

The American Psychological Association and the torture complex: A phenomenology of the banality and workings of bureaucracy

DAN AALBERS & THOMAS TEO

Summary

In 2015 Attorney David Hoffman and his colleagues published the results of an extensive independent review in which he concluded that the American Psychological Association (APA) interacted with the Central Intelligence Agency (CIA) and colluded with the Pentagon in an effort to curry favor with these agencies and to protect and expand the role of psychologists in the interrogation programs of the CIA and Department of Defense (DoD). As part of this collusion, the APA's bureaucracy took great efforts to ensure that its ethics policies did not conflict with the policies of the Pentagon – even doing so in defiance of the will of its membership. Many members of the APA greeted the revelations of the Hoffman report with shock. While psychologists should be dismayed by the revelations of the Hoffman report, we argue that anyone familiar with the history of American psychology's entanglement with the national security state should not be surprised to learn that psychologists were designing and legitimizing torture. In order to understand the APA-DoD collusion we turn to the historical roots of the torture crisis and the structure and culture of the APA. We explore the roots of disciplined psychology's role in collaboration with the security apparatus; analyze the institutional structures, ideological formations and cultural norms within the APA that have enabled this collusion; and investigate and challenge,

from a phenomenological and theoretical point of view, one of the biggest scandals that American psychology has faced.

The American Psychological Association (APA) in its self-understanding is the »leading scientific and professional organization representing psychology in the United States.«¹

Founded in 1892, the association developed from a handful of founding members to over 117,000 fellows, members, associates, and affiliates in 2016. This number does not represent the highest level of membership that APA has achieved in its history, and the torture complex may be one reason why psychologists have, in recent years, resigned, not renewed or not initiated their membership. It should be mentioned that the Association for Psychological Science (APS) (formerly known as American Psychological Society), currently with about 26,000 members, was organized in the late 1980's as a competing academic association. Critics would cursorily refer to APS members as »positivists« or »naïve empiricists,« as this society represents psychologists with a commitment to (natural) »science« – reflecting the interests of academic scientists more than those of professional psychologists.

Although a detailed account of the history of APA, with its headquarters in Washington, DC, cannot be provided here, we would like to mention that the shift in focus to professional psychology has led to some fascinating contradictions. For example, APA is much more »diverse« in terms of theoretical and empirical outlooks than APS, to the degree that, for instance, psychoanalysts, humanistic psychologists, peace psychologists, philosophical psychologists, psychologists of religion and spirituality, feminist psychologists, and even qualitative and activist psychologists, can find a home in one of APA's 56 divisions (which would be impossible in APS). In addition, APA has not shied away from getting involved in progressive causes (e.g., support for same sex marriage²). On the other hand, APA as a large organization with a large bureaucracy – one that depends on money, power, and recognition – has been involved in lobbying activities at various levels of authority, and has been proactive for reactionary causes, as the torture complex demonstrates.

Psychology's focus on the individual and disciplinary pressures to remain value-neutral leads to a training that leaves many American psychologists political-theoretically naïve. Yet, because of the need to prove the usefulness of psychology, APA's leadership has often collaborated with the ruling government of the day. Despite a self-understanding that psychology is simply a helping profession, a variety of historical examples have challenged this notion, and have rather suggested a political dimension to psychology's activities (e.g., Gould, 1996). Thus, the crucial ethical-political question for psychology, as a »helping profession,« is this: Who is being helped? In recent years, this question has become particularly salient regarding the torture complex. After enormous internal and public pressure regarding an assessment of the role of the APA in the War on Terror, the APA Board of Directors asked in 2014 the law firm Sidley Austin in Chicago to conduct an independent review of the collusion between APA and the Bush administration on »enhanced interrogation techniques« in the so-called War on Terror and its aftermath.

The result of the investigation, known as the Hoffman Report, indicated a profound collusion between APA and government agencies. In July of 2015 Attorney David Hoffman et al. (2015) published the results of this extensive independent review. The 542-page document concluded that the APA collaborated with the CIA (Central Intelligence Agency) and colluded with the Pentagon (headquarter of the Department of Defense) in an effort to curry favor with these agencies and to protect and expand the role of psychologists in the interrogation programs of the CIA and Department of Defense (DoD; Pentagon). Further, the report also concluded that APA continued to work with the Pentagon even as credible evidence surfaced that psychologists were designing tortures (see also Soldz, 2008).³

The following are several key conclusions cited directly from the Hoffman report: (a) »Key APA officials ... colluded with important DoD officials to have APA issue loose, high-level ethical guidelines that did not constrain DoD in any greater fashion than existing DoD interrogation guidelines. We concluded that APA's principal motive in doing so was to align APA and curry favor with DoD. ... to create a good public-relations response, and to keep the growth of psychology unrestrained in this area« (Hoffman et al., 2015, p. 9); (b) »APA officials engaged in a pattern of secret collaboration with DoD officials to defeat efforts

by the APA Council of Representatives to introduce and pass resolutions that would have definitively prohibited psychologists from participating in interrogations at Guantanamo Bay and other U.S. detention centers abroad« (p. 9); (c) »we found that current and former APA officials had very substantial interactions with the CIA in the 2001 to 2004 time period, including on topics relating to interrogations, and were motivated to curry favor with the CIA« (p. 10); (d) »we found that the handling of ethics complaints against prominent national security psychologists was handled in an improper fashion, in an attempt to protect these psychologists from censure« (p. 10).

Our purpose here is not to give a full account of Hoffman's finding, which may be found in the report's executive summary (Hoffman et al., 2015). Instead we seek to address why the torture complex occurred, why psychologists should not be surprised by the findings of the Hoffman Report, and why something similar to the torture complex is likely to happen again. We address these questions from a phenomenological and theoretical perspective. By phenomenology we do not mean a specific philosophical methodology but rather an approach that takes the first-person perspective into account that is combined with theoretical reflection.

Situating ourselves

Before beginning our phenomenology, it is important to ground this analysis in actual persons. Dan Aalbers has been an active participant in the efforts to reform the APA and many of his assessments are based on his experiences while working inside the APA. The APA leadership's attempts to thwart his efforts, as well as those of his collaborators and co-authors, are spelled out in section VIII of the Hoffman report. Many of his first-person accounts are based on his experiences while serving on APA committees, his collaborations with members of the APA's Council of Representatives (COR) and interactions with APA senior staff. This creates an ethical quandary because the people with whom he was been interacting with did not expect to be speaking into a public record, and most people assume that emails and phone conversations are private. At the same time the prevention of any further disciplinary complicity with entities that torture is a compelling need, one we hope can be addressed, at least in part, through the writing of this history. In an effort to balance the interests of privacy with a relevant analysis of

historical events, the accounts have been partially anonymized, speakers are identified in terms of group membership, such as »senior staff« and »committee member.«

Thomas Teo has been involved with APA to the degree that he has been a member and fellow for many years, he has co-edited a book with APA (Green, Shore & Teo, 2001), is a former editor of the APA Journal of Theoretical and Philosophical Psychology (2009–2014), has participated regularly in its conventions, and serves as current president of APA Division 24 (Society of Theoretical and Philosophical Psychology). He has also published an article on critical psychology in one of its flagship journals (Teo, 2015). Thus, APA has provided him with opportunities for disseminating alternative ideas, and he has had good working relations with APA at the rank and file staff level. In December 2016, APA's Public Interest Directorate just sponsored the conference »Adelante: Meeting the Social and Legal Services Needs of Central American Refugees in New York,« in which Division 24 participated. On the other hand, as a critical psychologist, Thomas Teo has been appalled by the recent workings in the higher bureaucracy, and has experienced first-hand how the references to bylaws and rules make it often impossible to advance progressive causes. Such disciplinary practices demand a critical analysis of institutional contradictions that includes a critique of society, power, and bureaucracy.

The 2008 Referendum

In 2007 Dan Aalbers, with Brad Olson, Ruth Fallenbaum and Ghislaine Boulanger invoked a never-used provision of the APA rules that allowed rank and file (regular) members of the APA to petition to put legislation up for a direct vote of the membership. This legislation known as the »Referendum« and which they co-authored, banned psychologists from working for the authorities running illegal sites such as the CIA black sites and the naval camp at Guantanamo Bay (hereafter referred to as GITMO).⁴ While the membership referendum passed by a majority of 59%, the APA bureaucracy worked behind the scenes to prevent the implementation of the referendum. Aalbers and his allies spent the next 7 years trying to enact the will of membership and to ensure the removal of psychologists from GITMO (Hoffman et al., 2015). But how was it possible for the

APA bureaucracy to prevent the implementation of the Referendum and to undermine the will of the membership?

While much of the story is told in section VIII of the Hoffman report, a few experiential details should be mentioned for analysis. Soon after the referendum passed, the authors of the policy were told that the referendum could not go into effect unless they participated with the adversaries of the referendum to prepare a document that interpreted the referendum and made recommendations on how to implement it. While we saw this as an attempt to rewrite and/or defang the referendum, the lawyers we conferred with advised that courts would be unlikely to intervene, unless we could convince a judge that all internal avenues for enacting change had been exhausted.

While the panel (APA Presidential Advisory Group on the Implementation of the Petition Resolution; PAG) was dominated by opponents of the referendum, Aalbers and his co-authors came to the panel with an incentive to make recommendations and demands that ensured that the referendum would be implemented. Ultimately, the panel produced a strong report that encouraged the APA to take several strong actions including lobbying the United States Congress to establish a truth and reconciliation commission. However, the APA staff, working with the president of the APA at the time, succeeded in ensuring that the report was given the administrative status of »received« (see below), meaning that the association was not obligated to enact any of its recommendations. In practical terms, this meant that every concession and gain that had been made was treated as nothing more than ink on paper. The staff had succeeded in defeating the referendum.

Bureaucratic sabotage

As the Hoffman Report makes clear, senior APA staff had been working to align APA policy with that of the Pentagon. The staff had found a way to stack the APA Presidential Task Force on Psychological Ethics and National Security (PENS) to ensure that the interests of the military psychologists dominated. The staff worked to prevent the referendum from being implemented and wrote the many strong-sounding but practically meaningless denunciations of torture. While several presidents such as Ronald Levant (2005 APA President), Gerald Koocher (2006 APA President) and James Bray (2009 APA President) played

important roles in keeping APA and DoD policies synchronized, the senior staff members were the power behind the throne, and played a much more significant role in the torture scandal than did any single president.

In analyzing the success of the senior APA staff over the years, it is worth borrowing from Jacoby's notion of bureaucratic sabotage. Jacoby (1973) collects brief historical case studies in which bureaucrats succeed in preventing their putative leaders from enacting policies. For example, when the social democrat Rudolf Hilferding (1877–1941) was appointed Finance Minister in Germany in 1923, his subordinates found a way to deliver the ministerial documents to him in a manner that prevented him from performing his duties. Only when Hilferding informed the ministerial staff that he would avoid undertaking any radical reform efforts was he allowed to receive the documents he needed to perform his duties.

While the APA's efforts were subtler, they were no less examples of bureaucratic sabotage. Instead of playing the role of servant to the membership, it became clear that the APA staff actively sought ways to ensure that the referendum would never be implemented. While the APA staff presents themselves as the servants of the membership, they are the *de facto* leaders of the association. As Strauss (1961) notes, in modern bureaucracies, the official is no longer truly subordinate to his or her superior. Jacoby (1973) invokes Max Weber who noted that even the Czars had trouble instituting policies that were opposed by their underlings. Specialized knowledge is a form of power in a bureaucracy, and the functionary typically has superior understanding to that of his or her putative superior (see also Graeber, 2015).

Bureaucrats are therefore what Strauss (1961) calls the »ruling servants« of given organization; they are able to survive transitions in power and typically rule longer than elected leaders (Jacoby, 1973). As Jacoby notes, the ability to survive transitions in power necessitates a conservative mindset. Dramatic changes in policies are threats to the power and position of the bureaucrat. Because the bureaucrat's advantaged position relies upon a superiority in existing corporate »knowledge,« a shift in policy represents a potential of a shift into an area of ignorance and a potential loss of power of the putative subordinate over his or her putative superior. In addition, senior bureaucrats who are not alienated from their work product feel a sense of ownership in relation to past or existing policies; they do not want the next elected leader to undo their work because it is their

work. This sense of ownership is particularly profound in an organization like the APA that changes its president every year.

When the referendum passed, the then president of the APA called Dan Aalbers to congratulate him on his victory, and also to confirm the decision – made by unelected APA staff – that the referendum would not be implemented until and unless Aalbers agreed to sit on a panel with the adversaries of the referendum in order to decide how it would be implemented. The APA leadership had decided that the referendum could not go into effect immediately and, besides, Aalbers was told, no one inside the APA understood what the referendum was saying. In a comic moment during the conversation, the president declared: »If your theory is that I am being controlled by my staff, you are wrong. Dead wrong!« – a statement immediately followed by »[The staff] will be in touch with the details.« From that moment on, the elected leader was no longer involved, and the staff »handled the details.« Notably, the letters signed by the presidents are often written by the APA staff, the members of the presidential task forces are chosen by the staff, and the staff oversees the products of these task forces.

Another factor enabling the rule by the »servant« is the alienation that most psychologists feel towards the APA. For many academics, the APA is an organization that puts together a conference and membership is a mechanism for securing discounts on journal subscriptions. The alienation felt by most academics is even more profound with many clinicians viewing the APA as nothing more than a means by which to secure insurance (Boulager, 2012). Neither the academics nor the clinicians know about, or particularly care about, the actions of »invisible« bureaucrats.

As Hoffman et al. (2015) note, the staff have the ability to control the APA by carefully selecting the members of the various task forces and committees. This raises questions of how and why the elected leadership came to view task forces that were dominated by a particular group of psychologists – in this case, by military psychologists, as legitimate. A partial answer comes from an unlikely source: The value that the elected leadership places on diversity. As the old saying goes, »the road to hell is paved with good intentions,« and if ever there was a scandal deserving that adage it is this one. The APA in its organizational structure, practices and culture has an authentic appreciation of the values of diversity, pluralism and multiculturalism. Yet, the naive application of these values was an

important factor in the domination of the APA by one group of psychologists – namely, military psychologists.

Dialectics of diversity

When task forces are formed, the APA takes great efforts to ensure a diversity of participants. Indeed, in 2005, the same year the association produced the PENS report that aligned APA policy with the policies of the department of defense, the association also produced a report on diversity; further, the president who did the most to censure critical voices inside the PENS task force formed a committee to ensure that the association's theoretical commitment to diversity was reflected in concrete institutional structures (Report of the APA Task Force on the Implementation of the Multicultural Guidelines, 2008).

As the philosopher Taylor (1994) notes in his classic text on multiculturalism, liberal understandings of recognition require that individuals be recognized as free and equal individuals who interact with each another on a neutral plane. Further, the failure to recognize the other can do real damage to the individual who is not being recognized or is being misrecognized. A critical myth of the orthodox liberal understanding is that all people who are interacting are, by virtue of their natural endowment, equal individuals, and thus any restrictions on recognition or participation in a dialogical encounter is morally suspect.

Taylor (1994) posits a politics of difference as opposed to a politics of equality. The former is sensitive to the real power differentials between the individuals in a dialogical encounter. On the basis of a politics of difference, one could advocate not just for compensatory treatment to the less powerful individual in the form of policies, such as affirmative action, but also for restrictions on powerful individuals. The Canadian philosopher Taylor has also restrictions on English language signs in the French-speaking Canadian province of Quebec in mind (although one should debate the dialectics of restriction in this example as well). If two individuals with unequal power enter into dialogue and pretend that they are equal, the interests of the powerful will inevitably dominate. If instead the power differential is acknowledged, the egalitarian ideal of recognition may be achieved.

Inside the APA, Division 19, the Society for Military Psychology, is one of the smaller divisions, its membership ranging between 400 to 600 psychologists

between 2005 and 2013.⁵ Yet, a military psychologist has been present on each one of the APA task forces involved in the crafting of APA policy on interrogation. To many APA insiders, the need to have a military psychologist involved in the crafting of interrogation legislation is either self-evident (if the policy might impact that individual, it is important to have him or her involved), or justifiable based on intellectual diversity. The latter may help to explain, for instance, why for the PENS report both military and peace psychologists were included on the task force (see Hoffman et al., 2015); and why both peace psychologists and military psychologists have been co-authors of the various loophole-ridden anti-torture policies passed through the years (cf., Report of the APA Member-Initiated Task Force to Reconcile APA Policies Related to Psychologists Work in National Security Settings, 2013). Within the APA, diversity can take on an ideological form: A panel made up of both military and peace psychologists gives the appearance of diversity and assumes that the interests of two small and potentially competing divisions have been given voice.

But from philosophical, social and personal analyses we know that peace psychologists and the military psychologists do not have equal power, and that when the two are put on a panel together, it is inevitable that the interests of the more powerful dominate (in this case the military psychologists) (Taylor, 1994; see also Hughes, 2010, regarding the dominance of military over civilian professors within military educational institutions in the United States). It is critically important to note that not all expressions of values of diversity, pluralism and multiculturalism within the APA are ideological in the same sense. This analysis applies only to the treatment of military psychology as a force that needs special treatment in the name of inclusiveness and diversity. Inside the APA one can say that the military psychologists are misrecognized as second-class citizens deserving of compensatory treatment instead of as representatives of a powerful organization. In short, in this case, dominant powers have been mistaken for a dominated group.

When Aalbers was informed that the referendum would not be implemented until or unless a task force decided how it should be implemented, a staff member explained that the referendum process was flawed, and that, while we had followed the rules, we had accomplished something unseemly. The staff member explained that when the APA constructs a policy, it involves all possible stakeholders. Rather,

we had worked on our own, and had even rejected offers to collaborate with the APA board of directors to revise our policy: »This is not how we do things,« said the staff member. At the initial meeting of the PAG task force, a military psychologist expressed the opinion that, »this is what is good about the APA,« that it would form a panel as diverse as this one.

The microphysics of power (n'oubliez pas Foucault)

All APA task forces that meet at least once in Washington, DC, are required to produce a consensus report. Any task force member can withhold consensus and thus prevent the task force report from being accepted by the 162 members of the APA Council of Representatives as an »accepted« policy, that is as a policy that obligates the association to take particular actions.⁶ While the ability to withhold consensus is a power that all task force members hold, the military psychologist is in a unique place of having a specific end in mind that supports an institution outside of the APA (DoD). If the result of a task force report does not dovetail with DoD policy, the military psychologist can dissent, which will almost certainly result in a report with a »received« status, that is, a status that transforms the proposed actions from obligations to recommendations.

Status and superior knowledge also factor into the military psychologists' power within the American context. In addition to all the structural factors that allow military psychologists to be the most powerful members of a task force (the financial power of the DoD, the strong support from the APA bureaucracy, the high social status of soldiers at this time in the history of the USA), the military psychologists, like the bureaucrats, usually know more about the issue at hand than do civilian task force members. Yet, the civilian members play an important legitimizing role in such task forces. Their role in the task force deliberations of the task is usually inconsequential from an intellectual content perspective, for it usually lacks the substantive expertise in defense or security studies of the military psychologists. But in offering a perspective that is not prejudiced by prior opinions or expertise – that reflects intellectual integrity if not intellectual content – the civilian perspective nevertheless serves to legitimize the final product of a task force, and helps to provide it with at least the appearance of intellectual diversity.

In addition to task force members that provide an appearance of intellectual diversity (e.g., military psychologists and peace psychologists), there is another essential component of an APA panel: members with very little to contribute, in terms of substantive content or any other form of intellectual input. Such members might have little to offer because they lack expertise or interest in the subject, or they may simply lack power or confidence. While such individuals contribute little of substance or intellectual import, they perform two vital functions: they help to maintain the group norm and, after a task force report is released or a policy is passed, they persuade the rest of the association that the process that produced the report was a good and fair one.

Like the mindguard in the group think phenomenon (Janis, 1982), the person with the least to contribute often regulates the discussion. Consider, for example, this extract from a member of the presidential advisory group: »I'm greatly impressed by the progress you all are making, and look forward to an opportunity to look over a semi-final draft with my usually fairly reliable fine-tooth comb. MANY thanks to all of you for the collegial, productive way in which this document is being drafted« (Anonymous, 12/18/08). Or: »I believe things are moving in a productive collegial direction, and I DO intend to share whatever thoughts occur to me once a draft is closer to completion (and I expect any editorial or other suggestions that I might make at that point are likely to be seen by everyone as "friendly amendments") (Anonymous, 12/18/08). Or: »I believe it is a fine, forceful, and productive statement and would like to commend all of you for this excellent product. I'll reread it once more and have decided NOT to suggest any further changes unless I believe they are critical. All the best to each and every one of you! You make me proud to be a member of the APA« (Anonymous, 12/18/08, emphasis added).

While such members of the task force made no substantive contributions to the text of the report, they nevertheless: (a) praised all the members of the committee before any edits were made; (b) reminded the advisory group that it was important that the conversations remain »collegial« or »friendly,« that is, polite and upbeat; and (c) expressed admiration for the APA or for the task force report, or a belief in the goodness of the process that was used to produce the report. This practice of issuing praise – often excessive praise – made it difficult to raise concerns, because the task force members were primed to expect support

from other task force members, and any words of critique would leave a sour taste.

Jean Maria Arrigo who, along with Mike Wessels, served on the PENS task force as a peace psychologist and later denounced the report had similar observations about the PENS report process: »The chair came in from time to time to keep us on task, keep us on time, and to generally praise everybody in sight. She sounded like the wife of a diplomat. Everybody was praised up and down for everything possible. I found it sort of embarrassing. She was very nice about all this. It was very smooth. Almost to the point that I felt it was insincere. But anyway, she was very nice« (Arrigo, 2005, p. 16).

The reports that are generated by task forces need to be approved by putative ruling body of the association – the APA's elected Council of Representatives (COR or Council). How was it possible that bureaucrats ruled a body as large and diverse as the APA Council? Here the mechanism of control is quite banal as the structure of the APA ensures that the Council members are under-informed, over-worked and required to make decisions without deliberation. The APA COR is made up of members who meet twice a twice a year during two or three days of 8-hour sessions. In practice, these sessions often run overtime and many of the most important decisions are made at the last possible minute, while the legislators may think about planes they need to catch. Deliberation is actively discouraged because it would extend the already long meetings. Council members who attempt to amend bills are occasionally chided and told that wordsmithing on the floor in Council is a bad practice, and are instead encouraged to adopt bills on the basis of their confidence in the abilities of the putative authors.

Indeed, the document used to orient new council members offers the following advice: »Ask yourself if you are going to the microphone because you have something important to say about the item under discussion or for some personal reason« (Council of Representatives Handbook, American Psychological Association, 2016, p. 8). While there are undoubtedly Council members who choose to speak for egoistic reasons, this is certainly not true of all members and this set of instructions primes Council members to see deliberation, questioning and critique as expressions of narcissism. Thus, Council members who remain quiet and who vote for whatever the task force has produced are constructed as good, community-minded individuals who trust their colleagues while people who raise

doubts on the floor are constructed as narcissists who place their individual judgements above the careful deliberations of highly qualified individuals.

Another »banal« structural matter that makes it not only possible but likely that Council members will be unfamiliar with the bills they are considering is turnover. The APA Council is split between representatives coming from divisions, which represent academics and practitioners, and representatives from states and territories, almost all of whom are practitioners. The state representatives serve for three years, and only a handful of divisional representatives serve for more than a year or two. We believe it is fair to assume that most psychologists are more interested in psychology than in bureaucracy. We have also experienced that the unelected bureaucrats and a small handful of Council members who travel from division to division know more about how Council works than do the vast majority of elected members.

Except in rare circumstances, boards and committees will have vetted bills that appear before council, and it is not unusual for this vetting process to take more than two years. In effect, this means that many of the people who will have voted on the legislation will have had no direct experience with the legislative history of the bill, unless they had chosen to read the full history in the lengthy agenda book. In practice, most members do not read the history and choose instead to base their decision on the recommendations made by the boards and committees. The patterns of time, turnover, and voting one finds in task forces are multiplied in boards and committees. Constant turnover allowed the ethics committee, for instance, to become a fiefdom for the putative servants of the elected leaders. The hired bureaucratic person in charge knew more than anyone else and had more time to make decisions than any other members.

It is difficult, if not impossible, to overestimate the role that the concept of politeness plays inside the APA. Politeness is an ideological framework, a rule-governed concept that influences the perceptions of the true and the good. Politeness and the concepts captured by the gravitational pull of that superstructure, such as collegiality and non-partisanship, form an evaluative standard by which one can judge the value of a piece of legislation. Indeed, politeness, collegiality and disinterest are values placed above and beyond the values of academic rigor and good practice.

In this context, the role of the task force members who know the least, and who have no particular interest in the outcome of a given policy, comes to the fore. The same expressions of mutual admiration that make critical viewpoints unlikely during task force deliberations now serve double duty: they provide Council members who have not read or understood the task force report a reason to vote in favor of a bill because »authors are so very impressive and the process that produced it was good and fair.« The associated value of disinterest is codified in two requirements: one, that all APA task forces make recommendations on the basis of consensus, and two, that representatives are obliged to vote in the »interest of the APA« and not the interest of one's constituency. The requirement that representatives not represent those who voted for them appears in the Council Handbook: »Any individual who is a member of the Council of Representatives has a primary 'fiduciary duty' to APA. Fiduciary duty includes the duty of care and the duty of loyalty. The latter duty means that while a Council member can be informed about issues by the group that elected/appointed the member to Council, ultimately she or he must vote in the best interests of APA as a whole, after hearing all points of view and considering all information before Council« (American Psychological Association, 2016, p. 3).

This requirement, of course, benefits those who have the power to define the »best interests of APA as a whole.« As Pope (2016) has noted, »the best interests« are defined as guild interests. This means that APA should concern itself with gaining access for psychologists to grant and job opportunities. At one point during the debates about the PAG, an opponent of the referendum exclaimed, »Don't you understand? We are talking about people losing their jobs!« In guild consciousness, even a job at a torture camp is an interest to be given equal value to that of avoiding entanglement with torture – a point that was underlined during the PAG debates by a staff member who stated, »We are the American Psychological Association, not Amnesty International.« In that context, the meaning of the statement was clear, that while Amnesty International concerns itself with human rights, »we,« the APA, concerns itself with securing job opportunities for psychologists.

The observation that psychology is a field that individualizes structural issues is hardly a novel one (e.g., Davies, 2015). This individualization has greatly aided the interests of those who seek to keep psychologists employed in places like

Guantanamo Bay, Cuba. Throughout more than the decade-long battle to reform the APA, the reformers have continually emphasized the logic of the United States' torture program. Under the Bush administration, any interrogation that involved a psychologist was ipso facto a legal interrogation. If a psychologist was either observing or participating in an interrogation, this was sufficient proof that the interrogators did not specifically intend to torture the victim. This meant that a psychologist who did nothing more than observe or, indeed, who was present at the site of the interrogation or who was available to intervene in case of an emergency, provided the instantiation that the interrogation was a legal one (see also Aalbers, 2015, Bradbury, 2005a, Bradbury 2005b, Mitchell, 2016).

Further, those who seek to maintain good relations with the Pentagon, and to keep the psychologists working at places like Guantanamo Bay, paint an image of the heroic psychologist who is able to overcome the constraints placed on him or her to do the good or moral thing: »Mr. Hoffman, in his analysis, appears to believe that military personnel, fearful of the impact upon their careers and unable to withstand external pressures, are prone to obey all orders, regardless of legality or, in the case of psychologists, ethical constraints« (Harvey, 2016, np). Not only does this statement frame the issue in way that is often compelling to Americans – by celebrating the individual who struggles against constraints, instead of focusing on policy – it also appeals to the ideal of politeness. Once the policy is individualized, it can be personalized and embodied. To suggest then that a psychologist cannot resist pressures to avoid illegal orders, is to demonstrate a lack of faith in one's colleagues. It also suggests a lack of polite deference that colleagues extend to each another. The anti-torture activists were defeated time and time again because their arguments were perceived as being rude and less collegial than those of the proponents of the status quo (Marcuse's, 1965, concept of repressive tolerance comes to mind as well).

Advocates for keeping close ties with the DoD have made good use of disciplinary patriotism. For many psychologists, the goodness of psychologists is tautological. The work that psychologists do is good work. If a program includes psychologists it is therefore good, and we know it is a good program because psychologists are involved (cf. Koocher, 2006; James & Freeman, 2008; Kennedy, 2012). Yet, here is no evidence that programs that do not involve psychologists

are inferior to those that do involve them. The tautological disciplinary patriotism is based, in part, on an ignorance of our own history.

History repeats itself

This is not the first time psychologists have been involved with torture. The CIA's infamous Central Intelligence Agency (1963)⁷ interrogation manual is largely indebted to the psy-professions. The so-called KUBARK interrogation manual contains a section on the interrogation of »resistant sources« that includes advice on how to administer »the principal coercive techniques of interrogation: arrest, detention, deprivation of sensory stimuli through solitary confinement or similar methods, threats and fear, debility, pain, heightened suggestibility and hypnosis, narcosis, and induced regression.« (Central Intelligence Agency, 1963, p. 84).

The techniques included in KUBARK were based on the work of a group of Cold War social scientists who analyzed the Soviet interrogation program. These scholars went through a remarkable transformation as part of their entanglements with the CIA (see also Solovey & Cravens, 2012). In the mid 1950's they first published their analyses of the Soviet torture program and were clearly disturbed by the techniques and took great pains to explain that these techniques were uniquely the product of communist regimes. Hinkle and Wolff (1957) were careful to explain that such inhumane treatment is only possible in regimes where legal protections are meaningless. Biderman (1957), reflecting on the irrationality of the use of a set of techniques known to produce false confessions to uncover »truth,« lets his readers know that this irrationality is reflective of the irrationalities of communist regimes.

Albert D. Biderman's (1923–2003) attitude had shifted by 1961 as evidenced by an editorial he wrote for the book on the *The Manipulation of Human Behavior* (Biderman & Zimmer, 1961): »Several scientists have reported on the possible applications of scientific knowledge that might be made by the most callous interrogator or power. The results of their thinking are available here for anyone to use, including the unscrupulous« (p. 9). He and the other contributors (»cold warriors«) to the edited volume were by this time openly working to make the technology of false confession production available for exploitation by the forces of western democracy. But it would be a mistake to view the person who did

more than anyone else to help the CIA create an »interrogation« manual, and whose work would inform the abusive practices carried out at Guantanamo Bay, as evil (Central Intelligence Agency, 1963; Committee on Armed Services United States Senate, 2008). Indeed, Biderman wanted to be remembered for his contributions to the social democratic reforms of the great society and for his opposition to racial discrimination, not for his work on interrogation – which, according to his archivist, just paid the bills (Duff, 1987). Biderman, like so many inside the APA, was a person of good intent who was blind to the effects of his work.

Biderman was given an academic's dream: his own think tank. The oddly named Bureau for Social Science Research Inc (BSSRI) was certainly bureaucratic in its structure and self-understanding, but it was not an official government bureau. Funded by the CIA, it was a private think tank that produced analyses for the CIA. While the most important work to emerge from the BSSRI– Biderman's synthesis that gave rise to KUBARK – remains classified, much of its content can be inferred from KUBARK itself, and from the bibliography of sources that Biderman left behind (Bureau of Social Science Research, 1963). Indeed, these differences between the secret reports written by the Cold War scientists and their publicly published articles were minimal. Hinkle and Wolff were especially adept at making their productions serve double duty; their secret reports written for the CIA were rough drafts for their published articles in the open literature (compare Hinkle and Wolff 1956, and Hinkle and Wolff, 1957). To better understand how a progressive social scientist, horrified by the practices of the communist other, helped to reverse engineer a system of torture, we need to return to an analysis of bureaucracy and to suggest some parallels between the BSSRI and the APA.

Weber's (1946/1921) famous Iron Cage of modernity involves the replacement of substantive-value rationality with formal-procedural rationality (see also Kalberg, 1980). Biderman takes great pains to explain that he does not have a *telos* to his research. Accordingly, he is simply doing good science, and it is the responsibility of others to decide what to do with his research. Likewise, in the case of the APA, if the rationalized interest of an organization is to maximize its members' employment (and earning capacity), then a discussion of ethical substantive rationality will be replaced with considerations of proper procedure: Did the scientists who worked for the BSSRI follow the appropriate research protocols?

Was a given action carried out in accordance with the rules and bylaws of the association? Did staff members act outside of their roles as defined by the organization?

Specialization alienates the bureaucrat from the impact of their policies. While high-level bureaucrats (like Biderman and the APA ethics director) do not necessarily feel alienated from their own knowledge products, they need not concern themselves with the end result or the use of these same products or policies. Just as the fully rationalized assembly-line supervisor need only be concerned with the employee's ability to produce the perfect piston, and not with the effect of the combustion engine on the environment, likewise Biderman was able to assemble the best research on how to be manipulate human beings without not concerning himself with how this information might be used.

Arendt (1963) informs us that Eichmann never wanted to put his policies into effect; this was a job for someone of a lower position. Thus, we submit that this banal aspect of bureaucracy helps to explain the phenomena that Hoffman et al (2015) referred to as »deliberate avoidance ... cutting off one's curiosity through an effort of the will« (p. 67). If the APA bureaucrats had concerned themselves with their effects of their policies, then, we suggest, they would not have been able to continue to do their jobs. Rather they embraced what Graeber (2015), more recently, labels as »the bureaucratic principle of value-free rule-bound neutrality« (p. 183) that is not neutral at all.

The future does not look bright

In the wake of the torture scandal the Obama administration decided to make interrogations humane and effective by turning to the profession most implicated in the torture scandal – psychology. The Obama administration formed the High Value Detainee Interrogation Group (HIG) to »conduct research in intelligence interviewing and interrogations« (High Value Detainee Interrogation Group, n.d., p. 3; Wakins, 2015) – a mandate not dissimilar to that of the BSSRI. Like the BSSRI, the HIG academics have a single customer for their knowledge product, and that customer decides whether the work can be made public, and, thus, is subject to ethical review by the scholarly public. The HIG researchers will also face similar pressures to those faced by BSSRI scientists to tailor their research to the needs of the interrogators. Notably, the HIG research committee

is headed up by Susan Brandon, a former figure in the Bush Administration, who played a major role in the APA's attempts to strengthen ties between the APA and the CIA (Hoffman et al., 2015; Soldz, Raymond, & Reisner, 2015). While one might comfort oneself with visions of strong-willed individuals who are capable of resisting the temptations to contribute to unethical activities, history gives us little reason to pin our hopes.

Neither can we pin many hopes in the APA to serve as a bulwark against abuses. While the APA finally passed a bill in August of 2015 that removes psychologists from Guantanamo Bay, which puts the association on the side of international law and prevents psychologists from participating in individual national security interrogations, proponents of strong ties between the DoD and APA are seeking to change this bill and to codify the requirement that military psychologists serve on any task force that considers policies that might impact the military. Such proponents are also seeking to change the wording of the membership referendum to allow psychologists to serve in illegal settings. Further, a group calling itself the PsychCoalition⁸ has formed to question the validity of the Hoffman Report, and is running a campaign using tactics similar to those used by campaigns seeking to raise doubts about climate science (see also Proctor & Schiebinger, 2008).

Perhaps most importantly, the structure of the APA remains a bureaucracy untouched. While some of the most important actors mentioned in the Hoffman Report have resigned or have been fired, the structures that gave power to their actions, and to their mission, have remained in place. Unless the APA transforms its governing body into a deliberative one, and unless it returns decision-making power to the elected leadership, a return to a strong relationship between the DoD and APA may be inevitable.

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Acknowledgement

The authors would like to thank Angela Febraro for her helpful comments on this paper.

Endnotes

- 1 See <http://www.apa.org>

- 2 See <http://www.apa.org/news/press/releases/2010/08/support-same-sex-marriage.aspx>
- 3 Although Hoffman found no evidence of direct collusion between the CIA and APA, a careful reading of the Hoffman report leads one to conclude that APA took great efforts to establish a relationship with the CIA, but that the CIA was not as interested in this relationship with the APA (as was the DoD).
- 4 The petition resolution text ends with: »Be it resolved 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 US Constitution (where appropriate), unless they are working directly for the persons being detained or for an independent third party working to protect human rights« – see <http://www.apa.org/news/press/statements/work-settings.aspx>
- 5 See <https://psyborgs.github.io/projects/apa-division-memberships/>
- 6 The official number is 162 but the board of directors and council leadership team bring the number to 173.
- 7 See a recently released version at <https://www.muckrock.com/news/archives/2014/apr/08/cia-declassifies-additional-portions-kubark-interr/>
- 8 See: <http://psychcoalition.org/index.html>

About the authors

Dan Aalbers

Dan Aalbers is an Instructor of Psychology at Sierra Nevada College. In 2007 he joined with Ruth Fallenbaum and Brad Olson in effort to remove psychologists from Guantanamo Bay, Cuba and the CIA black sites. The details of his efforts can be found in this article and in the pages of the Hoffman report. He identifies as a critical psychologist and an activist.

E-Mail: dan.aalbers@gmail.com

Thomas Teo

Dr. , Professor, History and Theory of Psychology, Department of Psychology
York University. President, Society for Theoretical and Philosophical Psychology
(Division 24 of the American Psychological Association).

Past-President, International Society for Theoretical Psychology.

E-Mail: tteo@yorku.ca