

COALITION FOR AN ETHICAL PSYCHOLOGY

human rights * ethics * social justice

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A Call for Annulment of APA's PENS Report

Over the decade since the horrendous attacks of 9/11, the world has been shocked by the specter of abusive interrogations and the torture of national security prisoners by agents of the United States government. Although psychologists in the U.S. have made significant contributions to societal welfare on many fronts during this period, the profession tragically has also witnessed psychologists acting as planners, consultants, researchers, and overseers to these abusive interrogations. Moreover, in the guise of keeping interrogations "safe, legal, ethical and effective," psychologists were used to provide legal protection for otherwise illegal treatment of prisoners.

The American Psychological Association's (APA) 2005 Report of the Presidential Task Force on Psychological Ethics and National Security (the PENS Report) is the defining document endorsing psychologists' engagement in detainee interrogations. Despite evidence that psychologists were involved in abusive interrogations, the PENS Task Force concluded that psychologists play a critical role in keeping interrogations "safe, legal, ethical and effective." With this stance, the APA, the largest association of psychologists worldwide, became the sole major professional healthcare organization to support practices contrary to the international human rights standards that ought to be the benchmark against which professional codes of ethics are judged.

The PENS Report remains highly influential today. Negating efforts by APA members to limit the damages – including passage of an unprecedented member-initiated referendum in 2008 – the Department of Defense continues to disseminate the PENS Report in its instructions to psychologists involved in intelligence operations. The Report also has been adopted, at least informally, as the foundational ethics document for "operational psychology" as an area of specialization involving psychologists in counterintelligence and counterterrorism operations. And the PENS Report is repeatedly cited as a resource for ethical decision-making in the APA Ethics Committee's new National Security Commentary, a "casebook" for which the APA is currently soliciting feedback.

Equally troubling, the PENS Report was the result of institutional processes that were illegitimate, inconsistent with APA's own standards, and far outside the norms of transparency, independence, diversity, and deliberation for similar task forces established by professional associations. Deeply problematic aspects include the inherent bias in the Task Force membership (e.g., six of the nine voting members were on the payroll of the U.S. military and/or intelligence agencies, with five having served in chains of command accused of prisoner abuses); significant conflicts of interest (e.g., unacknowledged participants included the spouse of a Guantánamo intelligence psychologist and several high-level lobbyists for Department of Defense and CIA funding for psychologists); irregularities in the report approval process (e.g., the Board's use of emergency powers that preempted standard review mechanisms); and unwarranted secrecy associated with the Report (e.g., unusual prohibitions on Task Force members' freedom to discuss the Report). These realities point to the impossibility and inadequacy of merely updating or correcting deficiencies in the PENS Report.

We the undersigned organizations and individuals – health professionals, social scientists, social justice and human rights scholars and activists, and concerned military and intelligence professionals – therefore declare that the PENS Report is illegitimate. We call upon the American Psychological Association to take immediate steps to annul the PENS Report. At the same time, in our own efforts, we aim to make the illegitimacy of the PENS Report more broadly known within our communities.

September 26, 2011

(List of signers and link for signing on are available at www.ethicalpsychology.org/pens/signers.php)

Note: An accompanying background report, available at www.ethicalpsychology.org/pens, provides additional detailed documentation in support of this call for annulment.