

Psychologists and Interrogations: What’s Torture Got to Do with It?

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In an article that has been endorsed by SPSSI, Costanzo, Gerrity, and Lykes (2007) argue that “psychologists should not be involved in interrogations that make use of torture or other forms of cruel, inhumane, or degrading treatment” (doi: 10.1111/j.1530-2415.2007.00118.x). Their statement is ironic, for torture is illegal in the United States. But even more importantly, it seems to come from and apply to a world that no longer exists, and that simplifies issues so that they can be as one might like them to be. As recent events in England illustrate (August 2006), Islamic militants seek to kill us and undermine if not destroy our way of life. We have only to listen to what they say and watch their actions in order to know that regardless of how we would like things to be, they mean us harm. We also know from findings of the 9/11 commission that this problem did not start, nor will it likely finish, with the current presidential administration. An important point that is illustrated is that we no longer live in a world where people agree on what is ethical or even acceptable, and where concern for other humans transcends familial ties. When adolescents carry bombs on their bodies and plan suicides that will kill others, we know that shared values no longer exist. In the words of Scottish comedian Billy Connolly, “It seems to me that Islam and Christianity and Judaism all have the same god, and he’s telling them all different things.”

A prominent challenge for psychologists is determining how narrowly or broadly the field should prescribe what is acceptable behavior for professionals working with diverse populations, for increasingly psychologists come from differing backgrounds and hold varying beliefs. Effective practice with one population may be totally ineffective with another; we as a profession have not yet thoughtfully addressed how we balance what one culture defines as ethical against what another

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could view as necessary to be successful. The comment by Costanzo et al., and its rejoinders, provide a good illustration, namely, how does one balance standards of behaviors against results. What if, hypothetically, Middle Eastern psychologists told us that in order to successfully obtain information from suspected terrorists we would have to use approaches that we found inappropriate or unethical? I reject the idea that it is somehow unfair to use what we know about psychological science to protect our families and defend our lives and culture. Many areas of psychology owe their advancement in large part to research conducted under the auspices of the military and supported by it. Clinical psychology has roots in the military and the OSS, and many psychologists have proudly defended their country with honor. In this context, the SPSSI policy statement by Costanzo et al. is both unnecessary and gratuitous. It is unnecessary because torture is already illegal in the United States. It is gratuitous because it feeds the egos of those who endorse it. It gives the illusion of possessing a higher moral ground, when in fact what is left unsaid and readable between the lines reveals it to be ideological and political. As parallels, SPSSI might put out policy statements against rape and murder, for those also are illegal, and we would not want our members participating in such behaviors. But murder and rape occur despite being illegal, and similarly, behaviors that are classified as torture may periodically occur. But that does not mean that torture is a government-sanctioned tool for conducting interrogations or even acceptable to use. There are specific and strict federal guidelines regarding what constitutes a legal and acceptable interrogation. I submit that there is no evidence that psychologists were involved in cases of torture—certainly not at Abu Ghraib prison.

A second issue of import is whether or not psychologists should be involved in legal interrogations. Again, the position of the authors is too simplistic. I take exception to the suggestion that all psychologists should be banned from assisting in legal interrogations. It is one thing to “ban” psychologists who are members of APA from engaging in torture, but quite another to prohibit them from consulting or advising during legal interrogations. First, there are many types of psychologists (social psychologist, industrial/organizational psychologists, and experimental psychologists, for example) who are not licensed mental health professionals and therefore should not be bound by the doctor/patient relationship code of ethics. Yet they bring information from their fields that help exert influence. Second, I object to the “psychocentric” and seemingly arrogant position that receiving training in psychology trumps all other roles a person may choose to pursue, or because of circumstances, are obliged to fulfill. Is it not possible for someone to receive training in psychology and then decide to pursue a career in law enforcement and engage in legal interrogations? Should being a psychologist as well as a law enforcement agent prohibit their participation if psychologists are prohibited? And, third, how is psychology accountable to society—should it withhold information about ways in which to protect our population or to influence terrorists to disclose

information? What does psychology owe society? Should we focus exclusively on individuals with whom psychologists come in contact? What about helping to protect communities from terrorism? I simply do not believe that at a policy level we should decide that the “rights” of an individual count more than the rights and safety of society. APA and SPSSI should do something positive to fight terrorism rather than merely sit on the sidelines and criticize others who are trying to protect the United States from another senseless 9/11 attack. Honorable men and women are at war with those who seek to harm us, and the rest of us are at risk from terrorists. If psychology wants to make a positive contribution, the profession should accept that it is sometimes necessary to get information from those who would harm us and are intentionally withholding information that could stop attacks. If we as a profession do not like the use of coercion to obtain actionable information, then we as a profession should be willing to step up to the plate and suggest reliable and effective alternatives that do not rely on psychological or physical coercion. Have we as professional organizations of psychologists committed resources to develop ethical, non-punishing approaches that improve the quality of information that we can extract from individuals who are not willing to share it?

I also find it ironic that SPSSI can so readily become exercised about cruel and degrading treatment of suspected terrorists, yet conduct only limited research on similar behaviors that are manifested all too frequently in military boot camps, in legal police interrogations, in U.S. prisons, and government psychiatric hospitals. Indeed, even college fraternities and schoolyard bullies engage in cruel and degrading behavior. Why is it so easy for SPSSI to react so adamantly about illegal interrogations, yet do so little about domestic kinds of cruel and degrading treatment?

I also wonder how Costanzo et al. would feel if the “ticking time bomb scenario” that they attempt to render as “implausible” were to occur. Would they feel responsible for telling U.S. citizens that it won’t ever happen? The “ticking bomb” scenario may be implausible for many APA members, but it was very real for those individuals interrogating Khaid Sheik Mohammed or Abu Zubayadh. Instead of focusing on decades old research that may no longer be relevant, Costanzo et al. might have cited the Jose Padilla case that was covered by the press. As readers may recall, Jose Padilla was a trained al Qaeda operative who was arrested as he tried to enter the United States in Chicago on May 8, 2002. He had accepted an assignment to destroy apartment buildings and had planned to detonate a radiological device commonly referred to as a “dirty bomb.” As reported by CNN (June 11, 2002) and *Time* (June 16, 2002), Padilla was arrested directly as a result of an interrogation of captured senior al Qaeda member Abu Zubaydah. The Padilla case is a prime example of how a legal interrogation of a known terrorist led to the prevention of another terrorist attack.

Similarly, imagine that al Qaeda leader Abu Mussib al Zarqawri has been captured alive in Iraq rather than killed by bombings. Is there anyone who believes

that he would have no potentially worthwhile knowledge of attacks planned to occur in the days following his capture? Costanzo et al. create a scenario that is not grounded in current knowledge of terrorism in general and terrorists in particular when they attempt to (mis)lead us into thinking legal interrogations do not yield actionable intelligence.

The prototypical “expert” on interrogation asserts that information is more reliable when voluntarily given rather than coerced. Well, of course it is. The expert then may assert that the way to elicit voluntary provision of information is to build a relationship with the terrorist so that the terrorist likes you or to appeal to common values so the terrorist sees your interests as converging with his/hers, and then the terrorist will tell you what you need to know. Such reasoning ignores the demand characteristics of both the prototypical law enforcement interrogation and the terrorist’s values and operational intent. Are we to think the terrorist has the following thoughts: “You know, nobody has ever been as nice to me as these people—I’m going to turn my back on my God and my life’s work and tell them what they what to know.” Alternatively, maybe the terrorist will think “What a clever way of asking that question. Now that they put it that way, I have no choice but to tell them what they need to know to disrupt my plans.” Unfortunately, it is difficult to envision scenarios where useful information will be forthcoming.

For many Westerners caught after committing a crime, the psychological pressure of trying to influence whether or not they are charged, what they are charged with, and the kind of punishment they are likely to receive coerces them into working with the person who seems to understand them to make the best deal in a bad set of circumstances. The “experts”’ assertion that rapport and liking are the keys to obtaining information, ignore the coercive pressures inherent in the circumstances. To pretend that these coercive pressures are not present does not make them go away. For terrorists who do not care if they live or die and have no fear of prison, there is little or no incentive to work with interrogators. And, to our discredit, we as psychologists have contributed little to increasing our understanding of circumstances like these and techniques of persuasion that might be effective.

Lastly, I found the call for an independent investigation of the extent to which psychologists have been involved in using torture or other cruel, inhuman, or degrading treatment during an interrogation unwarranted. Costanzo et al. present virtually no evidence that psychologists have been involved in even a single case. APA/SPSSI has no authority by which to sanction non-members. Many psychologists are choosing not to join APA or to allow their memberships to lapse, believing that as it does not represent their interests and values. In my opinion, APA and some of its divisions have drifted from a being a professional organization advancing the science of psychology and translating research to action and policy, to a point where they are promoting a social and political agenda.

I am opposed to torture. But I endorse the use of interrogation when used consistently with current federal law and conducted by trained interrogators. And I certainly see no reason why psychologists cannot assist in developing effective, lawful ways to obtain actionable intelligence in fighting terrorism. If the information can be obtained noncoercively, all the better. Social psychology taught us how to use social influence in getting people to do things they ordinarily would not do and buy things they often do not need or want. In my view, it is common sense that you would want psychologists involved in the interrogation of known terrorists. As psychologists, rather than decrying illegal use of cruel and inhumane treatment to obtain information, we should work to develop reliable noncoercive ways to get people to tell us about terrorist activity of which they have knowledge and are attempting to withhold. We need to take a proactive stance in saving lives and preventing acts of terror. The Costanzo et al. article does not appreciably help psychology to move forward, for it limits opportunities for psychologists to gain first-hand knowledge of the nature of the challenges interrogators face, and focuses on current approaches rather than on developing new ones that apply and improve current psychological knowledge.

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