

The American Psychological Association, torture and the Nuremberg doctors' trial

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A 542-page independent report made public by the *New York Times* on Friday implicates the American Psychological Association (APA) in the CIA torture program. The devastating report, prepared by a team of attorneys led by former federal prosecutor David Hoffman, not only exposes the involvement of psychologists in torture, but also lifts the curtain on years of lies, conspiracies, and cover-ups reaching to the top of the APA and academia.

The report, commissioned by the APA Board of Directors last year, finds that top figures in the APA colluded in secret with the Central Intelligence Agency (CIA) and Department of Defense (DOD) to implement the torture program. Psychologists played a leading role in designing the depraved and sadistic “enhanced interrogation techniques” that are now notorious.

A December 2014 Senate Intelligence Committee report on the CIA’s “enhanced interrogation program”—which the establishment media has since attempted to bury—leaves no doubt that CIA agents, in close collaboration with licensed psychologists, committed torture, murder, and war crimes.

In November 2002, to cite just one example, the corpse of torture victim Gul Rahman was discovered stripped, covered in bruises and abrasions, and shackled to a wall at a dedicated torture facility in Afghanistan codenamed Detention Site Cobalt. Among the many gruesome practices that emerged from CIA dungeons was a procedure known as “rectal feeding,” where food was pureed and forcibly pumped into a victim’s colon for no legitimate medical reason.

The APA torture scandal has already led to the removal of Stephen Behnke, Director of the APA Ethics Office, on July 8. The report shows that Behnke, who received the APA’s “Distinguished Public Service Award” in 2011, secretly conspired with the military and intelligence agencies to use his position as ethics chief to quash objections to the torture program and facilitate the participation of psychologists in torture.

In 2002, the APA rewrote its ethical rules to permit psychologists to follow “governing legal authority” in the

event that a psychologist received an order that conflicted with the ethics code. At the time, the Bush administration was issuing legal memoranda that purported to justify and authorize torture. In this context, the amendment was clearly designed to permit psychologists to participate in torture.

On July 24, 2002, Attorney General John Ashcroft signed his approval of a number of torture techniques, including “attention grasp, walling, the facial hold, the facial slap, cramped confinement, wall standing, stress positions, sleep deprivation, use of diapers, use of insects, and mock burial.”

“The evidence supports the conclusion that APA officials colluded with DoD officials to, at the least, adopt and maintain APA ethics policies that were not more restrictive than the guidelines that key DOD officials wanted,” the report states. With respect to the torture itself, the APA leadership deliberately refused to investigate the specifics of torture allegations, “effectively hiding its head in the stand.”

The APA, which has 134,000 members, has faced internal dissent for years by members who objected to torture, but the organization’s leadership has always denied the involvement of its members in torture. The *Guardian* noted that the new report “creates the potential for loss of licenses and even prosecutions.”

The prosecution of psychologists who colluded in torture raises the issue of the Nuremberg doctors’ trial (December 1946-August 1947). This prosecution was conducted by a US military court in the US-occupied zone in southern Germany, subsequent to the Nuremberg tribunal into major Nazi war criminals, conducted by all the Allied powers. Twenty-three doctors and Nazi officials were charged with conspiracy, torture, human experimentation, murder, and other war crimes and crimes against humanity. Seven were hanged, and many others received lengthy prison sentences.

The doctors’ trial resulted in the Nuremberg Code, a set of international ethical guidelines for human experimentation. The ten points of the Nuremberg Code include: “Required is the voluntary, well-informed, understanding consent of the human subject in a full legal capacity,” “The experiment should be set up in a way that avoids unnecessary physical

and mental suffering and injuries,” and “The human subjects must be free to immediately quit the experiment at any point when they feel physically or mentally unable to go on.”

The caveat inserted into the APA ethics code that a psychologist can follow “governing legal authority” translates to permission to ignore the Nuremberg Code if the government says so.

The recent APA report notes that internal Ethics Code Task Force discussions took place regarding the “Nuremberg defense,” that is, whether the torturers could claim that they were merely “following orders.” The mere fact that these discussions took place proves that those involved knew they were sanctioning war crimes.

“To kill, to maim, and to torture is criminal under all modern systems of law,” explained US prosecutor Telford Taylor in his opening statements at the doctors’ trial. “These defendants did not kill in hot blood, nor for personal enrichment. Some of them may be sadists who killed and tortured for sport, but they are not all perverts. They are not ignorant men. Most of them are trained physicians and some of them are distinguished scientists. Yet these defendants, all of whom were fully able to comprehend the nature of their acts, and most of whom were exceptionally qualified to form a moral and professional judgment in this respect, are responsible for wholesale murder and unspeakably cruel tortures.”

These words ring today as an indictment of all the psychologists who shamefully and criminally participated in the CIA torture program. “They are men who utterly failed their country and their profession,” Taylor said of the Nazi doctors, “who showed neither courage nor wisdom nor the vestiges of moral character.” (Video of Taylor during the Doctors Trial is available at the website of the United States Holocaust Memorial Museum.)

In the name of the victims, Taylor emphasized how important it was “that these incredible events be established by clear and public proof, so that no one can ever doubt that they were fact and not fable; and that this Court, as the agent of the United States and as the voice of humanity, stamp these acts, and the ideas which engendered them, as barbarous and criminal.”

Clearly, all the American psychologists who were involved in torture should lose their licenses and go to jail. So too should those APA officials who conspired to implement the program and shielded the perpetrators. But the prosecution of psychologists raises the question: What about the prosecution of the CIA agents who carried out the torture? What about the prosecution of the senior civilian, military, and intelligence officials who launched the criminal program and conspired to cover it up, in both the Bush and Obama administrations?

It speaks to the levels of decay and reaction across all the top levels of American society, which claimed to be the “voice of humanity” at Nuremberg, that not seven decades after the doctors’ trial no charges have been brought following revelations that a criminal torture program was organized at the highest levels of the American government.

It is worth remembering that the principal crime for which the Nuremberg defendants were prosecuted and sentenced to death—including Hermann Goering, Wilhelm Keitel, Joachim von Ribbentrop, and other leading Nazis in the first major trial—was conspiracy to “launch an aggressive war.”

If the principles of Nuremberg were applied today with any consistency, it would be necessary to arrest more or less all the top figures in the American government over the recent period. Barack Obama, Hilary Clinton, George Bush, Dick Cheney, John Brennan, Leon Panetta, Robert Gates, James Clapper, John Ashcroft, Joe Biden, and John Kerry should all be in the dock—right where Goering and company sat—along with hundreds of other current and former civilian, military, and intelligence officials.

The indictment would necessarily be thousands of pages long, listing international conspiracies, war crimes, and crimes against humanity in Iraq, Afghanistan, Libya, Syria, Pakistan, Yemen, Somalia, Guantanamo Bay, and elsewhere, including at secret “black sites” around the world. The CIA, NSA, and other US intelligence agencies would properly be designated as criminal organizations.

“The laws of war do not apply only to the suspected criminals of vanquished nations,” Taylor wrote in a study of the Nuremberg Trial. “There is no moral or legal basis for immunizing nations from scrutiny. The laws of war are not a one-way street.”



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