

COALITION FOR AN ETHICAL PSYCHOLOGY

human rights * ethics * social justice

www.ethicalpsychology.org

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Members of the American Psychological Association Board and Council of Representatives:

At your meeting later this week in Washington, D.C., you are scheduled to receive the current draft of the “comprehensive document” prepared by the “Member-Initiated Task Force.” Their document purportedly reconciles all APA policies related to psychologists’ involvement in national security settings. As representatives of the Coalition for an Ethical Psychology, we oppose the agenda of this five-person “task force.” We request that you review the key issues we have presented here, in advance of your upcoming discussions.

The Member-Initiated Task Force arose in response to our call for annulment and repudiation of the 2005 Report of the APA’s Presidential Task Force on Psychological Ethics and National Security (PENS). Thirty-three groups have endorsed our online petition, including Physicians for Human Rights, the ACLU, the National Religious Campaign Against Torture, and the executive committees of eight APA divisions. [The petition](#) has also been signed by current and former APA division presidents; former members of the APA Ethics Committee; many psychologists and human rights advocates; other mental health professionals; attorneys who have represented Guantanamo detainees; and military and intelligence veterans. (signers are listed [here](#)).

The Coalition’s core criticisms of the Member-Initiated Task Force can be described quite simply. First, the consolidation policy of the task force would enshrine the unwarranted presumption that psychologists’ involvement in national security operations is indeed ethical – even in those operations where the intent to harm is apparent, where informed consent is absent, and where ethical oversight by outside professional or state bodies is obstructed by the classified nature of these activities. In arriving at this critique, the Coalition has collaborated with and benefited from the guidance of military interrogators, counterintelligence professionals, military attorneys and ethicists, and military health professionals. Second, the task force serves to prevent, or at least indefinitely postpone, serious engagement with challenging ethical issues while protecting APA’s leadership from accountability and insulating APA’s governance from much needed reform.

Like the PENS Task Force, the Member-Initiated Task Force has been guided from the outset by the APA Board and staff – despite repeated claims about its “grassroots” and “independent” nature. By the chairperson’s own account, members of this task force initially approached the APA Board to urge that the Board itself create a task force to consolidate APA policies. The Board recommended that this effort instead be pursued as a “member-initiated” project, with the Board providing support and resources (for example, in an early announcement, one of the contacts listed for more information about the task force was APA’s Senior Policy Advisor). Moreover, one task force member is also a member of the current APA Board as well as president of a major defense contractor awarded tens of millions of dollars from the Department of Defense over the past decade.

The Coalition for an Ethical Psychology believes that greater awareness, accountability, engagement, and guidance are urgently needed in order to prevent ethically fraught aspects of national security psychology from undermining our profession’s most noble aspirations. Our

concerns over APA policy go far beyond matters of torture. That a psychologist should not engage in torture is obvious; to highlight this precept alone is to present an exceedingly low bar for our profession. Professional ethics in psychology – based on broad “do no harm” principles – expects much more of us. In the long run, the public’s respect for psychology depends upon preserving our profession’s commitment to improving the lives of others and refraining from harmful actions. It does not serve psychology or psychologists for our profession to stand alone among the health professions in permitting our licensed professionals to participate in abusive or coercive practices.

The difference between the Coalition’s call for annulment and repudiation of the PENS Report and the Member-Initiated Task Force’s consolidation of APA’s related policies is profound. The original PENS Task Force was created in 2005 by APA’s top leadership in response to published reports that U.S. psychologists acted as planners, consultants, researchers, and overseers of abusive and sometimes torturous “war on terror” interrogations at Guantánamo Bay Detention Center, Bagram Air Base in Afghanistan, and CIA “black sites.” Six of the nine psychologists appointed to the PENS Task Force as voting members were on the payroll of U.S. military or intelligence agencies, presenting clear conflicts of interest. Several of them operated in the very chains of command implicated in detainee torture and abuse. Undisclosed high-level APA representatives at the PENS Task Force meeting were engaged in lobbying for Department of Defense and CIA funding. These representatives had a vested interest in a PENS Report compatible with White House policy, including the permissive definition of torture in U.S. law rather than in international human rights law (even though the APA is an accredited NGO to the United Nations). The PENS Task Force actively refused to examine available reports of psychologist participation in detainee abuses while taking as axiomatic that psychologists were preventers and not perpetrators of harm. In short, the PENS Task Force rubber-stamped the government’s unsubstantiated claim that psychologists serve to keep detention and interrogation operations safe, legal, ethical, and effective.

Moreover, the PENS Task Force presupposed that psychologists’ participation in national security detention and interrogation operations was ethical – despite conflicting Ethics Code standards premised on avoiding harm; requiring informed consent; defining one’s role; avoiding multiple and exploitative relationships; informing about the limits of confidentiality; acting within one’s scope of competence; and using only validated tools. The PENS Task Force met for only a single weekend, after which the Ethics Office director immediately produced a full draft report. Task Force members were given only 24 hours – much of which for some was taken up by travel – to accept or reject the report. The APA Board then invoked rarely used emergency powers to quickly make the PENS Report official APA policy, preempting a standard review and vote by APA’s governing body, its Council of Representatives. The identities of the PENS Task Force members were not included in the Report, were not posted on the APA website, and were withheld from members of the APA and members of the press requesting them. The Task Force chair designated two APA staff members as the sole spokespersons for the Task Force, and by majority vote Task Force members agreed not to speak about the PENS process or PENS Report with others.

At this point, nearly eight years after the adoption of the illegitimate PENS Report, it is critical for members of the APA Council of Representatives to resist the time-consuming and counterproductive agenda of the Member-Initiated Task Force. Instead, we recommend serious consideration of all of the following:

1. Annul and repudiate the 2005 PENS Report. This should include investigation of the processes by which the APA leadership turned the Association’s ethics decision-making in this domain over to the military–intelligence establishment.

2. Fully implement the 2008 membership petition referendum, which excludes psychologists from national security detainee settings that fail to meet certain standards, and adopt it as an *enforceable* section of the APA's Ethics Code. Full implementation involves timely investigation of current U.S. detainee sites where psychologists may work.

3. Seek clarification from the APA Ethics Office regarding the status of ethics complaints brought against APA members allegedly involved in abusive interrogations. In some cases these complaints are now several years old. To the best of our knowledge, they have never been adequately investigated and adjudicated by the Ethics Committee.

4. Push for APA action on key sections of the Ethics Code that remain highly problematic from a human rights perspective, especially in light of indications that they have been abused by the military-intelligence community. In particular, Section 8.05 currently dispenses with informed consent "where otherwise permitted by law or federal or institutional regulations," and Section 8.07 sets an unacceptably high threshold of "severe emotional distress" for not using deception in research design.

5. Support bills introduced in several state legislatures that would prohibit licensed health provider participation in torture or ill treatment of prisoners or their direct participation in interrogations. These bills will remedy some of the weaknesses in APA policies in this area through state action.

Sustained efforts such as these are needed to balance APA's excessive accommodation to military-intelligence priorities. This unwarranted accommodation – highlighted by the PENS Report but extending far beyond it – has facilitated harm to vulnerable populations by supporting policies that lack adequate protection against abusive treatment; has badly damaged the reputation of U.S. psychology both domestically and internationally; has diminished the APA's commitment to advance psychology for the purpose of promoting health, education and human welfare; and has compromised the integrity of the relationship between professional psychology and the security sector. The preponderance of psychologists whose work supports the U.S. military and other defense-related agencies – including the many psychologists providing valuable services to soldiers and veterans in VA hospitals and other medical facilities – are *not* engaged in ethically fraught areas of operational psychology typified by behavioral science consultations to interrogations and conditions of detention. Our efforts are, in part, an attempt to protect psychologists in the military and in national security who strive to practice in accordance with psychological ethics and international law and are directed or recruited to be purveyors of harm.

We ask the APA Council of Representatives to apply itself to the real work of addressing psychological ethics in national security settings and to dismiss the consolidation policy effort of the Member-Initiated Task Force.

Sincerely,

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