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Dr. Michael Gelles  
Dr. Olivia Moorehead-Slaughter

March 18, 2007

Dear Drs. Gelles and Moorehead-Slaughter,

I appreciate receiving your letter, Dr. Gelles, and I resonate with many of the points you make in it. I admire your courage in reporting your concerns about interrogations to senior leaders, and I agree with you that psychologists can potentially have a positive effect in training interrogators in safe and effective ways, based on the fostering of rapport, of questioning detainees. However, I would like to make some additional points, not addressed in your letter, that have convinced me that it is not appropriate for psychologists to be involved in interrogations at US detention centers holding “enemy combatants”.

1. Psychologists working in the detention centers could legally be ordered to train or otherwise to participate in interrogations that would be illegal under international law, but legal under current US law. As per the military commissions bill of 2006, only “grave breaches” of the Geneva Conventions, as defined by the President, qualify as war crimes under US law. Simple breaches of the Geneva Conventions are not illegal under current US law as long as they do not rise to the level of “grave breaches” in the view of the President. A psychologist who reported abuses to superiors, as you did, would have to make the case that what he or she observed was more than simply a breach of the Geneva Conventions.

2. The use of interrogation techniques that are damaging to the psychological state of detainees is not limited to those who are not properly trained. “Fear up” “Pride and ego down” and “futility” techniques of interrogation are acceptable in the military as long as they do not cross a line into torture, or cruel, inhuman, or inhuman treatment. This line, however, is poorly defined. When does “pride and ego down” become humiliation (banned under the Geneva Conventions), when does “fear up” become a threat (also

banned), and so on. The answer has to be: no one can know for certain, because the standard set by the Geneva Conventions is not the same as the standard currently set by the US Government. Psychologists working in the detention centers could be ordered to train interrogators in techniques that create fear and damage the self esteem of detainees, and they would have no right to object unless the damage met the standard set by a “grave” breach of the Geneva Conventions. A psychologist could object that training interrogators in techniques that raise the fear and humiliation level of detainees runs counter to the ethical principles of psychologists that state that psychologists do no harm. Presumably the forthcoming case book could advise psychologists in techniques that are considered unethical from this point of view. Yet, if the techniques are legal under US law, the psychologists could be legally ordered to participate; if they decided to participate for fear of damage to their careers or fear of court martial, they would have an ethical loophole in the form of standards 1.02 and 1.03 that allow psychologists to follow orders even when they run counter to the ethical principles.

3. Your reporting of abuses to your superiors was a courageous and noble act. It does not follow that such action should be expected from all military psychologists. Assessing the legal status of an interrogation technique and reporting abuses is not in the training and job description of a psychologist. To put psychologists in a position where they would have to do so is to take upon ourselves, as a profession, the burden of trying to prevent or undo the damage caused by inadequate legal protection. This burden properly belongs to politicians and government officials whose job it is to protect basic human rights.

4. I do not think it would be appropriate to call for a moratorium on the presence of psychologists in prisons because, despite the mistreatment of mentally ill prisoners, those prisoners do have legal rights and courts of law to which they can turn to challenge their detentions and the treatment they are receiving. This is not the case for “enemy combatants”.

5. In an ambiguous legal framework, psychologists and others who participate directly and indirectly in interrogations are in danger of damage to their careers if they refuse an order they find unethical or illegal, but in danger of future criminal prosecution if they carry out that order. Government officials are retroactively protected against war crimes prosecution under the 2006 Military Commissions bill, showing how seriously the threat of future criminal prosecution is being taken by those who have authorized interrogation techniques. APA, in my view, needs to take seriously the question of how to protect psychologists from such a no-win situation.

I understand that the absence of psychologists in detention centers would do nothing directly or immediately to improve the situation there, and could even lead to short-term deterioration in conditions if advocates for safe and effective interrogations were removed. On the other hand, in my view the problem is systemic, a lack of legal protection of basic human rights, not a few people who are poorly trained and as a result get carried away. APA, all of us as a group, can make a better contribution to changing this situation by publicly recognizing it as untenable for psychologists and for all those

who live and work in the detention centers. We do not want to create any impression, unjustified though it may be, that we approve of the legal framework around the detention centers by virtue of our functioning within that framework.

Once again, Dr. Gelles, I have the highest respect for you and for what you have done. I appreciate and respect your concern.

Best regards,

Neil Altman, Ph.D.