division 39 was really a part of the national organization. Rather, Division 39 seemed to me to be in relation to the APA in much the same way that Spaulding Gray had described the relationship of Manhattan to the rest of the United States: “I moved to Manhattan [because] I wanted to move to an island off the coast of America” (Gray, 1985). For me, psychoanalysis was an island off the coast of the APA.

I found the literature I received from the APA embarrassing. The *Monitor* invariably presented psychology as an arm of American government and industry—trumpeting the role of psychologists as facilitating symptom reduction and restoration of productivity. On the other hand, as an analyst, I saw my role as working to promote change by working with my patients to help them face the immanent meanings of so-called symptoms, toward promoting the patient’s courage to live a richer, more effective and loving life. I saw the APA’s emphasis on symptom, on the other hand, as a commercialization and simultaneously a depoliticization of the healing arts. The *Monitor’s* coverage of military psychology was uniformly supportive of the U.S. military and government position, and was similarly symptom focused and depoliticized.*

* For example, the *Monitor’s* article on the Joint Personnel Recovery Agency (JPRA) and repatriation (<http://www.apa.org/monitor/feb04/helping.html>) focused primarily on psychologists’ role in “decompression” and “normalization” of repatriated American detainees who had been captured and tortured in places such as Vietnam. In the article, SERE training was described as an “inoculation—providing folks with the information, skills and, most importantly, the confidence to survive the captive experience.” The article continued, “JPRA psychologists provide an unstructured, unsupervised environment to help ‘normalize’ detainees’ experience, says Lieutenant Colonel Debra Dunivin, PhD, deputy chief and director of residency training at Walter Reed Army Medical Center and a newly trained SERE psychologist. They give a range of psychosocial interventions to those who need it, she says.” Of course there is no mention of the fact that Dunivin, at the time the article was written was a BSCT psychologist at Guantánamo Bay.

Accordingly, my first response to the news of psychologists' involvement in interrogations had nothing to do with the APA; I rededicated my efforts to opposing the increasingly oppressive policies and actions of the Bush administration. I marched against the war in Iraq. I continued to have monthly dinners with a group of leftist-activists who originally had gotten together to protest the CIA's activities in the "dirty wars" in Latin America in the '70s and '80s. I attended a meeting of political psychoanalysts to analyze the susceptibility of the American public to what we saw as cynical and repressive policies of the Bush administration. But none of this prevented me from "going on." I could go on. We all could pretty much go on.

In June 2005, the *Times* published another piece on the specific role of psychologists in interrogations. The *Times* article mentioned an APA Task Force that was addressing the issue.* By this point, other health professional associations, including the American Medical Association, the American Psychiatric Association, and the American Nursing Association, had all made it clear that there was no place for their members in coercive interrogations. I was naively confident that the APA would do the same. I was relieved to discover that a psychoanalyst colleague, a member of our psychoanalyst-activist listserv, was a part of the task force. Good, I thought. One of our analysts is on it. She has been an advocate against torture. I don't have to act.

But within days, a second piece in the *Times* challenged my complacency:

The report by a group convened to study the ethical boundaries for psychologists at places like the detention center at Guantánamo Bay, Cuba, concluded that it was acceptable to act as behavioral consultants to interrogators of the prisoners from Afghanistan who are held there ... The report said that psychologists may not engage in torture or cruel, inhuman and degrading treatment. But in seeming to refer to the situations reported at Guantánamo, which might fall short of torture or cruel treatment, it said only that they "require special ethical consideration." (Lewis, 2005b)

I found myself, as I often do, discovering my views as I debated this issue on the listserv. I was becoming clearer that something was amiss with the APA's response and felt the APA was contributing to, rather than opposing, abuse. And, looking back, I can see that I was becoming increasingly dissatisfied with debate as a response to institutional collusion. I wrote:

When it comes to "coercive interrogation" there is only one side for an ethical psychologist to take. Anything else is a negotiating process

* The Task Force, created by then APA President Ron Levant, was called the APA Presidential Task Force on Psychological Ethics and National Security (PENS).

which only supports the “incremental” deterioration of certain internationally recognized standards ... And while I believe there is a value in working “within the system,” there comes a point, where one is losing one’s voice and one’s very presence gives support to the other side, where one must confront that system.

One result of this discussion was that one of our members, Neil Altman, mobilized the APA’s Divisions of Social Justice to try to stem the damage from the PENS report by having the APA Council of Representatives, the democratically elected body of APA Division representatives, add resolutions that would require ethical behavior, even if involvement in interrogations wasn’t itself proscribed. The idea was to prohibit psychologists from any action that violated “basic human rights.” At the August 2005 council meeting, when the council members were presented with the APA’s PENS Task Force report on the ethics of interrogations, Altman and other psychologists from Divisions of Social Justice successfully passed a series of such resolutions.

2006: THE TURNING POINT

For the ensuing months, we all turned to other issues, confident that we had won a victory and that psychologists would join other health professionals in refusing to participate in interrogations that violate human rights, like those going on at Guantánamo. But in December, there were renewed reports in the press of the APA leadership extolling the important role psychologists played in such interrogations. I began to understand that the APA leadership was engaged in a duplicitous process—of representing the association as condemning torture and abuse, while crafting policy that permitted psychologists to continue to contribute to those very efforts.* For instance, Stephen Behnke, the director of the APA Ethics Office, said,

[When] we talk about words like ‘isolation’ and ‘sleep deprivation,’ we need to be careful. If one talks about isolation about a very few minutes, say, five minutes, I don’t think anyone would argue seriously that isolating someone for five minutes rises to the level of torture or cruel, inhuman, or degrading treatment.

* As of this writing, the APA is continuing this practice. In 2008, against the opposition of the APA leadership, the membership passed a referendum that precludes psychologists’ participation in operations that violate international law. In public, the leadership cites the referendum as exemplifying progressive APA policy, but in practice the same leadership refuses to implement the referendum, even in conditions that have been certified by the UN Special Rapporteur on Torture as violating its provisions.

Behnke went on to argue that “[P]sychologists have an obligation to take part in prisoner interrogations—in an ethical manner, when doing so can help protect Americans from terrorists and other dangerous criminals” (Behnke, 2005).

During this period, while the dominant U.S. press remained silent on continuing reports of abuse, rendition, and torture, the few journalists and ethicists who continued to publish exposés on these issues invariably described the role of psychologists and other health professionals. Jane Mayer (2006) published a second piece in the *New Yorker* on Rumsfeld’s memo approving abusive psychological techniques as standard operating procedure at Guantánamo Bay; Alfred McCoy’s “A Question of Torture” (2006) highlighted the history of the CIA’s psychological research used to develop techniques of torture that left no marks; and the United Nations’ “report on the situation of detainees at Guantánamo” (United Nations Commission on Human Rights, 2006) explicitly stated that

health professionals in Guantánamo Bay have systematically violated widely accepted ethical standards set out in the United Nations Principles of Medical Ethics and the Declaration of Tokyo ... In sum, reports indicate that some health professionals have been complicit in abusive treatment of detainees detrimental to their health.

On June 7, 2006, the *New York Times* published an article that pushed a group of us over the line to action (Lewis, 2006). Up until that moment, we continued to discuss strategies. But on June 7, Neil Lewis’s article made clear that psychologists in the military weren’t simply a part of the problem of abuse and torture—psychologists were the essential overseers of the abuse and torture. The article reported that Pentagon officials had announced that they would try to use only psychologists, and not psychiatrists, to help interrogators devise strategies to get information from detainees at places like Guantánamo Bay, Cuba, and that the new policy favoring the use of psychologists over psychiatrists was a recognition of differing positions taken by their respective professional groups.

Three psychoanalysts on the listserv took direct steps to challenge the APA’s position. Stephen Soldz created a petition on the Internet, specifically protesting the unique role psychologists now played in military interrogations. Within 2 weeks, there were over 1,000 signatures. Ghislaine Boulanger called for withholding APA dues until the policy was changed. In short order, hundreds of members began withholding their dues or resigned outright. And I wrote public protest letters to APA’s CEO on June 9, and to the APA president, Gerald Koocher, on June 11:

I am embarrassed that the American Psychological Association has not been willing or able to combat the publicly held view that

psychologists are more willing than psychiatrists to participate in coercive, possibly abusive, interrogations of prisoners at Guantanamo Bay. And worse, I am horrified that the APA and officials at the Pentagon believe that psychologists' participation in BSCT teams is acceptable; whereas both the American Psychiatric Association and the World Medical Association have stated unequivocally that such participation violates the Hippocratic Oath and is unacceptable. ... I request that you, or another authorized spokesperson, issue a statement which makes clear unequivocally that psychologists are prohibited from participation in cruel and inhuman treatment of anyone held against their will in general, and in centers of abuse such as Guantanamo, in particular. I would suggest further that the statement make it clear that psychologists are prohibited from advising in coercive interrogations, and in environments where their participation gives the impression that psychologists approve or assist in such techniques. ...

Koocher responded the same day:

The APA Board of Directors understands and appreciates that its members have strong opinions about psychologists' involvement in interrogations, and that their opinions are not uniform. Please recognize that interrogation does not equate to torture and that many civilian and military contexts exist in which psychologists ethically participate in information gathering in the public interest without harming anyone or violating our ethical code. Please also examine press reports with healthy skepticism and seek facts, rather than reflexively engaging in letter-writing campaigns predicated on inadequate access to the data.

Many others, from the listserv and beyond, also posted letters of protest. Koocher began responding angrily. "You are dead wrong!" he wrote to one member. To another, who wrote a second time because he hadn't received a response to his first e-mail, Koocher wrote, "Don't hold your breath!" Soon he took a different approach and began to address us as analysts: "Would you offer an interpretation to an analytic patient without carefully assessing all the facts? I doubt it. So please do try to get the facts straight and ask your Division 39 colleagues to do likewise." And "Unnamed sources and unnamed alleged perpetrators do not constitute valid data in my view, and when members of Division 39 start beating this drum they demonstrate no concern for the truth or protection of the innocent. Instead they smear all, just as when years ago our psychiatric colleagues claimed that psychologists were unqualified to practice analysis." In the end he was deluged with protest letters, and assumed that "an

orchestrated campaign” was behind what was a genuine expression of widespread outrage:

In the past 48 hours I have received 300 email messages clearly part of an orchestrated campaign that is ill informed and conflates very appropriate anger at administration policies with incorrect assumptions about APA policies and actual behavior of APA members. If you don't like my tone, consider what it feels like to get such messages and do a better job of education [*sic*] yourself to the facts.

Although it was not widely known, Koocher had played a significant role on the PENS Task Force on the ethics of such interrogations. He came on to the Task Force, ostensibly, as a “second” liaison for the APA board of directors. It is noteworthy that no other APA task force has ever had a second liaison and that Koocher (at that time, APA president-elect) played a dominant and guiding role.

A day later, a member of the listserv forwarded my letter and Koocher's response to Amy Goodman, who produces the daily independent television and radio show, *Democracy Now!* Before another 48 hours had passed, I was contacted by a producer at *Democracy Now!*, and by the end of the week, on June 16, I was on the air debating Koocher on the ethics of psychologists' involvement in abusive and coercive interrogations at Guantánamo Bay.

NEW ORLEANS, AUGUST 2006: THE (FIRST) HOLLYWOOD MOMENT; JEAN MARIA ARRIGO BREAKS PENS' CONFIDENTIALITY

I was at the American Psychological Association's Annual Convention in New Orleans, attending a wine and cheese party held by Psychologists for Social Responsibility (not to be confused with Psychoanalysts and Social Responsibility or Psychotherapists for Social Responsibility), with Morty and Brad Olson, incoming president of the Divisions for Social Justice. I had spoken to both of them during the heady days before the convention, but this was the first time I had actually met either of them. I was particularly interested in this speaking with Jean Maria Arrigo, one of the three nonmilitary members of the PENS Task Force. I was interested in speaking with Arrigo, because it was becoming clearer and clearer that the PENS Task force was key to the APA's relentless commitment to keeping psychologists in the interrogation business at all costs.

The APA had kept the PENS proceedings confidential, but Arrigo, as an oral historian, could not on principle accept confidentiality in perpetuity and had decided on her own initiative to deposit all the PENS materials in the *Intelligence Ethics Collection* of the Archives of the Hoover Institution

on War, Revolution, and Peace at Stanford University, to be made public after 10 years. I wondered if Arrigo might be willing to share something of her experience on the task force.

We began our conversation by sharing stories about how we became activists. Arrigo explained to me that her father had been an unrepentant interrogator for the CIA, including participating in the nefarious MKULTRA research, where unsuspecting subjects were given mind-altering drugs. Arrigo believed that interrogations could be done ethically and had become an oral historian of intelligence-gathering practices.

I told her about my parents, survivors of the Holocaust. My mother had been in Auschwitz as a teenager, where she lost every member of her family. My father, who lost his mother, father, and younger brother in the Warsaw Ghetto, had fled to Russia when the war began. He was arrested by the NKVD (the Soviet secret police that later became KGB), interrogated, and sent to prison in Siberia, accused of spying for the Germans. When Hitler dissolved his pact with Stalin and attacked the Soviet Union, Polish prisoners were freed and my father joined the First Polish Division of the Soviet Army. He told me stories of being pressed to follow Soviet orders during horrendous battles and frontline activities, including killing prisoners of war, actions that today would be considered war crimes. I explained to Arrigo that I grew up with a personal family history of stories of both victimization and perpetration of gross political violence.

* * *

I had come to New Orleans (my first APA convention in nearly 20 years) because, after the debate with Gerald Koocher on *Democracy Now!*, psychologists' role in military interrogations, and APA's support for that role had become national news. Koocher had become the APA spokesperson in favor of psychologists' participation and I had become a public voice against it. It became clear that if the APA was going to change its policy, pressure had to be applied at the convention. Since nothing had come of the resolutions passed by council the year before, Neil Altman and others from the Divisions of Social Justice put forth a second, more explicit proposal prohibiting psychologists' involvement.

A few days after the debate, I had received a call from Mark Benjamin, a reporter with *Salon.com*. He had been trying to get the names of the members of the PENS Task Force from the APA leadership, but the APA refused, citing confidentiality of the proceedings. Finally a contact on Capitol Hill had forwarded him the names of the members and he wanted to know if these names meant anything to me. I plugged them all into a Google search and discovered something that neither the APA leadership, nor members of the press seemed to know—the names and biographies of the members of the PENS Task Force had been published on the Web site of APA's Division 48 (Peace Psychology), after they had been distributed to the APA council

representatives. Biographical information on the PENS members, meant for a small group of APA governance, had been available for all, if one only knew where to look.* Benjamin (2006) published the names and biographies and drew the inescapable conclusion: 6 of the 10 psychologists on the task force had close ties to the military; and the majority of these were involved in military interrogation practices taking place at Guantánamo, Afghanistan, Iraq, and elsewhere.

I learned from Benjamin that Koocher had invited the Army's primary BSCT apologist, Lieutenant General Kevin C. Kiley, as the sole speaker to address the APA council during the deliberation process when the council would be debating the ethics of the BSCTs and Altman's new resolution. I had already learned the power of writing protest letters to Koocher and wrote another requesting that Koocher invite a second speaker to present the other point of view: "It would show that the Administration of the APA is interested in a full and fair debate of these important issues, rather than what has thus far appeared to be a rubber stamping of the position of the current United States administration and its military services." When Koocher didn't respond, I wrote again saying that colleagues had asked me to release my letter to the press. This time I received a rather speedy response: "I am very interested in providing a balanced platform for Council's discussion of the issues surrounding psychologists' role in national security interrogations. Toward that end, I would like to invite you to make a presentation to the Council meeting ..."

* * *

The morning of the council meeting, Kiley offered an ode to the value added to the military by its psychologists. I spoke immediately after lunch. I had done some serious research, because I was trying to understand why

* The APA leadership has since denied that the names of the members of the task force had ever been kept secret. Both Stephen Behnke, director of the APA Ethics Office, and Olivia Moorehead-Slaughter, chair of PENS and former chair of the Ethics Committee, have publicly denied any such secrecy, and the APA press office released a statement stating that the notion that the names of the task force members were kept secret "is totally false. In reality, the names and composition of the Task Force is public information. The names and biographical statements of each of the Task Force members are, and have been for some time, available through the APA website." But this assertion is belied by evidence from the PENS listserv itself. A post from August 22, 2005, by a military/intelligence member of the task force stated: "I wanted to leave a short note regarding the ethics in national security panel presentation at the APA conference on Friday. While this was not related to the task force, there were many questions and comments regarding the task force report posed to Dr. Steve Behnke who chaired the panel. I was once again impressed with how Dr. Behnke eloquently represented our work and insured the confidentiality of the panel, despite pressure to reveal the identities of the task force members and the process that unfolded during the task force meetings. Steve was respectful, gracious and polite in response to some very direct and provocative questions and comments" (PENS Listserv, 2005, p. 169). Moorehead-Slaughter responded to this e-mail, also on August 22, 2005: "I have no doubts that Steve [Behnke] was respectful and masterful in preserving the integrity of our Task Force process" (PENS Listserv, 2005, p. 170).

it seemed so important to the APA to keep psychologists in what seemed to me to be the indefensible position of participating in the purposeful abuse of prisoners, many of whom were obviously innocent. I made the case to the council that since the other health professions refused to take part, currently only psychologists were overseeing these interrogations:

You have a rare opportunity to make a significant difference for good in the world. If I am right, and the US government believes it can only legally justify these shameful techniques by claiming medical supervision, then the refusal of psychologists to participate may finally put an end to these practices. At the very least, it is time you stopped psychologists from being associated with them.

The next evening, when I was speaking with Arrigo, I told her how increasingly surprised I was to discover more and more high-level connections between APA leadership and the military. I mentioned that, in an apparent attempt to ingratiate himself with the psychologist opposition, Kiley had told Brad Olson, incoming president of the Divisions of Social Justice that Debra Dunivin, the wife of the chair of the APA Practice Directorate, was a BSCT psychologist at Guantánamo.

Arrigo was taken aback. Not simply because a leader of the APA was married to a Guantánamo BSCT, but, she explained, because that particular leader, Russ Newman, was present during the PENS deliberations.

No one knows this, because of the confidentiality agreement, but Russ Newman was there at the meeting. Not just present; he took a leadership role, right alongside Gerald Koocher. He never said anything about having a connection to the military. He kept saying that our job as a Task Force was to “put out fires” and he kept emphasizing how important psychologists’ contributions were at Guantánamo, how appropriate their actions were, how vital a role they were playing.

I asked Arrigo if Morty and Olson might join the conversation. She agreed and went on to explain to us that Koocher and Stephen Behnke, chair of the APA Ethics Office, worked with Newman and two of the military psychologists, Morgan Banks and Larry James, to guide the conclusions of the task force, almost from the start. Koocher shot down the voices of dissent among the nonmilitary members, and Behnke created drafts of the report that prioritized the views of the military members and simply ignored other positions.

Arrigo said that there were even more observers to the task force than she had mentioned. She had since done some research and there had never been so many observers to a task force before, and furthermore no task force report was ever issued unsigned before. She said she had taken notes when

the observers introduced themselves and that most of them seemed to be involved in lobbying for APA's interest with Congressional military committees, as well as directly with the Department of Defense (DoD) and various intelligence agencies. However, a few hours into the meeting she was told to stop taking notes; that was the first clue that she had that something was amiss. How could the members of the task force contribute anything to the language of the group product if they were prohibited from taking notes?

She said that, at the last moment of the meeting, after the report had been finalized by Behnke (the only one permitted to take notes) after only two and a half days of discussion, the military folks in the room were just ecstatic. They began talking about sending it to Rumsfeld, and meeting with Kiley. Arrigo said that it suddenly dawned on her that the group was not simply working to offer the APA's position on interrogations—that something more important was going on, that only the military members, the APA officials, and the observers understood. The three nonmilitary members were all in the dark. "It's ironic," she said, "the whole time on the listserv, I was trying to organize an agenda for that meeting, and I kept getting shot down by Koocher. I didn't realize that there already was an agenda and we weren't privy to it."

I asked her about the listserv. This was the first any of us had heard about it. She explained:

There was a listserv for months before and months after the meeting. If you want to see how Russ Newman was invited to the Task Force, you can see how the military members pushed for him. I didn't understand what PENS had to do with private practice, but that's the argument James and Banks used to get him in there. It's all in the listserv.

Morty began to speak, assuming a much more serious tone than earlier; a sharp contrast with his Middle American folksy humor. He explained that the more we learned about the APA's role in determining what psychologists could and could not do in military and intelligence interrogations, the clearer it became that this was not simply a matter of a task force botching its assigned task of establishing appropriate ethical boundaries, nor was it simply a matter of conflicting interests. More and more, the role of the task force appeared to be a premeditated collusion between the DoD, the APA, and perhaps certain intelligence agencies. Morty said that for some reason that we didn't yet understand, it seems it had become extremely important for the military and the CIA to ensure that no military or intelligence psychologist involved in interrogations ran afoul of APA ethics. He asked Arrigo if there was any way we might see the documents she had archived from the PENS Task Force. From what she had said, the PENS listserv seemed especially important.

Arrigo paused and made a decision then and there. She decided that because of the duplicity and hidden agendas of the APA leadership—especially

the fact that she didn't know that Newman's wife was on a Guantánamo BSCT—her obligation under the confidentiality agreement was nullified. She said that she would therefore be willing to give copies of the material to me. Something in the history we had shared gave her the impression she could trust me. She said that she didn't mind if Morty or Olson saw the material, but that I would be the only one who could keep a copy.

It would take 4 weeks for us to arrange to transport Arrigo and her trove of documents to New York, so that she, Morty, and I could go through them. While waiting, I continued to hear Arrigo's words: "It's all in the list-serv." Like Alexander Butterfield's revelation that led the Senate Committee to the discovery of the Nixon tapes: "There's a recording system in the White House."

Over the following months, the research that Arrigo, Morty, Olson, and I did began to unravel the threads that connected psychologists and the American Psychological Association with just about every facet of the Bush administration's "enhanced interrogation" program, which, outside of the American government's and the APA's jargon, is called by its right name: torture. This research led us to two distressing, but unavoidable, conclusions: *psychologists had been instrumental in operationalizing the Bush administration's program of abuse and torture. And some members of the APA leadership had been intimately involved in ensuring that no APA policy or ethical standard interfered with psychologists continuing to play these roles.*

THE PENS PROCESS: THE APA RUBBER STAMPS DOD BSCT POLICY

What became painfully clear in our initial review of the PENS papers was that the notes and documents strongly supported Arrigo's suspicions that the task force followed a covert agenda, shared by the military members, certain of the observers, and the APA leadership, but not known by the non-military members of the task force. This was easily deduced by attending to the sequence of comments in the listserv and in Arrigo's contemporaneous notes (taken before the military members and APA leaders voted against note taking), and by closely observing the role Behnke played in selecting which aspects of the group discussions found their way into the draft reports and which were left out. Included almost invariably was language consistent with BSCT policy, whereas topics that challenged that policy, offered by the no-military psychologists, fell by the wayside. Most apparently damning was the fact that the first draft of the PENS report, produced by Behnke within 4 hours of the start of the meeting, reflected the major points contained in a document provided to the task force by Colonel Banks (Banks, 2005), described by him in the listserv as "the written instructions I give my [BSCT] psychologists" (PENS listserv, 2005, p. 17).

Each draft contained the statement, introduced into the proceedings by Russ Newman and Larry James: “Psychologists have a valuable and ethical role to assist in gathering information that can be used in our nation’s defense” (Arrigo, 2006) and another, introduced out of the blue after the first break, by Morehead-Slaughter, “safe, legal, ethical, effective.”* Like Banks’s instruction manual, which stated unequivocally, “The ethics code is subordinate to the law and regulations”, each draft of the PENS report contained a reference to following law and military regulations. The final draft directly referenced ethics standard 1.02, with its infamous “Nuremberg clause” that, in cases of conflict between ethics and law, military orders or regulation, permits following the law or military regulations.

The listserv revealed that Banks, James, and Debra Dunivin, met with Kiley about a month after the PENS weekend to “establish the doctrinal guidelines and training model for psychologists performing this [BSCT] job” (PENS listserv, 2005, p. 167). Following this meeting, BSCT standard operating procedures were rewritten, integrating the PENS conclusions, which in turn had been derived, in part, from earlier BSCT materials. The difference was that now, when the BSCT protocols described the BSCT psychologist’s ethical priorities, it did so with the imprimatur of the American Psychological Association: “The ethics code does not supersede applicable US and international law, regulations or DOD policy” (Kiley, 2006, p. 17). A copy of the PENS report was attached.

THE COALITION IS FORMED

At this point, I was becoming a committed activist. It seemed to me, reading the PENS listserv and minutes, and the presentations offered at the council meeting, that the APA leadership simply thought that the membership would take what they said at face value. If they said that psychologists do not torture, that would be the end of it; if they invoked September 11 and spoke about looking at terrorists face-to-face, the rest of us would simply grant them the authority to protect the nation in whatever way they saw fit. And certain members of the PENS Task force and the APA leadership seemed simply to think that they were smarter than everyone else, and no one would catch on to what they were doing.

Arrigo, Olson, Soldz, and I (with Morty always coming in at the right time to give us a lead or to validate or correct our wilder theories) quickly became an extraordinary team. Our different strengths were complimentary, and

* The first documented use of this phrase is in a BSCT standard operating procedure from 2004 (DoD Operational Policy Memorandum #14, p. 1). It is described as the mission of the BSCT in both Kiley’s investigation into Guantánamo and Abu Ghraib abuses in early 2005 (Kiley, 2005), and in Banks’s instructions (Banks, 2005).

enabled us to respond quickly and powerfully to the APA's propaganda, the press, and government agencies. We called ourselves the Coalition for an Ethical Psychology, a purposefully vague moniker that we knew would be confused with other similarly named groups. We never let on how many members the coalition had, but purposely encouraged the notion that we spoke for multitudes.* Our small band posted exposés on the role of the PENS members, we took on the APA leadership when they either prevaricated in public or attacked the integrity of its opponents. We were a clearinghouse of information, some classified, most divined after extraordinary efforts at research, for a host of reporters, for the Senate Armed Services Committee, and for other government agencies. And, most important, we, along with a small coterie of other psychologists and psychoanalysts-turned-activists, kept the pressure on the APA by exposing collusion and advocating for policy changes to prohibit psychologists from participating in these atrocities.†

What ensued was an extraordinary chess game, with the APA leadership working to look like it opposed torture and abusive Bush-era tactics, without actually committing itself or any psychologists to a position that wasn't fully consistent with administration policy, and our working to both expose the APA's collusion and simultaneously to hold it to the assertions of the APA public relations campaign. We don't know who, exactly, ensured that the language introduced into all APA resolutions and policies was so carefully worded as to be consistent with Yoo and Bybee's doctrines, as well as other Bush-era DoD and intelligence agency policy, but we had no doubt that someone was overseeing this effort. Every attempt our side made to pass policy against torture was undermined by an eleventh-hour rewording from the other side to take the teeth out of the resolution. Every one of their last-minute maneuvers to undermine the resolutions was met on our side by a publicity campaign exposing APA's duplicity.

2006 RESOLUTION AGAINST TORTURE

Our first inkling of what we were up against came during the council's August debate of the 2006 Resolution Against Torture (right after I addressed the council). I was new at the game and wasn't paying attention

* Since those beginnings we added Bryant Welch and Ted Strauss to the coalition.

† I want to reiterate that the coalition was one, small, focused part of a large group of activists. Ghislaine Boulanger and the WithholdAPAdues group organized a powerful political arm called Psychologists for an Ethical APA. Neil Altman, Laurie Wagner, and other activists within APA governance led the battle to pass resolution after resolution, and, as we gained momentum, other human rights organizations, including the American Civil Liberties Union (ACLU), the Center for Constitutional Rights, and Amnesty International, joined PHR in supporting our efforts.

to the nuances of the discussion. A member of council wanted to add the word *knowingly* to the resolution so that it read, “psychologists shall not *knowingly* engage in, tolerate, direct, support, advise, or offer training in torture or other cruel, inhuman, or degrading treatment or cruel, inhuman, or degrading punishment.” I wasn’t paying attention because it occurred to me that the weak point of the resolution was that, although there was a definition of torture, there was no definition of “cruel, inhuman, or degrading treatment.” I quickly wrote out a “friendly amendment” to add a definition, derived from the United Nations Convention Against Torture (UNCAT), which frequently addressed these issues in its history of jurisprudence. I brought it to members of the Peace Division, who assured me that they understood the problem and would try to address it. By the time of the vote, however, *knowingly* had been added, but nothing was said about the issue I had raised. A new version of the resolution was suddenly produced, which no one had a chance to read, the vote was called, and the resolution passed overwhelmingly.

It was only on the flight home that I had a chance to read the revised resolution. I discovered that a definition of cruel, inhuman, or degrading treatment had, in fact, been added. The definition was not aligned with the UNCAT, as I had hoped, nor was it left vague, as in the original document. Instead, the resolution now stated that “the term ‘cruel, inhuman, or degrading treatment or punishment’ means treatment or punishment by any psychologist of a kind that ... would be prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations ... to the United Nations Convention Against Torture.” So, during the break, when the APA leadership inserted *knowingly* into the text, it also managed to slip in a clause that aligned the resolution with the definition of torture, cruel, inhuman or degrading treatment contained in the Yoo–Bybee “torture memos.”*

2007: REAFFIRMATION OF THE RESOLUTION AGAINST TORTURE

Once we were able to publicize the meaning of the words that had been inserted into the Resolution Against Torture, Neil Altman began another

* “As we explain in Part III, U.S. obligations under international law are limited to the prevention of conduct that would constitute cruel, unusual or inhuman treatment prohibited by the Fifth, Eighth, and Fourteenth Amendments” (Yoo, 2003, p. 2f). *Knowingly* also makes the text consistent with the Yoo torture memo, in that Yoo argues that an interrogator is not guilty of torture unless he knows that the effect of his tactics will be “severe” and “lasting”: “We believe that if an interrogator acts with the honest belief that the interrogation methods used on a particular detainee do not present a serious risk to the detainee’s health or safety, he will not have acted with deliberate indifference” (p. 65).

attempt to change APA policy from within. Altman's argument was that since the Resolution Against Torture stated that "should torture or other cruel, inhuman, or degrading treatment ... evolve during a procedure where a psychologist is present, the psychologist shall attempt to intervene to stop such behavior, and failing that exit the procedure," and since the UN Rapporteur on Torture and the UN Committee Against Torture had agreed that the conditions at Guantánamo themselves were cruel, inhuman, and degrading treatment, psychologists had an ethical duty, under the resolution to "exit the procedure" and leave Guantánamo. Altman and a group of like-minded council members offered a resolution to establish "a moratorium on all psychologist involvement, either direct or indirect, in any interrogations at U.S. detention centers for foreign detainees. This moratorium is necessary as detainees may be currently denied protections outlined under the Geneva Conventions and interrogations techniques in violation of the 2006 APA Resolution against Torture." The APA Council scheduled a vote on this second resolution for the next APA convention to be held in August 2007 in San Francisco.

Meanwhile, the Office of the Inspector General of the Department of Defense (2006) released a report that made clear that SERE tactics had been taught to interrogators at Guantánamo, and that psychologists from Banks' command and James' command were implicated.

This time, the opposition was well prepared. What had been a small group of dedicated activists, working to change APA policy and thereby interfere with the Bush administration's torture program had grown into a large, well-organized protest movement. Damning articles on psychologists' role in torture had been published widely, including in *Vanity Fair* (Eban, 2007), *Salon.com* (Benjamin, 2007), and on the Internet.*

The APA leadership had joined with the Divisions on Social Justice to organize a "miniconvention" on interrogations, where the issues were to be discussed with representatives from both sides. The idea, as frequently articulated by Behnke, representing the APA, was that "reasonable people may disagree." The APA leadership seemed overwhelmed by the strength and size of the opposition, and by the fact that when it came to opposing psychologists' presence in a program of torture and abuse, reasonable people were relatively united. Every panel was filled beyond capacity, with the majority in the audience opposed to the APA's position. There was a public protest that gathered hundreds of psychologists and San Franciscans to the convention center. Journalists and TV news covered the story in print, on the Internet, and on television news broadcast around the world.

* Stephen Soldz and Jeffrey Kaye especially have been tireless in their integration, analyses, and exposure of psychologist and APA complicity. See Soldz' blog, www.psychanalyst-sopposewar.org, and Kaye's blog, <http://valtinsblog.blogspot.com/>.

Nonetheless, the APA leadership used their mastery over APA governance processes to ensure that no real change in APA policy was possible. First, it recast the resolution as a “reaffirmation” of the 2006 Resolution Against Torture, specifically adding a prohibition against 20 specific torture and abusive detention tactics (this seemed like a genuine change in APA’s position, and, since it prohibited outright involvement in most of the known abuses, we all supported the new wording wholeheartedly). Second, the APA leadership convinced the negotiating group that if the resolution contained the “moratorium” amendment, it was likely to fail, and the whole resolution condemning these tactics would fail. The group agreed to separate the resolution prohibiting the tactics and the moratorium for separate votes. While this seemed reasonable, the purpose behind it only became clear when new language of the first resolution was released, just hours before the vote, changing the applicability of the resolution considerably.

Although, even in the new wording, the most egregious tactics, including waterboarding, rape, and the use of drugs were still banned outright, seven of the techniques—“hooding, forced nakedness, stress positions, the use of dogs to threaten or intimidate, physical assault including slapping or shaking, exposure to extreme heat or cold, threats of harm or death”—were only prohibited if “used for the purposes of eliciting information in an interrogation process” (i.e., they were not prohibited if used as preparation for interrogation). But most disturbing was the change in the prohibition against four of the most widely used psychological techniques: “isolation, sensory deprivation and over-stimulation and/or sleep deprivation” were only prohibited if “used in a manner that represents significant pain or suffering or in a manner that a reasonable person would judge to cause lasting harm” (American Psychological Association, 2007).

In other words, once again someone in the APA leadership changed the resolution language to be consistent with the legal standards of the Yoo–Bybee torture memos (which Rumsfeld’s group cited approvingly to permit the use of these techniques at Guantánamo: “For purely mental pain or suffering to amount to torture under [the federal torture statute], it must result in significant psychological harm of significant duration” [Bybee, 2002, p. 1]).

This resolution passed overwhelmingly, as, once again, the council did not have the opportunity to learn the meaning of the new language. And once again, the APA leadership, working with the Department of Defense, brought in a surprise speaker to address the council while it was debating the moratorium resolution. Colonel Larry James came from his deployment at Guantánamo to speak out against the resolution. Even though James had not been elected to the council, he was permitted to speak because he had been selected by APA leadership to replace the Division 38 representative, who had resigned her position the night before the meeting. Appearing in uniform, James spoke against removing psychologists from sites that violated the Geneva Conventions, repeating the argument that psychologists

serve as “safety officers.” He added a melodramatic coda: “When you don’t have psychologists involved in the day-to-day activity, bad things are going to happen, innocent people are going to die” (Goodman, 2008). The moratorium resolution failed.

That afternoon the APA held a town meeting for the membership to address these same issues. Again the hall overflowed, far beyond the expectations of the APA leadership. When I spoke I asked those present to repeat the vote on the moratorium resolution. I read the resolution aloud and asked how many were in favor and how many opposed. The vote was overwhelmingly in favor. I said, “I want to know why the Council of representatives is so different in how it votes from the members of the American Psychological Association” (Goodman, 2007).

Fortunately, the town meeting was carried on public television, and journalists not only covered James’s statement at the council meeting, but Laurie Wagner’s (council rep of the Division of Psychoanalysis) response: “If psychologists have to be there in order to keep detainees from being killed, then those conditions are so horrendous that the only moral and ethical thing to do is to protest by leaving” (e.g., Alfano, 2007).

Soon afterward, the APA put out an explanatory position paper, which was such a gross example of the increasingly distorted mechanisms the APA used to claim opposition to coercive and abusive interrogations while, in practice, maintaining support, that it permitted the Coalition for an Ethical Psychology to offer our most comprehensive history of the APA’s duplicity (Coalition for an Ethical Psychology, 2008).

2008: AMENDMENT TO THE “REAFFIRMATION,” “REISNER FOR APA PRESIDENT” REFERENDUM

The public and membership outcry after the 2007 resolution vote spurred the council to forego the usual rules, and pass an amendment to the resolution, banning all the “techniques” outright, without exception, the following February. Again, however, at the last moment, the promilitary side of the group that negotiated the language changed the resolution, without the council or its negotiating partners understanding the import of the change. The original resolution applied the prohibitions to “interrogations or other detainee-related operations.” That was why the exceptions were so odious—they undermined the purpose of the resolution by exempting conditions of confinement and requiring significant and lasting harm. When the council was pressed by the membership to amend the resolution and ban all tactics without exception, it removed the clause on “other detainee-related operations” altogether, and replaced it with “An absolute prohibition against *the following techniques ...*” (American Psychological Association, 2008a). The APA has since interpreted this as applying only to techniques

used in an interrogation: “APA has specifically prohibited 19 interrogation techniques as torture” (American Psychological Association, 2008b). Thus, the leadership managed to undo, in the guise of repairing, the far-reaching ban on psychologists participation on all modes of detainee abuse that the council believed it was enacting.

It was clear to many of us that the APA leadership would continue to maintain its ties to the military and the CIA, and to these abusive interrogations and conditions unless it was somehow forced to do otherwise. And that the only way to change that policy would be for us to find a way to take the power away from the leadership and put it back in the hands of the membership. Our group decided to try a major strategy shift and run a candidate for president of the APA. I was drafted to be the candidate and hastily put together a 50-word statement to be included with the nomination ballot:

I am running for President to restore APA as a voice for human rights and social justice. The APA currently supports psychologists who facilitate detainee and enemy-combatant interrogations, even if these interrogations violate human rights and the Geneva conventions. Let’s change this policy. Please read my full statement at www.ethicalapa.com.

Simultaneously, WithholdAPAdues member Dan Aalbers discovered an obscure APA bylaw that required a vote of the membership on any policy change proposal that was petitioned by 1% of the membership. Within a few months, I had been nominated for the presidency of the APA and received the most nominating votes of any candidate, and a petition had garnered enough votes to force a referendum on the moratorium issue by the entire membership.

From then on, we all began to believe that victory was near. We knew we would be helped by the upcoming report of the Senate Armed Services Committee investigation. We knew, too, that the CIA Inspector General had written a report that exposed the role of psychologists, and hoped that it would either be leaked or declassified. The days of the Bush administration were numbered, and we hoped that all these would combine to give us success with our campaigns to turn the APA away from complicity and back toward human rights.*

In the end, the referendum won overwhelmingly and I lost. I believe that the two were related, in that the referendum vote preceded the election,

* Our cause was further aided by a book by Amy and David Goodman, who wrote about the Coalition for an Ethical Psychology in *Standing Up to the Madness: Ordinary People in Extraordinary Times* (2008) and by an article in *Newsweek* about the campaign (Ephron, 2008).

allowing members to believe that the interrogations issue was finally settled and that they could vote for the president based on other issues. To be frank, I was relieved—I don't think I could have handled 2 more years (as president-elect and then as president) devoted to APA politics and policy. But with the referendum, we truly believed we finally had inserted a wedge between the psychologists and abuse.

2009: THE BATTLE CONTINUES

After the passage of the referendum, 2008 APA President Alan Kazdin did not wait for the board or the council's approval and immediately sent letters to the president and the heads of all government agencies to inform them that new APA policy: "The effect of this new policy is to prohibit psychologists from any involvement in interrogations or any other operational procedures at detention sites that are in violation of the U.S. Constitution or international law" (Kazdin, 2008). Kazdin appointed a working group to draft a policy for implementation of the referendum. The group, composed of many of the original group who negotiated the antitorture resolutions, unanimously produced an extraordinary document, which determined that "relevant information about whether a specific site operates outside of, or in violation of, international law can be accessed by contacting ... the Special Rapporteur Against Torture" (American Psychological Association, 2008c). It went on to state that a "determination of whether a particular detention setting is 'in violation of international law' ... may include a ... denial of access to the site and to detainees by U.N. monitors" (pp. 4–5).

But when council met in February to vote on the referendum, the referendum was approved unanimously,* but the implementation policy was deferred until the August meeting. At the August council meeting it was not put on the agenda. The result was that while the APA information office publicly touted the referendum as evidence of APA's absolute prohibition against participation in detainee abuse,† the leadership privately

* Council had no choice but to approve it, since the bylaws mandated that the results of the vote would become APA policy.

† APA President James Bray wrote, for example, in a letter to editor of the New York Times on August 13, 2009: "The allegations against Drs. Jessen and Mitchell are extremely serious. While they are not members of the APA and are therefore out of the reach of our ethics process, it is the positions of the APA that any psychologist involved in the abuse of national security detainees should be held accountable for their actions." It is also noteworthy that a recent APA policy referendum states that psychologists may not work in settings where "persons are held outside of, or in violation of, either International Law (e.g., the UN Convention Against Torture and the Geneva Conventions) or the U.S. Constitution (where appropriate), unless they are working directly for the persons being detained or for an independent third party working to protect human rights" or providing treatment to military personnel.

communicated that the referendum was not binding (e.g., Garrison, 2009) and that the referendum cannot be implemented because there is no way to determine whether a site is in violation of international law.

To combat this last example of APA duplicity and complicity, I wrote Manfred Nowak, the United Nations Special Rapporteur on Torture, and apprised him of the language of the referendum, the text of the advisory committee report, and the APA's argument that there was no way to determine whether a site was in violation of international law.

On August 7, 2009, Nowak wrote a letter to 2009 APA President James Bray, which simply stated:

I certainly conclude that the overall conditions of detention at Guantanamo Bay constitutes to be “outside, or in violation of, international law” ... Thus, in keeping with both the APA's own policy and relevant international law and ethical guidelines, I request that you do all that is necessary to invoke the referendum and immediately request that the Obama administration, the Department of Defense, and the US intelligence agencies remove psychologists from Guantánamo and any other sites where international law is being violated or where inspectors are prohibited from assessing that conditions are in compliance with international law.

The APA has simply made no public response, or acknowledgment, of the letter from the Special Rapporteur. The referendum is on the books, Guantánamo conditions still violate international law, and psychologists still may participate with impunity.

CONCLUDING THOUGHTS

I began this history with the idea that my particular way of listening as a psychoanalyst influenced my understanding of what was being presented by the Bush administration and by the APA about the roles of health professionals in national security interrogations. And further, how this mode of listening pushed me over the edge, from analyst-observer to analyst-activist. As an analyst, my instinct, training, and curiosity directed me to those spots where ethical violations were being obscured by a narrative woven of heroism and ethical responsibility.* And the more I looked into it, the clearer it became to me that the psychologists involved had created a subterfuge of denial and disavowal—a cover story to disguise something hidden and more sinister.

* Freud (1900) used the metaphor of “the embroidered mark on Siegfried's cloak” (p. 515), to point to where the defensive structure itself reveals the point of vulnerability.

I found myself, in Badiou's (2005) terms, compelled to "risk risking" and join the resistance. But what surprised me as much as the psychologists' subterfuge was the extent to which our continued exposé encountered, among the vast majority of psychologists, that other resistance, a psychoanalytic resistance not only to action but, at times, to thought. To revisit Badiou's conceptualization: "the non-thinking of the situation that prevents the risk or the examination of possibilities" (p. 8). How could that small coterie of psychologists supporting the Bush interrogation policies continually enforce their hold on APA policy, in spite of the fact that their stories were debunked and their complicity exposed; how were the majority of members of the APA who opposed those policies so easily manipulated, in exactly the same way, over and over? The same questions could be asked of our nation. How could it be that government spokespeople could, early on in the war, brag to reporters about using enhanced techniques, and then later deny that the techniques had ever been used, without the reporters or the public calling them to account?

I believe that during the Bush administration our nation's psychological relationship to clandestine domestic and foreign policy activity changed dramatically. The activity itself has not changed; the CIA, for example, has researched and supervised torture for at least 50 years. Psychologists and psychiatrists have been part of that research (see, for example, McCoy, 2006). What has changed, I believe, are the psychodynamics of the representation of that activity.

To understand these psychodynamics, I propose we view the nation's intelligence and national security agencies as a kind of tacit unconscious force. It is unconscious insofar as these agencies exist to carry out aims and means of governmental policy that cannot be acknowledged publicly. They are tacit in that, although they are known to exist, by public agreement their operations are unacknowledged.

Historically, the citizens' relationship to the "tacit political unconscious" functioned in a manner akin to the psychodynamics of neurotic individual and family processes. The government, in this sense, is experienced as the parental agency, responsible for law, order, and maintaining conditions of well-being. The clandestine agencies are permitted to deviate from those standards, so long as they (a) work abroad, and (b) are seen to be fulfilling national security operations without the gross breach of moral and legal standards that would cause them to be noticed (i.e., brought into awareness). In cases where clandestine activities breached those standards and were brought into public awareness, the "public" (Congress, the press, public opinion) was forced to address the breach. The results are not so different than when an individual is exposed for having secretly acted upon forbidden and repressed desires: shame, guilt, redress, and the institution of new restrictions.

The Bush administration changed this essentially neurotic process of repression, breach, and repair into something else altogether. That administration's relation to clandestine activity and its public face shifted away

from the neurotic paradigm to a narcissistic/sociopathic one. The fundamental principle that all players were beholden to legal and ethical standards was replaced by a philosophy of unchecked executive power. The clandestine agencies ceased their role as enactors of tacitly unconscious political aims, still beholden to a higher standard of law and the constitution, and began functioning as an arm of the self-justifying executive, no longer beholden to the law.

Unfortunately, the American public was primed, prior to the advent of the Bush administration to take a corollary narcissistic-dependent position, ready to grant exceptional power to government in exchange for a promise of exceptional protection.

I have previously written (Reisner, 2003) about the cultural shift toward narcissism, describing the elevation of trauma as one of its central symptoms:

These elements, taken together—the exceptional, privileged status of the traumatized, the assertion that the needs of the traumatized are responded to as if they reflect life-or-death urgency, the location of the threat to well-being as coming exclusively from the outside ... the aim of the effort toward restoration of a former idealized state ... reveal that, to use psychoanalytic terms, trauma has become the venue in our culture, and in our treatment, where narcissism is permitted to prevail. (pp. 407–408)

September 11 solidified what was already a move in this country toward a culture of exceptionalism. After September 11, the Bush administration emphasized aspects of that terrible event to promote a fear-based, narcissistic response in the populace (much as malignant narcissism in a parent often promotes dependent narcissism in the child). Americans were encouraged to employ primitive defenses, such as splitting good and evil, locating the evil exclusively outside, and idealizing a national identity that had been victimized (“Why do they hate us?”) in order to justify an “any means necessary” approach to restoring the wounded ideal. The manipulation of fear and narcissistic regression resulted in a population willing to perceive every threat as life and death, and because of this activated, regressed state, the old rules of following ethical and legal standards and precedents no longer applied.

More disturbing to the social psyche, the Bush administration made clear that it would determine the legality of its tactics, without regard to any other historic or political authority. The executive branch simply denied the applicability of precedent, or moral or legal traditions. In claiming its own law and violating heretofore agreed upon treaties and traditions, especially with regard to gross violence and abuses of power, the Bush administration institutionalized a sociopathic model of authority—permitting no recourse

to external standards of morality. The relation of the public to the clandestine agencies changed dramatically, eschewing the public check on exposed illegal behavior in favor of a culture of disavowal and blind support, because, in a sense, without external referent for what is legal or illegal the (parental) authority can only be seen as protective or frightening—there is no middle ground.

The APA leadership crudely invoked the power dynamics of the Bush administration, counting on the fact that, if treated with a combination of fear-inducing rhetoric and the aggressive assertion of the right to abrogate any law, treaty, or ethical standard in the name of self-protection, the APA Council would disavow any evidence that its leadership was supporting and, in some cases, participating in abuses. This proved to be an accurate assessment.

Although we may not have been conscious of what we were doing, our group's aim could be seen as an attempt to restore the neurotic position, vis-à-vis government and the APA. Our aim was to reintroduce a sense of guilt and responsibility, by reinvoking the obligation to legal and ethical standards outside of the leadership. We tried to apply international law and the Geneva Conventions to psychologists' role in national security activity, and simultaneously to restore the independence of the APA ethics code. As we discovered that the APA leadership, like the Bush administration, was functioning according to a sociopathic model (acting as if it were in complete control of association rules and needing only to promote a fear-based manipulation of the membership), we realized that we had to go around the leadership and reinstate a process where the exposure of tacit unconscious processes that broke the law and violated ethics might once again be received with guilt, redress, and the imposition of renewed standards. We bypassed the leadership and brought a referendum to a successful vote. Now it is a matter of forcing the leadership to comply with what is now APA policy.

LOVE, WORK, RESIST, ACT

Should we continue the struggle? After all, the Bush administration is history and the Obama administration has vowed to close Guantánamo and asserts that its actions will comply with the Geneva Conventions. What does it really matter, if the APA wants to deny its complicity and maintain its economic and political ties to the Defense Department and the CIA?

For me the problem remains a serious one in the following ways. First, in spite of the new administration's assertions, indefinite detention, isolation, force-feeding, and other abuses continue at Guantánamo and other detention centers. Second, the BSCTs remain a part of intelligence operations, and the same psychologists who created their operating procedures during

the times of terrible abuses are determining their future operations. Third, not a single psychologist has been held to account for these abuses, by the APA or any ethics or licensing board. Fourth, APA policy on national security has been dictated and continues to be dictated not only by psychologists who were part of the operations of abuse, but by others who profit privately from military and intelligence contracts.

But at the same time I have been heartened by colleagues around the world who have watched what we've been doing and applaud our willingness to stand up to the both the APA and the U.S. government, and to have had a hand in exposing and changing policies of abuse and torture. And I've been part of a generation of analysts making use of our analytic skills to change society for the better.

I've come to believe that the final stage of psychoanalysis is action. Analysis, when all is said and done, is a process of progressive rupture: internal rupture, in that habitual resistance to full experience and cognizance, is progressively undermined; and external rupture, in that the analysand becomes progressively adept at resisting the manipulations of personal and political power narratives. Psychoanalysis can be seen as the progressive undermining of internal resistance in order to foster external (or political) resistance. To Freud's dictum that psychoanalysis frees the analysand to love and to work, I would say, and to complete the process, it is also necessary to find the freedom to resist and act.

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