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A military judge at Guantánamo has thrown out the confessions of Saudi man Abd al-Rahim al-Nashiri because he had been tortured and waterboarded at secret CIA black sites in Afghanistan, Thailand, Poland, Romania and Morocco before being sent to Guantánamo. Psychologists James Mitchell and John Bruce Jessen, who were paid at least \$81 million by the CIA to develop and then implement the CIA’s post-9/11 torture program, had waterboarded al-Nashiri at a CIA black site. We get response from Roy Eidelson and discuss his new book, *Doing Harm*, which investigates the American Psychological Association’s complicity in post-9/11 torture programs and the struggle to reform the psychology field. “We felt there was a lot at stake,” says Eidelson. “It took over a decade for us to bring change in terms of APA’s policy toward interrogation and detention operations.” As the U.N. calls for al-Nashiri’s release, Eidelson warns that APA leadership and military personnel are once again pushing guidelines that expand psychologists’ role in torture. “They want to expand the opportunities that are available for psychologists to work in this arena where ‘do no harm’ is, at best, secondary, and sometimes off the table entirely,” says Eidelson. “It feels as though APA is slipping — slipping back into positions that led to awful things.”

AMY GOODMAN: This is *Democracy Now!*, [democracynow.org](#), *The War and Peace Report*. I’m Amy Goodman, with Juan González.

A military judge at Guantánamo has thrown out the confessions of a Saudi man because he had been subjected to waterboarding and other forms of torture at secret CIA black sites in Afghanistan, Thailand, Poland, Romania and Morocco. Abd al-Rahim al-Nashiri was detained in 2002 and held for four years at the black sites. Then, in 2006, he was transferred to Guantánamo, where he’s been held ever since.

He’s alleged to have been the mastermind behind the bombing of the *USS Cole*. In 2007, he confessed to his role in the bombing. But a military judge, Colonel Lanny Acosta Jr., recently tossed that confession, writing, quote, “Any resistance the accused might have been inclined to put up when asked to incriminate himself was intentionally and literally beaten out of him years before.” Acosta went on to write, “Even if the 2007 statements were not obtained by torture or cruel, inhuman, and degrading treatment, they were derived from it,” unquote.

During a hearing last year, the psychologist James Mitchell admitted he and another psychologist, Bruce Jessen, had waterboarded al-Nashiri at a CIA black site. Al-Nashiri was also subject to mock executions, isolation, sleep deprivation and confinement inside a tiny wooden box. In June, the U.N. Working Group on Arbitrary Detention called for al-Nashiri’s immediate release.

The two psychologists involved in his torture, Mitchell and Jessen, had been paid at least \$81 million by the CIA to develop, then implement the CIA’s post-9/11 torture program. According to the ACLU, torture methods devised by Mitchell and Jessen included slamming detained men into walls, stuffing them inside coffin-like boxes, exposing them to extreme temperatures and ear-splitting levels of music, starving them, inflicting various kinds of water torture, depriving them of sleep for days, and chaining them in stress positions designed for pain and to keep them awake for days on end.

The actions of doctors Mitchell and Jessen led to other psychologists raising concerns about them with the American Psychological Association, the APA, but the concerns were dismissed by the organization’s leadership, eager to please the administration of President George W. Bush. Anti-torture psychologists led a multiyear campaign challenging the collusion of the APA, the world’s largest professional association of psychologists, about 150,000 of them, with the Pentagon and the CIA. The APA leadership was ultimately ousted, and the APA barred its members from participating in harsh interrogations.

Well, we’re joined now by the psychologist Roy Eidelson. He’s the author of the new book, *Doing Harm: How the World’s Largest Psychological Association Lost Its Way in the War on Terror*, that’s just out today. He’s a member of the Coalition for an Ethical Psychology and past president of Psychologists for Social Responsibility.

We welcome you, Dr. Eidelson, to *Democracy Now!* I was wondering if you can —

ROY EIDELSON: Thanks very much, Amy.

AMY GOODMAN: It’s great to have you with us. I’m wondering if you can start off by talking about how that legacy of the APA — I mean, they ousted their leadership — you see it continuing today.

ROY EIDELSON: Sure. The APA definitely got off on a very bad foot right after the attacks of September 11th. And it took efforts by a community of dissident psychologists — it took over a decade for us to bring change in terms of APA’s policy toward interrogation and detention operations, whether it’s at CIA black sites or at Guantánamo. For a long time, the APA said that psychologists helped to keep these operations safe, legal, ethical and effective. And none of that was true.

Finally, in 2015, the APA, after Jim Risen’s book revealed information after an internal report authorized by the APA board revealed how the APA leadership had collaborated covertly with the military intelligence establishment, the APA made some important reforms in the ethics arena. One of them is that psychologists cannot participate in national security interrogations. Another is that psychologists cannot be present at unlawful sites like Guantánamo, unless they’re working directly for the detainees or they’re taking care of the military personnel, their healthcare.

So, it was a huge deal in 2015, this change. And APA leadership almost unanimously supported it. The problem is — or, a problem, since then, things are, step by step, seeming to slip back, and there are powerful factions within the APA and outside of it, primarily military psychologists and the Department of Defense, that want to turn back the clock. And they, in fact, want to expand the opportunities that are available for psychologists to work in this arena where “do no harm” is, at best, secondary, and sometimes off the table entirely.

JUAN GONZÁLEZ: And, Dr. Eidelson, could you talk about how you and other dissenters — the battle that you had, the reaction of your colleagues, and how you were able to get the association finally to take a stand?

ROY EIDELSON: Sure. Again, it took years of dedicated effort by many people, who became known as the “dissident psychologists” because we were opposed to APA’s policies and support of the Pentagon. Throughout that process, as we developed materials, as we pushed the APA to change what it was doing, we were constantly confronted by — it was either stonewalling, they would ignore us, or they would make attempts to discredit us, or there were things that essentially amounted to threats against some of our members, such as an ethics complaint filed against one member of the coalition, a defamation lawsuit filed against another coalition member.

And in their public statements, they repeatedly — they did not like us, let’s put it that way. One APA

president referred to us as “opportunistic commentators masquerading as scholars.” A military psychologist, in his self-congratulatory memoir, referred to us as clowns who have never seen the whites of a terrorist’s eyes. And another

APA

president, in her presidential column, seemingly compared us to the Dementors. And if you’re familiar with Harry Potter or the world of Harry Potter, Dementors are cloaked figures who feed on human happiness. So, this was the position, the response we got repeatedly.

It didn’t stop us, because we felt there was a lot at stake. And we lost many battles, that I describe. But eventually, in part thanks to broader awareness, public awareness of what actually had unfolded, APA was kind of pushed to make a decision: Are we going to continue to pretend that we’re on the right side of this, or are we going to institute reforms? And fortunately, they picked the latter.

AMY GOODMAN: I wanted to follow up on our previous segment, where we were talking about Ron DeSantis, the Florida governor. Well, prior to entering politics, the presidential hopeful and Florida Governor Ron DeSantis served in the Navy as an attorney at the U.S. prison at Guantánamo, also served in Fallujah, Iraq. DeSantis’s time at Guantánamo is coming under scrutiny after a former prisoner named Mansoor Adayfi said that DeSantis had personally witnessed him being force-fed and tortured. Other prisoners have backed up Adayfi’s account. DeSantis has denied authorizing force-feeding at Guantánamo. This is a clip.

PIERS MORGAN: *The Washington Post* did a big deep dive on this today, actually, about what you did out there. One of the things they said was that you authorized the use of force-feeding, that somebody —

GOV. RON DESANTIS: That’s not true. Yeah, that’s not true. Yeah. Any of the stuff that people have —

PIERS MORGAN: Just to finish —

GOV. RON DESANTIS: OK.

PIERS MORGAN: Force-feeding the detainees who were on hunger strike. Was that true?

GOV. RON DESANTIS: So, I was a — I was a junior officer. I didn’t have authority to authorize anything. There may have been a commander that would have done feeding if someone was going to die. But that was not something that I would have even had authority to do.

PIERS MORGAN: So, that’s wrong?

GOV. RON DESANTIS: Yeah, yeah, absolutely.

AMY GOODMAN: So, that was Ron DeSantis in an interview with Piers Morgan. But in an interview in 2018, he admitted to CBS Miami that he had authorized force-feeding.

REP. RON DESANTIS: I was a legal adviser.

JIM DEFEBE: For those that were doing —

REP. RON DESANTIS: The things that would happen is — the thing you notice the day you get down there is, for these detainees, the jihad was still ongoing.

JIM DEFEBE: Right.

REP. RON DESANTIS: And they would wage jihad any way they can. Now, they’re in a facility, so it’s limited. But some of the things they would do, they would do hunger strikes. And you actually had three detainees that committed suicide with hunger strikes. So, everything at that time was legal in nature one way or another. So, the commander wants to know, “Well, how do I combat this?” So one of the jobs of the legal adviser is to be like, “Hey, you actually can force-feed. Here’s what you can do. Here’s kind of the rules of that.”

AMY GOODMAN: So, if you could respond to this, Roy Eidelson, what DeSantis’s dissent — what his response is and how you have shown what is going on at Guantánamo?

ROY EIDELSON: Sure. Basically, in some of those interviews, he acknowledged what he did. He did not have, from what I understand, a high-level position at Guantánamo, but he had a position of some legal expertise, and he recommended that one way to deal with the hunger strikes was to force-feed. But not only did force-feeding take place, the most brutal form of force-feeding that’s seemingly possible was used by the Department of Defense. There was no reason to do it that way, even if there was a decision to do it, which many international experts would say was unlawful. But DeSantis is just, I think, an example of a much broader concern, which is the number of politicians who have no concern for the detainees who were ever at Guantánamo or who are still there now.

There was a narrative built from the very beginning by the Bush administration that the people we have captured are the worst of the worst and that torture is working, is an effective means to obtain information, and that using enhanced interrogation techniques have saved many American lives. None of that is true. They were not the worst of the worst. Most of the almost 800 detainees who were taken to Guantánamo were swept up off of battlefields in Afghanistan or in exchange for bounty payments from the U.S. government. They had no connection to al-Qaeda, no connection to international terrorism. They spent years, in some cases decades, at Guantánamo anyway. And the message that the American people have gotten most often is that we needed to do this; we did the right thing; these were very, very bad people; these were people who would — you know, one general said, who would gnaw through the hydraulic lines in a C-17 to bring it down.

And so, DeSantis, what’s most disturbing, I think, is that he has achieved the position he has, that he’s seemingly a serious contender to be president of the United States. And so, in that way, he’s a bigger deal than many other politicians, but there are many in the Senate and the House. And, of course, we shouldn’t forget that the president before this one also had a very positive view of Guantánamo, a very negative view of the detainees that had been placed there, and was eager to add more people to Guantánamo.

JUAN GONZÁLEZ: And, Dr. Eidelson, the American Psychological Association recently approved operational guidelines for its members. Your assessment of those guidelines, especially in view of the fact that they were written by, put together by military psychologists, rather than ethicists or those harmed by past practices?

ROY EIDELSON: Yeah, this is a very recent new concern, and that is that operational psychologists, who are not clinicians — they’re focused on issues of national security and national defense — they are eager to expand the opportunities for them to do work that doesn’t involve avoiding harm, that doesn’t involve informed consent, that doesn’t involve oversight by outside ethical boards. And what they’ve managed to do, regrettably, is persuade the APA governing council to approve a new set of practice guidelines. And these guidelines — basically, now they have the initial stamp of approval that APA is in favor of operational psychologists engaging in these kinds of activities.

Three things, I guess, are especially noteworthy about those guidelines. One, as you noted, they were written by military psychologists, many of them, several of them, defense contractors, and no one on that task force was an ethicist, or there was no representation for

the people who have been tragically harmed by the abuse and torture that psychologists have produced in terms of the treatment of detainees.

The other two things are, one, those guidelines make no mention of this awful history of psychology and psychologists during the "war on terror." It seems really peculiar for someone interested in practicing operational psychology to read a set of guidelines and not even be told about what has happened, about the history, the troubling history.

And the other one is there's no mention of APA's current policies. So, there are policies, as I mentioned, that restrict involvement in interrogations and that restrict involvement at Guantánamo and similar places. There's no mention of this in these guidelines at all. So, it's really troubling. It's a sign, as I tried to suggest, that it feels as though APA is slipping — slipping back into positions that led to awful things. And, you know, we haven't given up.

AMY GOODMAN: You know, Dr. Eidelson, *Democracy Now!* has covered this debate within the APA extensively over the years. In 2005, we went out to the APA conference in San Francisco. I mean, you had psychologists putting bags over their heads and looking like the photographs we saw at Abu Ghraib, protesting what was going on. I was really struck by the number of uniformed psychologists, as you said, military psychologists there were within the association, that were really directing the discussion. But we only have a minute, and I wanted to ask you about that top lede going into you about the military judge at Guantánamo who's just thrown out the confessions of the Saudi man because he had been subjected to torture, waterboarding and other forms of torture, at CIA black sites in Afghanistan, Thailand, Poland, Romania, Morocco. I'm talking about Abd al-Rahim al-Nashiri, who was detained over 20 years ago, held for four years at these black sites, then, in 2006, transferred to Guantánamo, where he's been held ever since. Your response to the judge throwing out what he has said because of torture? We just have 30 seconds.

ROY EIDELSON: In my view, it's an excellent decision. It's the right decision. We'll see whether it's appealed and what comes of that. I think it's important, though, to emphasize that Mr. al-Nashiri was far from the only detainee who was treated brutally, who was abused, who was tortured, not just that CIA black sites, but at Guantánamo, as well. So many of them have awful stories to tell, if we're willing to listen. This was a massive problem, and Mr. al-Nashiri is a really important example of what happens when we fail to uphold the

principles our country is supposed to live by.

AMY GOODMAN: Roy Eidelson, I want to thank you so much for being with us. His new book, out today, *Doing Harm: How the World’s Largest Psychological Association Lost Its Way in the War on Terror*.