

April 6, 2007

Dear Dr. Gelles,

Thank you for a copy of your letter.

I think we agree that the human rights abuses in US Armed Forces' war on terror prisons has profoundly damaged human rights law, the perception of the United States, the reputation of our Armed Forces. It also, even in the view of members of the Joint Chiefs of Staff, possibly fatally damaged our ability to be a catalyst for a civil society in Iraq. Colin Powell predicted these disastrous consequences before the ill-considered interrogation and imprisonment policies were put into place.

I believe that it is short-sighted and parochial to argue that "Psychologists should not defer to lawyers on the question of what constitutes torture or cruel, inhuman, or degrading treatment." International law is at stake. The key phrasing of the President's and Secretary of Defense' 2002 memoranda directed that the "provisions" of the Geneva Conventions be set aside while respect for the Conventions' "principles" would somehow still guide our policy.

I do not doubt your claim that you "didn't go through a legal analysis" to arrive at your conclusion that the prisoners were being abused although you did make extensive use of legal consultants and legal standards in pressing your complaint. Your moral compass however was insufficient to protect Mon Adel Al Jamadi in Iraq, Dilawar in Afghanistan, or Al-Qhatani at Guantanamo [the last of whom, as we both know, was systematically abused by your colleagues in psychology and mine in medicine]. We both know that numerous Defense Department Criminal Investigations concluded that abhorrent behavior should be exempted from censure or sanction largely because of policies which did not define abusive treatment. Furthermore, definitions of torture, cruel, inhuman, and degrading treatment are needed and provided in international law to authoritatively speak to regimes such Liberia or Myrnamar. The current administration and Defense Department policies were crafted to erase explicit benchmarks; they have been a disaster.

Your assertion that psychologists will not be forced into engaging in unethical behaviors is also off the mark. The depressing history on this subject shows that 60 percent of torture survivors see clinicians during their abuse. Such clinicians are rarely coerced; they are willing participants. Some are zealous patriots; some are go-along bureaucrats; some lose their way in an alien milieu that lacks proper command accountability.

In sum, explicit definitions, firm accountability, and bright lines separating behavioral scientists from coercive interrogation (as the FBI's Behavioral Analysis Unit tried to provide the Defense Department at Guantanamo) are necessary. The APA lacks all of these and its guidance therefore is insufficient to protect prisoners, psychologists, or the reputation of the Association.

Sincerely,



Steven Miles, MD

Professor of Medicine and Bioethics.