**Ripped from the Headlines:** Psychology and Torture

*NITOP 2015*

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**The Ticking Time Bomb Scenario**

Desperate Times = Desperate Measures

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"I know from personal experience that the abuse of prisoners will produce more bad than good intelligence," he said. "I know that victims of torture will offer intentionally misleading information if they think their captors will believe it. I know they will say whatever they think their captors want them to say if they believe it will stop their suffering."
Page 55: The technique I taught Luther (an Army interrogator) was just one way we got prisoners to talk without anything remotely abusive. Much of the culture at Gitmo in 2002 and 2003, perhaps due to the anger over 9/11, involved projecting one’s rage onto the detainees. My role was to teach rapport and relationship-building approaches between the detainee and interrogator without the abuse.

Permissible Techniques

Direct Questioning
Effective 95% of the time

Source: Army Field Manual 34-52 ("Intelligence Interrogation").

The TV Answer

Brigadier General Patrick Finnegan.

Contributing Causes of Wrongful Convictions (first 225 DNA exonerations)
Total is more than 100% because wrongful convictions can have more than one cause.

A Look Back

The New York Times
Fresh Details Emerge on Harsh Methods at Guantánamo
Published: January 1, 2005

The New Yorker
SERE BSCTs
Private Contractors

Past APA Actions

- 2005 APA Presidential Task Force on Psychological Ethics and National Security (PENS)
- 2006 APA Resolution Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment
- 2007/8 APA Reaffirmation of the American Psychological Association Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and Its Application to Individuals Defined in the United States Code as "Enemy Combatants" (inclusive of the 2008 amendments)
- 2008 APA Petition Resolution Ballot
- 2010 Ethics Code Revision

Current APA Policy

Policy Related to Psychologists' Work in National Security Settings and Reaffirmation of the APA Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment


APA Member-Initiated Task Force to Reconcile Policies Related to Psychologists' Involvement in National Security Settings

http://unifiedpolicytaskforce.org/

Current APA Policy: Statement One

The 2008 APA Petition Resolution Policy, Psychologists and Unlawful Detention Settings with a Focus on National Security:

"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."

Current APA Policy: Statement Two

2010 Ethics Code; e.g., 1.02 Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority

If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists clarify the nature of the conflict, make known their commitment to the Ethics Code, and take reasonable steps to resolve the conflict consistent with the General Principles and Ethical Standards of the Ethics Code. Under no circumstances may this standard be used to justify or defend violating human rights.

There is absolutely no defense to a violation of human rights under the APA Ethics Code.

Current APA Policy: Statement Three

Psychologists shall not engage in, assist, tolerate, direct, support, advise, facilitate, plan, design, or offer training in torture or other cruel, inhuman, or degrading treatment or punishment under any and all conditions, nor shall they participate in any procedure where such treatment is threatened. Psychologists may not enlist others to employ these techniques in order to circumvent this policy's prohibition. Moreover, psychologists shall not provide knowingly any research, instruments, or knowledge that facilitates the practice of torture or other forms of cruel, inhuman, or degrading treatment or punishment.
APA unequivocally condemns torture and cruel, inhuman, or degrading treatment or punishment, under any and all conditions (applicable to all individuals, in all settings and in all contexts without exception), including detention and interrogations of any persons regardless of designation (e.g., lawful and unlawful enemy combatants as defined by the US Military Commissions Act of 2006 or privileged vs. unprivileged enemy belligerent as defined by the US Military Commissions Act of 2009).

**Current APA Policy: Statement Three**

UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

"any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity". (Article 1)

**Current APA Policy: Statement Four - Seven**

Mandate to Report

Psychologists in national security settings shall work in accordance with international human rights instruments relevant to their roles.

Additional Ethics Code requirements

No exceptional circumstances whatsoever, whether induced by a state of war or threat of war, internal political instability or any other public emergency, that may be invoked as a justification for torture or cruel, inhuman, or degrading treatment or punishment, including the invocation of laws, regulations, or orders.
Teaching about Torture

Stanford Prison Study
Ghosts of Abu Ghraib

Bandura’s Moral Disengagement

Moral Justification
Palliative Comparisons
Euphemistic Labeling

Minimizing, Honoring, or Misconstruing the Consequences

Reprehensible Conduct
Detrimental Effects
Victim

Displacement of Responsibility
Attribution of Blame

Baumeister’s Magnitude Gape

Differences in Perception of Harm
Deliberate vs. Unintentional
Elasticity of Time
Blurring of Roles

The path towards mass violence and torture - Woolf & Hulsizer
Learning by doing – Staub
The official torturer: A learning model for obedience to the authority - Haritos-Fatouros
Learned Helplessness - Seligman

Contributing Factors To Lasting Harm: PTSD

When the stress is:
- Sudden
- Unexpected
- Severe
- Prolonged
- Repetitive

When the stress causes:
- Physical injury
- Threat to life
- Humiliation
- Destruction of community
- Destruction of social support system

Universal Declaration of Human Rights

The UDHR states that these rights are universal (without distinction, all individuals inherently possess these rights), inalienable (unable to be lost or taken away), and indivisible (all rights are equally important).
Additional UN Human Rights Documents for Students

- Convention on the Rights of the Child
- Convention on the Elimination of All Forms of Discrimination against Women
- United Nations Principles for Older Persons
- Convention on the Rights of Persons with Disabilities
- Indigenous and Tribal Peoples Convention
- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
- International Convention on the Elimination of all Forms of Racial Discrimination
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

How have you discussed the issue with your students?

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