

THE RULE OF LAW ORAL HISTORY PROJECT

The Reminiscences of

Dan Aalbers

Columbia Center for Oral History

Columbia University

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PREFACE

The following oral history is the result of a recorded interview with Dan Aalbers conducted by Ghislaine Boulanger on May 4, 2013. This interview is part of the Rule of Law Oral History Project.

The reader is asked to bear in mind that s/he is reading a verbatim transcript of the spoken word, rather than written prose.

VJD

Session One

Interviewee: Dan Aalbers

Location: Truckee, CA

Interviewer: Ghislaine Boulanger

Date: May 4, 2013

Q: This is Ghislaine Boulanger. It's Saturday, May 4. I'm in Truckee, Lake Tahoe, in northern California. I'm interviewing Dan Aalbers. Dan, thank you so much for doing this at this time.

Aalbers: Thank you so much for inviting me.

Q: Dan has a very significant history in this whole epic about the protest against the American Psychological Association [APA]. What I'd like to do, Dan, is to begin much earlier on and ask you about what you think in your earliest years—or maybe not your earliest years, maybe a little later—prepared you to be determined to tell the truth and not to overlook it.

Aalbers: I think as far as my interest in anti-torture activism—part of the background for that happened in third or fourth grade. I can't remember exactly. One of my teachers—I went to a Catholic grade school—one of my teachers there had us do these exercises where we were to hold our hands out straight to get a sense of what it felt like to be Jesus on the cross. We would sit there for up to forty minutes holding our arms out. She led us to understand how the pain would come in our shoulders and how we would have trouble breathing after time. I also learned after a while how to hold my hands in just the right way—they can be kept up for a very long period of time—where it no longer causes the pain in your shoulders and no longer restricts your breathing. Then she would correct us as we learned how to do them. I had some intuitive sense of

how much pain comes from just holding your hands out in a stress position. That really stayed with me. I think that's one of the background points. Also, my parents were liberal Catholics and they had a very strong sense of social justice. I think that stayed with me.

[INTERRUPTION]

Q: Just in case that didn't record, I'm going to ask you—because this is quite a story—the nun as one's first introduction to torture—

Aalbers: [Laughs] We had both nuns and secular teachers. She was one of the ones who was not a member of the order.

Q: Nevertheless, it was a Catholic school.

Aalbers: It was a Catholic school.

Q: If you would tell that story—just in case I screwed up the first one.

Aalbers: Absolutely. One of the teachers in either third or fourth grade would have us do an exercise to help us have some understanding of what suffering Jesus went through on the cross. This was designed to give us an empathetic feeling for the sacrifice he had done for all of us. We were to hold our hands out on the cross itself—to imagine that not only were our hands out but they had been nailed to a cross. We would hold our hands out and then we would feel great pain

in our shoulders. She led us to also focus on how that would start to restrict one's breathing.

After a while I also learned exactly how to hold your hands to allow you to hold your arms out so it would lessen the impact upon your breathing. Then she would correct us.

Q: Actually, un-correct you [laughter], so you were back in this painful place.

Aalbers: Back in the painful place again.

Q: This alerted you to the ways in which people can impose terrible pain on other people—physical pain.

Aalbers: Absolutely. You also need someone to oversee the stress position for it to be effective. Someone needs to correct what you're doing or—in this case—to un-correct what you're doing.

Q: You were saying that—in addition to that extraordinary introduction to torture in a Christian school—your parents were liberal Catholics.

Aalbers: My parents were liberal Catholics and they identified with Vatican II and the aggressive tradition within the church. I think that gave me a strong grounding. My mother was an early Catholic feminist. I think that a lot of that idea—that there are authorities in places you wouldn't quite expect them to be that also need to be resisted.

Q: Need to be resisted.

Aalbers: They do need to be resisted. My mom was a supporter of the Equal Rights Amendment [ERA] and from that experience she certainly led me to see things like patriarchy—about how certain masculine patterns can also be a form of oppression even if it's not an official form of oppression. That was part of my growing up—my mom based in this liberal Catholic tradition coming to support the ERA.

Q: Where are we talking about? What part of the country?

Aalbers: This was in Carson City, Nevada—a town not far from here.

Q: That sensitizing to the ways in which oppression can be made part of a constitution—almost written into the ethic—allowed you to start to intuit that the American Psychological Association was not all what we had hoped it was.

Aalbers: Absolutely. I think—if you don't mind my going back just a little bit further—before even joining the American Psychological Association—as a psychology student, one of my first internship opportunities was at a place not far from here called the Sierra Resource Center. The Sierra Resource Center was a very badly run and very under-staffed institution for people with—what at that time was called—severe mental retardation. This place was so badly run that they kept losing their case managers. They allowed me—with a bachelor's—to become a case manager. I was writing programs for severely mentally retarded individuals. One of the things that I noted when supervising what other people were doing—I had written these programs and I

was overseeing their implementation—oftentimes when people would not show up to work we would have to collect everybody in the common room. There would come this point where there would just be this hush that fell over the room—this great quiet and then violence would break out. One of the residents would attack another one of the residents. Then all these abnormal behaviors that the program was trying to get rid of would all emerge and I became increasingly interested.

It also helped that on my breaks I was reading the book *Madame Bovary*. The power of boredom just seemed to be something that had been underestimated. I spent a great deal of time researching what had been written about boredom. I came into contact with all the sensory-deprivation experiments as part of that. Even before I had joined the APA I had this intuitive grounding of what a stress position feels like and spent a fair amount of time looking at people like [Woodburn] Heron and all of his research assistants who were looking at the "pathology of boredom," as they liked to call it. If you just stick people in an environment where you prevent them from being able to see or hear—how quickly they deteriorate. That experience led me to the academic research and then led me to believe that boredom—as a destructive force as I understood it—was vastly underestimated.

Those were the two groundings. As I became an activist in other fields—as I became increasingly suspicious of a lot of clinical psychology—my experiences in that residential setting and my experiences working in Kalamazoo, Michigan—which at the time was the home of the once very powerful Upjohn Company, the maker of Valium and Xanax—I became increasingly suspicious of clinical psychology. I saw it more as a way of controlling people than as a way of

helping people. I saw a lot of what was happening in these residential settings as behavior management instead of something that was trying to heal or to cure people. I had that suspicion of organized psychology that I went in—I had this background where I was very much convinced of the destructive power of boredom and I had some intuitive sense of how painful and how destructive stress positions could be. As an activist—I was part of a collective—I ran a tiny group of people in Kalamazoo, Michigan who had a radio show called *The People's Power Hour*. We had people like Noam Chomsky and Naomi Klein on our show. At one point we invited Rachel Meeropol, from the Center on Constitutional Rights, onto the show. I wanted to focus on these reports that psychologists were involved with torture.

Q: What year was that?

Aalbers: That was 2005. Actually, it was late 2004 going into 2005. It was sometime in late December.

We spoke with Rachel Meeropol and as I had often been convinced by media activism, the distance between the stories you get when you're talking with the lawyers versus what we were hearing on NPR—what we were getting in the pages of the *New York Times*—it was stunning. She told us about the existence of black sites.

Q: Rachel Meeropol was working, actually, for some of the detainees, at that time.

Aalbers: She was working for some of the detainees at Guantánamo and she told us about how psychologists were involved with the torture. They were not just peripherally involved—they were directly involved. She told us something about the existence of these black sites. We'd known about black sites but she alerted us to new categories of black sites—like the sort of black site that, now in 2013, we've still not completely dealt with—which are these naval vessels that have brigs on them—that sail into international waters where maritime law applies and U.S. law does not. We got some sense of what was really happening. Like everyone else I assumed at that point—I had read and I had been lecturing on how psychology could actually help us understand the abuses at Abu Ghraib. [Phil] Zimbardo had made a very good page on the webpage of the APA, about how psychology can help us understand this—with reference to the Stanford prison experiment.

I had this idea that the APA was still not as progressive an organization as I would like but that they were still going to do something about this. Then, of course, Jane Mayer's great article on the black sites had come out. Then almost in seeming response the PENS [Psychological Ethics and National Security] report came out—the summary of the PENS report itself came out just a little bit after Jane Mayer's 2005 article. It just felt like a slap in the face. Our profession, psychology, had been involved with torture and that the APA was not only not trying to stop it but was trying to deepen the involvement of psychologists. Then I went to the APA conference—which to its credit had a town hall.

Q: What year was that?

Aalbers: That was also 2005.

Q: Where was the APA conference?

Aalbers: To be honest, I don't have that on me. This is the way I tend to do my activism. When you don't see me at the computer or see me in person, I always have a pile of papers and open pedia pages and I use those rather than my memory. [Laughter]

Q: Okay. It was an APA August conference in 2005.

Aalbers: It was a 2005 conference. It might have been in Washington, D.C.

Q: You went deliberately to that conference because of this.

Aalbers: I went to that conference because of this. I went to the town hall because of this. I went there with the summary of the PENS report. I went there armed with all of the facts that we had at that point in a binder.

Q: Who were you talking to among the people we've come to know as activists?

Aalbers: At this point, I had not made any contact with you or with [Henry] Holt.

Q: You were completely on your own.

Aalbers: I was completely on my own. My divisions within APA were 24, which is Theoretical and Philosophical Psychology, and 26, which is the Society for the History of Psychology. I was not connected to any of the divisions for social justice. I was not a member of PsySR [Psychologists for Social Responsibility] or the Peace Psychology division. I was here just on my own—somebody who knew from the interview that Rachel Meeropol gave us how deeply psychologists were involved. I knew from the *New Yorker* article. I just felt like I had to. That's when everything came together. I knew how destructive—once I had read the Jane Mayer article and had this background—I knew how destructive boredom could be. I had an intuitive sense of how bad stress positions could be. At that point I just felt, "Okay. For some reason, I know this material. I know how to [unclear]; I just have to." That was really *the* moment.

I showed up at the 2005 town hall which was being led by President [Ronald F.] Levant. I asked Levant about the reports that psychologists were working with clandestine organizations and asked how we could seek to govern the behavior of people who operate clandestinely. How is it possible for an organization to actually put forth ethical guidelines and never see how they are enforced?

Q: When you talk about clandestine places you're talking about the black sites.

Aalbers: I was talking about the black sites. I was talking about organizations like the CIA [Central Intelligence Agency] and the FBI [Federal Bureau of Investigation]. I think that is this major problem in the way we approach ethics. Within the APA—here we refer to the APA—a

set of ethical guidelines that are designed to govern the behavior of clinicians and researchers. All of that changes when we work with a clandestine agency. I'm thinking about the CIA, I'm thinking about the National Security Agency and I'm thinking of anybody who keeps what they do secret. A researcher is under an ethical obligation when they do an experiment to share all possible results. If there's anything that happens unethically and somebody questions that, the researcher has to produce everything possible about that. When we work with a clandestine agency and we—the APA—go to a clandestine institution, we want to know everything that's involved. They can say, "No, we will not share that information with you and if you try to FOIA [Freedom of Information Act] it from us, we will redact some of the most important details."

Our ethical code is completely inadequate to be able to govern what clandestine agencies do. I asked about the participation of psychologists with these clandestine agencies and how we thought we could govern the behavior. My choice of the words "clandestine agencies," I still use deliberately because I do want it to carry its moral opprobrium. I do think that psychology—as a human science—has this ethical obligation to make what it does public. Scholarly societies operate in public. I think this is a commitment that goes all the way back to the Enlightenment goals of science itself. Our association doesn't believe that it can just import a set of ethical guidelines and then take them to somebody who operates in secret and assume that the same rules apply. It's at best naïve and at worst complicit with the actions.

Levant did not answer my question—to my surprise. Then the to-be president, [Gerald P.] Koocher, took the mic from President Levant and denounced my accusations that psychologists had been working with clandestine agencies as—I'm struggling to remember the exact words that

he used but—President Koocher said that these were baseless allegations and accused me of lying. That there was no evidence whatsoever. I was talking into a wireless mic that was being held by somebody and the format of the town hall was that everyone got a chance for one question. Koocher motioned to have the mic taken away. I had spent a lot of time lecturing in very large halls of students of 285 at a time so I had some idea of how to project my voice at that time. I decided to continue to rebut Koocher's response by reading from the PENS report and reading from some of the other documents that I had brought here. Koocher then asked that the mic be delivered to somebody else—who may or may not have been somebody he knew.

I was approached by a great number of members of the Society for the Study of Conflict in Peace, the Peace Psychology Division—48—to thank me for what I had said. I was invited up to the Division 48 suite, to meet with a number of the people who had been working on this issue.

Q: Who were they?

Aalbers: I'll have to ask for your help. Other than Jean Maria Arrigo—what is the name of the other member of the PENS report?

Q: Mike Russell?

Aalbers: Mike Russell. I met with Mike Russell and he and I agreed on nearly everything—on every possible issue. I left there with some confidence that something good was going to be coming from Division 48.

Shall I continue? I've been speaking for so long. I'm not even allowing you a chance to—

Q: It's not for me to—you're talking. It's your history. I'm learning—which is very exciting.

As we know, things didn't change a whole lot. Where would you be comfortable fast-forwarding to?

Aalbers: Any place in time. I think I first met you at the San Francisco APA meeting.

Q: That was 2007. Was there anything between 2005 and 2007 that is worth putting in this history?

Aalbers: No—other than my doing everything I could to immerse myself in the details of what was coming out about these memos, about the leaked details of the ICRC [International Committee of the Red Cross] report and about the leaked details of the [John C.] Yoo memos [also known as “Torture Memos”]. Those were coming out during that period and I did my best to educate myself.

Q: Were you in touch with the Peace Division people who had given you hope at that time?

Aalbers: I had joined the listserv of the Peace Psychology Division—assuming that that was going to be my natural division—a few years earlier. I followed the discussions that were

happening at that time and it was at that point that I learned about the effort that came to be known as the moratorium. During that effort I decided that the best thing I could do would be to think globally and act locally. I had good contacts and friends in Divisions 24 and 26, and I did everything I could by forwarding these stories—forwarding these memos—to the listservs of these divisions and having conversations with some of the leaders of these divisions. At this time, David Baker, our representative for Division 26 within the APA, was doing exactly what President Koocher had asked him to do—which was to distribute the APA's position on the PENS report and on the participation of psychologists in what I continued to call clandestine organizations. During that time I did my best to persuade them to support the effort that came to be known as the moratorium.

Q: Just describe what that was.

Aalbers: The moratorium is a complex document that was changing all the time. This was a real difficulty that I experienced in trying to—. My first intuitive understanding of the moratorium itself was a cease-and-desist. We are not going to participate in any interrogations at all until we have an investigation. That was my intuitive—the text of it changed quite often. As I was forwarding these different texts to people within the leadership of 24 and 26 and to the membership of 26, especially, I would then have to deal with the challenge of what people—the members of Division 26—agreed upon would then change. It was a constantly shifting document.

Q: The goal of that moratorium was to bring it—as I recall—before the council of the APA and get them to endorse it—

Aalbers: Yes.

Q: —so that hopefully the illegal practices as we understand them in Guantánamo Bay and the black sites would stop.

Aalbers: Yes.

Q: That moratorium kept being brought up. And?

Aalbers: I'm going to need to rely upon your memory again. What year was it that the moratorium was to go before council?

Q: It was 2007—the second time that it came around.

Aalbers: The second time it was to come around. After following these drafts—there was a last minute change in the moratorium—

Q: That was in 2006.

Aalbers: —there was a last-minute change in the moratorium. The moratorium changed from this constantly evolving document into a single amendment to an already-existing and very flawed bill that was going to be going before the Council of Representatives. A number of members of 26 were not sure whether they wanted to support the moratorium.

Q: On what grounds?

Aalbers: They did not want to make a decision on a document that they didn't have time to read and process. David Baker—who was a very conscientious person—was not sure whether or not he could support, given that he was hearing overwhelmingly positive things about the involvement of psychologists at Guantánamo Bay—

Q: From his friend, Koocher.

Aalbers: —from council members themselves. The dominant narrative within the Council of Representatives at that time was that psychologists had actually gone in and fixed hell.

Q: To use Larry [C.] James' expression.

Aalbers: To use the title of Larry James' book. Larry James is a very charismatic figure within the military division.

Larry James had brought this narrative—along with Morgan Banks and some others—to Council—that psychologists were part of the solution and not part of the problem and what you really want to do is you want to have psychologists get more involved so they can prevent these abuses that were taking place at the hands of a few rogue contractors. David had ambivalent feelings about whether or not he would vote for what came to be known as the “moratorium amendment.” Then Division 24—which had not been following this as closely—decided that their representative was going to go home and they would not actually attend that council meeting. In 2006 I decided that the moratorium amendment was good enough. I tried to persuade Division 26 to support and to speak with the representative of Division 24—who is a person I have a great deal of respect for—that he should as a person—

Q: Who is that?

Aalbers: Brent [D.] Slife at the time. Brent Slife was the division representative for 24, a very important figure in 24 and for theoretical psychology. Brent Slife had written so much about why psychology needs to be grounded in moral psychology. I appealed to his very good sense that we should support this amendment. In this last minute effort we found somebody who would show up to vote for the moratorium amendment. We snuck into a meeting that Neil Altman—one of the authors of what was now being called the moratorium amendment—and a number of people who I don't know their names but were in military uniforms—we snuck in, pulled him out in the hallway and had him give a very brief briefing to the substitute representative from Division 24. We literally ran down the hall to ensure that Division 24 was going to be able to cast its vote.

Division 26 and David Baker were not sure how he was going to vote until the last possible moment.

At that point, I felt like I had done my job. I had been acting locally, thinking globally and I assumed—on the basis of the feedback I was getting from the Division 48 list from others—that there were going to be a flood of divisions that were going to come through. As I stood in the room—the audio of this moment is very well recorded on a website called Focus Reframed, so we actually have very good audio of that meeting itself—

Q: The council meeting.

Aalbers: —a council meeting of the APA.

Q: That would have been August of 2006 in New Orleans.

Aalbers: That might be. Okay. I stood there in the room and I watched and heard council representative after council representative vote against the moratorium amendment. While I was happy to see both my Division 24 and 26, it was overwhelmingly defeated. As I watched and the council representatives broke down what I thought was a very modest, very highly compromised attempt to bring the APA to ground—to remove psychologists from the interrogation process—go down, I had to leave the room. I went to the bathroom. I passed by President Koocher, who was not in the room for another reason. I realized that President Koocher knew how to count votes and I did not.

Q: Did he recognize you from the previous year?

Aalbers: I don't think he did. He gave me a bit of a smile. I would describe the look on his face as smug. I don't know how to interpret that smile. I interpreted it as smug.

Q: What did you feel?

Aalbers: I felt defeated. I felt a great deal of anger at that point. I thought to myself, "This is not my division. I have nothing in common with these people"—"these people" being the leadership of the APA. "How could they vote down such a modest attempt to improve conditions—to have our association grounded in ethical principles?" Then I realized my mistake—which is that I had been focusing too locally. I needed to start making contact with other people.

[SIDE CONVERSATION]

Q: Okay. You decided that you had to move to a more broad position from your local position and not rely so much on the various divisions that were important to you and find a broader group of people.

Aalbers: That's right. I was not sure how to do that at the time. My memory at this point is flawed. I believe that I made contact with Stephen Soldz and Steven Reisner.

Q: You did that because you had seen their work—the work that they were starting to write about this?

Aalbers: Yes. I decided to attach myself and to start communication with them. Through that I found the organization that you founded—Withhold APA Dues—and I saw that as one possible alternative. I joined that hoping to find alternatives.

[INTERRUPTION]

Q: Okay. After that 2006 failure of the moratorium you decided you had to go global. You got in touch with Stephen Soldz and Steven Reisner—and in fact started giving posts on the Withhold Dues listserv. You'll have to remind me.

Aalbers: Yes. I think I first found Stephen through his blog.

Q: Stephen Soldz.

Aalbers: Yes. A lot of the details I had gotten came from Stephen Soldz's blog. I have great respect for his attention to detail and I identified with his moral outrage—which I wish I had seen more of within the APA. That is how I first joined that listserv. I feel like confessing to the audio tape here—

Q: —to posterity.

Aalbers: —to posterity—that I had fully intended to come to this interview the way that I tend to work when I'm writing things online—which is with a great deal of memos and facts available to me. Unfortunately, the demands of teaching four classes a semester and struggling with a cold—

Q: We prefer this to be unrehearsed so we'll get you without the reams of details.

Aalbers: [Laughs] Okay. I'm glad that my going by the seat of my pants is the way that I feel—I'm glad that I'm helping.

Q: It makes for a much better interview, I think.

Aalbers: Okay. I don't remember if I had joined the listserv because I had made contact and had learned about Withhold Dues from Stephen's blog or if I had joined at that point. I remember first meeting you in San Francisco where you were organizing a protest. I felt the desire to be connected to other activists and to find—

Q: That was why you decided to come to San Francisco—for those APA meetings?

Aalbers: For those APA meetings. APA was my home. I had presented at APA almost every year.

Q: For how long?

Aalbers: 1997 to about 2005.

Q: Until those moments of dawning realization that these folks had been corrupt—this had been your home for eight years at least.

Aalbers: Absolutely. I still think of my divisions as my home even though I am not a member and the association has made it clear that they do not want to hear from me. [Laughter]

Q: Their membership is going down so much maybe they'll reconsider. Okay. That is an aside.

Aalbers: That *is* an aside.

Q: You came to the meetings in San Francisco and the demonstrations.

Aalbers: I came to the demonstrations and I joined some demonstrations. Then I asked what I could do to possibly help. I just leafleted. My coming with reams and reams of paper paid off because oftentimes I was approached while I was leafleting by APA members—including some core members—letting me know that I had my facts wrong—that, indeed, psychologists made things better.

Q: These were the leaflets that *we* had prepared for the demonstrations?

Aalbers: Absolutely. Luckily my great deal of preparation paid off. In most cases the people I was speaking to left convinced that psychologists were *not* part of the solution.

Q: As they tried to argue you out of your position they actually came around.

Aalbers: Absolutely. That reinforced my Enlightenment-based beliefs that the truth has power. I had this commitment that if psychologists would learn the truth about what was happening then the bulk of the membership would be on our side—would be on the side of the prisoners in Guantánamo and not on the side of the administrators of Guantánamo. That was another key moment—seeing person after person who approached to let me know that I had my facts wrong and leaving knowing the truth.

Q: You felt they might have just been "yessing" you to get away from you?

Aalbers: No, I don't feel that they were. I think that any of them—people who are listening to this don't know that I tend to always dress in jeans and Polar Tech jackets. I think they thought that I was a misinformed protester and that they were going to be bringing facts to me that would persuade me. I think there was a bit of that shock—to learn what psychologists were doing. To have those facts there in my briefcase—to be able to show them—helped persuade a great many people. My background in teaching undergraduate courses at that time I think helped as well—the need to speak well. My experience in radio—which I'm not displaying here but which—the need to say anything you need to say in less than thirty seconds and this need to make this

commitment from teaching undergraduates—to try to communicate things in the simplest possible terms and then to offer details when asked for—helped in that circumstance.

Q: That must have been an almost healing experience for you after the heckling from Koocher the previous year.

Aalbers: Yes. Actually, the heckling from Koocher was another—most of the people who approached me after the heckling from Koocher agreed with what I had said. It was all part of that same experience to me—that anytime people were confronted with the facts the facts persuaded them.

Q: The truth will win.

Aalbers: The truth will out.

Q: As we have come to learn. [Laughter] Yes. Where did we go from there, Dan? I do remember you coming up to me—I believe—in those meetings and saying something about a referendum.

Aalbers: Actually, I don't remember what year we met. I'm sorry.

Q: It was in 2007.

Aalbers: I remember the referendum being first suggested as—my first idea that I was floating—as I remember, this was on the listserv. We would start a campaign where each of us would work within our own divisions. Each of us would join as many divisions as possible and once we understood the culture of those divisions we would repeat what I had done in 24 and 26—work on the basis of the human relationships to persuade each and every core member to vote on our side. There was a great deal of skepticism by those who had worked in a more global sense.

Q: This was on the Withhold Dues listserv?

Aalbers: This was on the Withhold listserv. That is where I first floated it. That went over like a lead balloon.

Q: It was very people-intensive work—incredibly work-intensive. I don't think everybody had your powers of persuasion.

Aalbers: Everyone had the facts and I think that was really what could persuade people. I was able to persuade 24 and 26—I thought because I was immersed in the culture of those and because I could appeal to people like Brent Slife on the basis of what they have written.

Q: As you said, that idea—that enthusiasm—went over like a lead balloon.

Aalbers: That enthusiasm went over like a lead balloon. I think—correctly—people countered that suggestion with a deeper and better understanding of the culture of core. The persuasive

power of the council—core—that the Council of Representatives had an institutional culture that individuals would not be able to break through. I'm very embarrassed not to remember this man's full name—because I think of him as Dan, the psychologist at the University of Oregon. Another “Dan” suggested, “If you're looking for an opportunity, why don't you take advantage of this part of the APA code that allows members to petition the association to change?” He mentioned that and I jumped on that idea. At that point we lost touch with that Dan and I read the APA by-laws from front to back. Then I got in contact with Barry [S.] Anton—

Q: Who was at the APA.

Aalbers: —who was at the APA. He was the recording secretary, according to the association rules. This is who I would approach. Barry Anton had also been somebody who had been participating in the PENS process. I was advised at that point to treat Barry Anton with suspicion and to not trust anything he had said.

Q: By whom were you advised?

Aalbers: By—the best of my memory—I think that was probably either Stephen Soldz or Steven Reisner who recommended that I treat him with suspicion. One of the positive things I do remember from my time working with people in residential settings is that people tend to treat you with the same respect that you offer them. I decided I was going to try to not think about his participation in PENS. On the basis of what I had read from him—on the basis of things—he seemed to me like a person who had a very high degree of conscientiousness—he was a person

who took rules very seriously. I addressed him as “recording secretary.” I took a much more formal approach to him than I take to most people on the basis of his by-laws. He approached me in the very same manner that I approached him. I actually think that he did exactly what the by-laws asked him to do. He gave advice on how we could possibly structure a referendum here. At that point, I made a first draft of the referendum.

The first draft of the referendum was terrible. It was three pages long. It tried to do nearly everything that you can think of. At this time you recommended that I work with Martha Davis.

Q: Yes. I think here I will chime in with my recollection—which is that we were trying to do it online—

Aalbers: Yes.

Q: —and clearly it wasn't going to go anywhere. I thought because Martha was answering you online—of course, in equal length—

Aalbers: —which is something I admire about Martha. Martha has a fantastic attention to detail and when she engages with you, she fully engages. I know any time I've sent Martha an e-mail she's read every word of it.

Q: This did not turn out—so the two of you tried to work together for a while.

Aalbers: We tried to work together for a while offline. This is the leadership that you had brought to the situation. You were less inclined to have everyone hammer something out online. You thought the idea of what I will call “working-groups” was a better way to go about offering something. Martha and I were in a fundamentally different place on what should be done. Martha had an idea that the next step should be based on the approach of the moratorium—which was to base our actions in stopping interrogation. Martha knows much more about interrogation and the interrogation process than I do. She had some belief that we could come up with part of an ethical code that would focus on what guidelines psychologists should have during interrogations.

Q: It was behavioral guidelines.

Aalbers: Behavioral guidelines. I was suspicious of that approach for two reasons. One—black sites being clandestine sites—being sites that we cannot see into. I had the same objection to that approach that I first had during my discussion with Koocher. No matter how wonderful and brilliant our guidelines might be, if you take them into a closed place where access is completely controlled—people are actually ethically forbidden to talk about what is going on.

I also had a very influential class. I am a pacifist but I had a fantastic class from a Vietnam-era general and a Vietnam-era colonel in military ethics as an undergrad. I had some intuitive understanding of how much of military ethics is really based in the need for obedience. In military ethics, what it means to be a military in a democracy is to obey the civilian authorities. I

also had a great deal of suspicion that when we took our civil, scientific, and clinical authority to the authority of the military it wouldn't actually be listened to.

Those were the reasons—that was the disagreement that emerged between Martha and I. Martha wanted to establish behavioral guidelines for interrogation and I wanted to find ways to prevent psychologists from being in the interrogation room at all.

Q: I'm just going to chime in.

Aalbers: Yes. Please.

Q: Given [Ethical Standard] 1.02—which is the ethical code we didn't know about at that time and became very prominent in the American Psychological Association—basically said—as it was revised in very early 2002—Ethical Code 1.02 stated that when psychologists felt they were being compromised ethically they could raise this as a concern with their superiors. If their superiors still said nonetheless, “Go ahead and do what you have to.” They could do that.

Aalbers: Absolutely.

Q: Behavioral traits—behavioral—it would not have made a difference. Clearly, there were irreconcilable differences between you and Martha.

Aalbers: There were differences that were very difficult for us to reconcile. Absolutely. We started at two very different starting places.

Q: Do you remember how you stopped working with Martha and began working with Brad [Bradley W.] Olson?

Aalbers: That was at your suggestion. Absolutely. You organized—my guess is that you had a conversation with Martha at that point and you suggested that Brad, Ruth [Fallenbaum] and I all work together.

Q: And Martha withdraw.

Aalbers: And Martha withdraws, because we had that basis. The other basis—the other disagreement that Martha and I had—which I'd like to see if I can get to—is one that became increasingly important to me because when I first became involved I had not understood the important role of the U.S. reservations to the CAT. Many of Martha's—

Q: I'm sorry—the CAT?

Aalbers: Oh, I'm sorry. To the Convention Against Torture—what critics called the UN [United Nations] Convention Against Torture. When the U.S. became a signatory to it, it did so with reservations—reservations being the equivalent of a signing statement—where Congress said, “This is how we understand that this treaty is to be interpreted.” I had spent enough time and we

had enough of the memos—the [George W.] Bush Torture Memos written by people like John Yoo—that we were starting to understand a little bit about who Steven [G.] Bradbury was. I knew that this was the basis for their legal defense of torture. It starts with these loopholes within the Convention Against Torture. The language of those early drafts and the language of the moratorium—which I did not understand at the time—was based in the language of the U.S. reservations to the CAT—which were the foundation stones of the Bush torture policy. There are many, many loopholes. The one that I thought was the most important was that according to the Bush administration—and we don't know how many of these have been rescinded—according to those memos, if a psychologist was involved with an interrogation it was, ipso facto, ethical and legal. Anything that would even make mention of those foundation stones I was going to be fundamentally opposed to. That's still a commitment. I think that part of why we needed something that took a different approach—which did not focus on trying to behaviorally manage the actions of interrogators—is that our presence in those rooms may legitimize, both morally and legally, what was going on in those rooms.

Q: Ethically. Ethically and legally.

Aalbers: Yes, ethically and legally. It legitimized what was going on here. Ethically, morally and legally because we lent the weight of our profession. Every clinician who has ever helped somebody overcome a bit of distress has added to the image of our profession. When people think of psychologists, they have a benevolent view of psychology because of the work of uncounted numbers of people who have helped people in distress to feel better. We were lending that moral authority to these proceedings. Ethically, of course, as it's run by APA ethical code

and legally because it made what was happening in that room not torture according to people like John Yoo. I wanted to have an approach that got us out of that room altogether. We didn't fully understand this at this point, but Bradbury even took John Yoo—most people know John Yoo as the author of torture—Bradbury took it a step further.

Q: Bradbury is—?

Aalbers: Bradbury is a Bush administration lawyer—as is John Yoo.

Q: Yes. I know John Yoo. Okay. When did he join the Bush administration?

Aalbers: I don't know the answer to that. His memos were based upon the original drafts that John Yoo came out with and he extended them in a number of ways. He was more focused—at least according to the public memos. There are still a number of secret Yoo memos that we don't have. There are many more secret Bradbury memos. He was somebody who tried to rescue the core of the Yoo memos from its critics. Ironically enough, he actually extended them.

Yoo had established this idea of intent. Intent was the basis for the legal justification for torture. The Convention Against Torture is interpreted, according to the U.S. reservations to the CAT—torture is only the intentional infliction of severe pain and suffering according to the U.S. Constitution and the amendments contained within. Yoo takes that opportunity to say that international law is to be interpreted according to domestic law. “Intention” in the phrase “the intentional infliction” means specific intent. To have specific intent—this legal concept—to be

able to specifically intend, that has to be the whole of your intent. In specific intent—to use an example that comes from Yoo—if somebody robs a bank but robs the bank in an attempt to get arrested and in getting arrested have access to state-funded medical care—they generally intend to rob the bank. They specifically intend to get access to medical care. We should focus on the specific rather than the general intent.

According to this topsy-turvy interpretation of the Convention Against Torture—for John Yoo, if you do not intend to inflict pain or suffering but you have some other intent—for example, to extract information—and you generally inflict things such as severe pain and suffering, then you have not, indeed, tortured because you have an intent other than to inflict severe pain and suffering. The question then becomes, “How can you show that that is your intent—that you intend not to inflict pain and suffering but to do something else—like save American lives?”

What you do is you consult with a psychologist. The psychologist informs you that what you're about to do does not lead to—this is another category—“prolonged physical or mental harm.” You have not tortured the person. If the psychologist wrote the interrogation protocol, if a psychologist oversaw the interrogation protocol and if the interrogator is—and this is something that is one of these hidden details. The Yoo memo tells us that they had a plan for psychologists to be the interrogators themselves—if the psychologist himself makes a careful review of the psychological literature before engaging in an interrogation and assures himself that the methods they're going to use do not lead to prolonged mental harm, then we know—says Yoo—that the interrogator does not intend to cause severe pain and suffering. Severe pain and suffering—on the other hand—is to be determined by the DSM [Diagnostic and Statistical Manual of Mental

Disorders]. We know that it was healers. The best possible interrogators were going to be clinical psychologists because not only could they offer specific intent but when it came to evaluating whether or not what was visited on somebody was prolonged mental harm—as measured by a small number of diagnostic categories in the DMS—you had assurance that was going on.

Those were the bases. I was resistant to any idea and any draft that included the U.S. reservations to the CAT. I wanted to have a draft that addressed this issue of intent. I wanted to be able to have psychologists involved who could not offer the “intent” defense of torture.

Q: When you made the decision—and I do remember speaking with Brad and Ruth and saying, “Would you work with Dan on this?”—when you started working with Brad and Ruth, did you at that moment have a sense of what you wanted to recommend?

Aalbers: Absolutely. At that point I had an idea of what I wanted to recommend. I knew what had to be contained within the document. I had a naïve understanding of psychologists. I assumed that if we produced a three-page document, that psychologists would read it—because psychologists are scholars [laughter]—that it would be read.

Q: You're so optimistic.

Aalbers: Ruth knew this to be false. [Laughs] Ruth was always taking a look at my drafts and cutting them down and cutting them down and cutting them down. Then I would add to them. Eventually Ruth's demand that we make the document concise won out.

Q: What was Brad's role?

Aalbers: Brad offered—one, he was somebody who had a connection to some of these outside critics. Brad excels like nobody else at keeping coalitions together. As the three of us were working together there was this outside pressure. I had not persuaded some of our fellow activists that they should take an approach that we move psychologists from places like Guantánamo and the black sites. I had not persuaded some of our fellow members that we should avoid any mention of the U.S. reservations to the CAT. As we were working in what I'll call our “working group,” there were pressures on the outside. It was Brad's ability to negotiate between our working group and those fellow activists who were looking at the drafts and who were displeased with the drafts that made it possible.

Q: Was Brad sharing those drafts?

Aalbers: Brad was sharing those drafts with the Coalition for an Ethical Psychology.

Q: So that was Reisner, Soldz and Jean Maria.

Aalbers: Jean Maria. Who was the APA lawyer and former ethical director for—?

Q: Right. His name will come to me. Okay. How did you feel about the fact that Brad was doing that?

Aalbers: Sometimes I was frustrated and upset. I sometimes felt like—there were times when I just wanted to pick up the phone and talk directly to Stephen Soldz, instead of through Brad. However, Stephen Soldz is unparalleled in his command of the facts and his analytical ability. He also has a position of more prestige. At that point I felt that if Stephen and I were to talk, the weight of institutional authority would give him the confidence that his position should win out. I guess the best feeling would be ambivalence. [Laughs]

Q: It strikes me—the way the three of you worked together and produced—in four months—a document we could take forward. It was exemplary.

Aalbers: Yes. Absolutely—we got something. The three of us. What I brought to the situation, to our dynamic, is that I was the most inclined to dive into the details of these legal memos. I was the most inclined to research the jurisprudence surrounding international treaties. I think Ruth brought her ability to communicate and a better understanding of the culture of psychology—especially clinical psychology. While I had some experience in the clinical world, I spent most of my time surrounded by research psychologists. I was somebody who was always better prepared in my rhetoric and in my persuasive ability to speak to experimental psychologists and clinical psychologists.

Q: Ruth, I think, had in mind a word I've used many times—the rank-and-file member of the APA—to whom we had to appeal.

Aalbers: Absolutely.

Q: Brad was this kind of filter from the outside—to bring in their objections. Some of them could be addressed and some of them just had to be denied because you were taking this in a very clear direction—

Aalbers: Absolutely.

Q: —to keep psychologists out of any of the black sites or at Guantánamo.

Aalbers: Absolutely. That was what Brad brought. The draft almost broke down because of outside objections. We had a very real concern that members of the Coalition for an Ethical Psychology were not going to support our efforts because we removed clinicians from the sites as well. There were voices within the Coalition for an Ethical Psychology that had a very strong belief that military ethics are a sufficient basis for the participation of clinical psychologists.

Q: There was a compromise.

Aalbers: There was a compromise.

Q: It was an important compromise. Can you explain that to me?

Aalbers: The compromise that we came to was that the clinicians would be present there but they would be working for an outside agency or they would be working directly for the detainees themselves. I imagined what “working directly for them meant.” I imagined lawyers introducing clinicians to their clients. Then what we would have in that situation is a fiduciary relationship. This was a word that I favored and Ruth thought it was terrible.

Q: It did not end up in the final draft.

Aalbers: It did not end up in the final draft—fiduciary.

Q: We also did not ban military psychologists from working with military personnel.

Aalbers: That's absolutely right. That was *the* compromise that was the hardest for me. In fact, that is in there as footnote seven because at the last possible moment—. Once we had the draft, the objection to removing clinicians that worked just with the soldiers was raised. I was feeling fairly firm in the draft. Brad was able to persuade us to add that exception for military psychologists to be able to help military personnel only.

Q: We will never know what went on—if there were any sessions between military psychologists and perhaps interrogators, or just the guards. We'll never know that, or certainly not in this series of interviews.

Aalbers: Absolutely. Since we've never had a truth commission, we do not know all of these absolutely critical details. We've got a handful of interrogators and guards who have been brave enough to speak out, but if we could have also had independent psychologists we would have avoided that footnote seven. I think that perhaps we might have some of the stories of the guards and the interrogators themselves.

Q: Let's talk about what happened. When I gave my oral history I talked about the meeting in 2008 that I had with Stephen Soldz and Steven Reisner—having gotten the endorsement of Laurie [Laurel B.] Wagner and how they both agreed to sign on. Ruth, Laurie, Steven, Stephen and I all burst into tears. It's my oral history because you weren't there.

Aalbers: Please.

Q: We were set to go. At that point, what did you do with this referendum?

Aalbers: At that point the APA was switching from paper ballots to online ballots and had been announcing that very proudly. I argued to Barry Anton that we should also allow for electronic petitions. This made all the difference in the world because the APA had control of its own internal listservs pretty well. We had a better ability to organize outside the APA. After negotiating terms for electronic petitioning and electronic balloting—

Q: I don't know what you mean by electronic petitioning.

Aalbers: The text of the APA bylaws is ambiguous about whether or not a petition should be paper or electronic. A fairly critical issue is whether or not we were going to allow signatures to be signed electronically because they could easily be faked. We worked out terms where members could sign by including their membership number on the petition and that would be verification. That is what I mean by—

Q: The referendum would go out electronically and people could respond to it in this way.

Aalbers: Yes. Instead of having to knock on doors, instead of having to mail things out, and instead of having to pass petitions around to the very, very small number of psychologists who come to the APA convention itself. That was a big victory for us—having electronic petitioning. A mistake I made at that point was I should have pushed on electronic voting at that time as well. I know from discussions with members of the APA board of directors that they were stunned at how quickly we were able to gather signatures. People on the board of directors have told me that they expected the referendum to get very few signatories.

Q: Let me just clarify here that what we needed at this point—we were not voting on the referendum. We needed how many—?

Aalbers: We needed one-percent of the association.

Q: That was what, about—?

Aalbers: It was one percent of 87,000. We wanted to have 1,000 signatures to have a comfortable margin of error. By the bylaws at the time, you could not pay your dues for a number of years and still be a member of the APA. We knew that some people were going to sign thinking that they were members and would have lapsed memberships. We wanted to get to at least 1,000 before we turned it in.

Q: The purpose of this electronic petition was to be able to take the referendum to the membership.

Aalbers: It was to take the referendum to the membership. Of this two-step process—first we needed to petition to allow this text to go forward—then we needed to have a vote on it. We had that initial victory and then—

Q: Do you remember how many votes we got on that petition? How many signatures?

Aalbers: I should know that. I don't. Just short of 1,000, I believe.

Q: It was a massive number.

Aalbers: It was a massive number in a very short period of time.

Q: You've heard from APA directors that they were surprised?

Aalbers: They were absolutely surprised. They attributed our success to people like Amy Goodman and her program, *Democracy Now!* being able to spread the word. There are influential members of the board of directors who believe that the APA's position has been distorted because of positive press coverage.

Q: Positive press coverage! Oh, really. Negative press coverage.

Aalbers: Yes. Negative press coverage of the APA and positive press coverage of our efforts. The monitoring of the petition itself was surprisingly—again, I was terribly naïve at the time. I thought I'd put the petition up and every day I'd wake up and I would find 100 to 500 signatures on the petition. I expected we would do this. I then had to go in and find John Wayne—there *is* a psychologist by the name of John Wayne, apparently—in Orange County. John Wayne signed many, many times. Jimmy Hendricks signed the petition. Part of what we had to do was remove names from the petition—in what I thought was an attempt to discredit the petition. Then we would email them back to ask whether or not they knew that they were members of the APA.

Q: How much time did that take you?

Aalbers: At least three hours each day—usually about six—every single day.

Q: You were doing this alone—removing that—and Brad didn't do this with you?

Aalbers: No. Ruth and Brad did not take care of the electronic petitioning part of it.

Q: Well.

Aalbers: The other thing we did is we used a form of networking that I like to call "rhizomatic networking." We extend it out like strawberry plants tend to.

Q: Like rhizomes.

Aalbers: Like rhizomes. What we did was instead of developing a set of ideas for people to follow—instead of trying to join, for example, the APA Division of Trauma—for me to go in there and try to speak to them would have been a failure. Instead what we tried to do was we tried to empower local activists within their own division of the APA and within their own settings. We would ask people to send the petition on and they would tell us what the local objections were.

Q: How did you do that?

Aalbers: This was through email. I would contact, for example, Stephanie Austin. Stephanie Austin is a psychologist in Ontario and she brought the petition to the listserv inside the hospital she works in.

Q: This was really grass-roots in action.

Aalbers: This was grass-roots organizing in action. We contacted people that we knew who had access to networks outside of the APA and asked them to help us out. They would tell us what part of our message was persuasive and what part of our message was not persuasive. What we would then do was Brad, Ruth and I would come together and then you would help us with our language and we would add to this ever-evolving frequently-asked-questions sheet.

Q: Right. That was something else that we prepared once we knew we that had sufficient votes on the petition to go ahead with the referendum.

Aalbers: This was actually during the petitioning process itself—when we developed this. This became a key point of conflict between the APA and ourselves. We thought that the ever-evolving FAQs, the frequently-asked-questions—what I'll continue to call the FAQs—we felt that the ever-evolving FAQs showed that this was a democratic process and that we had dealt with the objections of our critics. Through rhizomatic networking—reaching out to people who were active within their individual divisions of the APA—by working with people who had networks in state associations, by working people who had networks within hospitals and within schools—we tried to avoid the form of communications that the APA itself controlled. I had known from the difficult position that David Baker was in—having to forward the messages from Koocher and the official positions of the core to the listserv—we would find that the replies would come back from the APA. We had, for that reason, a very deep suspicion of APA channels of communication, the official listservs, and their official documents. We tried—to every degree possible—to organize outside of that. We formed a network outside of it.

Q: When you say "we," Dan—who is we?

Aalbers: "We" is all the members of Withhold APA Dues. Everyone from the organization that you—

Q: The people on the listserv who had come from far and wide were contacting their own people, then.

Aalbers: Absolutely.

Q: They were not necessarily on the list.

Aalbers: Then through the listserv people could bring—and then there was also through individual emails, through phone calls and sometimes just by—I did knock on a few doors.

[Laughs]

Q: Where were the doors?

Aalbers: The doors were—at the time I was living at Michigan. I knocked on doors at Central Michigan University. I knocked on doors—my mother is a clinical psychologist. I asked her to distribute this information among Jungian therapists, for example, which is a collection of therapists who are not very well represented in the APA and do not have positive feelings about

the APA. That was probably the reason for the slip itself, is that many of the Jungian psychologists feel alienated from the APA and do not feel like it represents them.

Q: But they could vote—

Aalbers: They could vote.

Q: —or endorse this referendum or for the proposal of the referendum to go forward.

Aalbers: Absolutely. What we did was we tried to work with those groups that felt alienated from the leadership of the APA and to use their networks of communications. Within my own division we understand ourselves—the Society for the History of Psychology really organizes itself through these independent societies like Chiron, for example.

Q: What is Chiron?

Aalbers: Chiron is a division—a free-standing scholarly society focused on the history of the behavioral sciences named after the Greek centaur, Chiron.

Q: Some of the members of Chiron are members of the American Psychological Association.

Aalbers: Most keep their membership. Clinicians—and this is something that Ruth really brought to the networking part of this here—many clinicians keep their membership in the APA even

when they don't feel connected to it—to have access to insurance and to have the advice of the APA ethics committee—not the ethics committee but get ethical advice from the APA itself.

Q: I think we should stop and come back and talk about how—because this was great. It's fascinating—the networks that you activated in order to get the petition to where the APA had no choice but to put forward this referendum to their membership.

Aalbers: Absolutely.

Q: I think we should stop, take a break and then come back and talk about that and then what happened afterwards.

Aalbers: Absolutely.

[INTERRUPTION]

Q: This is Ghislaine Boulanger on May 4 continuing my interview with Dan Aalbers.

Dan, we had left off talking about—as you said—the grass-roots organization that led to getting as many signatures as were needed for the petition. Where would you like to pick up?

Aalbers: I think that once we'd gotten the number of signatures that we needed for the petition, the APA was really surprised to find out how quickly we were able to organize and how many

people we were able to bring together and as quickly as we were able to. After that point negotiation with the APA got much more difficult. We wanted to have electronic voting just like we'd had electronic petitioning. The APA decided—even after it allowed for electronic voting in presidential elections—that our referendum would go out by mail. One of the things we'd been talking about—many of the members of the APA do not feel connected to the APA. They're there for practical reasons. They need the insurance, they need discounts on the journals, and many, many people don't even actually open the envelopes that the APA sends them. We were at a disadvantage. We had to use those same networks to be able to get people to open their mail and to ensure that it got returned.

Even with that institutional barrier, we were able to win the vote by just a hair underneath the rounding point, so about sixty percent—59.4% of the membership voted for the referendum. I think if we had had electronic voting the numbers would have been much higher. Not only did we have what in a presidential election would have been called a landslide but I think it was only because of that institutional action—of switching from the electronic format—where they found out we were strong—to the APA's preferred channels of communication and that barrier.

Q: Well, I know I felt extraordinarily excited when I got this news but this was really a personal victory for you. You carried this through. How did you hear the news?

Aalbers: It was brought to me by the person who was overseeing the vote whose name I cannot remember.

Q: Garnett.

Aalbers: Garnett Coad. Garnett Coad—who is somebody I had not had much of any communication with and who I think is just a fantastic person. One of the reasons I always make a distinction between the decision-making staff of the APA and the APA staff—the leadership of the APA who actually make policy decisions—and people like Garnett Coad who really are there to do their job according to the criteria put in front of them.

Q: He called you up?

Aalbers: No, he emailed us.

Q: Who? You, Ruth and Brad?

Aalbers: Yes. We were all emailed.

Q: What was that like?

Aalbers: Up until the moment, I was not sure. I was worried by the mail vote and I wasn't sure the numbers were going to come out in our favor even though I was confident that we had the bulk of the membership. It was a great relief. It actually was not—for me—a great period of victory. I didn't have a eureka or yahoo moment. I thought, "Okay. I'm given a taste of what the

APA is planning to do to slow down our efforts. What are they now going to do to slow down our efforts more?" The truth is, it was relief followed by apprehension.

Q: Now the work begins.

Aalbers: Yes. It did because very soon afterwards, when Alan [E.] Kazdin called to congratulate—

Q: The then-president.

Aalbers: —the then-president, Alan Kazdin.

Q: Called to congratulate you?

Aalbers: Called to congratulate.

Q: Who else did he call?

Aalbers: I don't know the answer to that. I decided to do something that all activists should do. I saved his number on my cellphone. I still have it on my cellphone but he no longer takes my phone calls. President Kazdin congratulated us and we were put in touch with Ellen [G.] Garrison, the senior policy advisor who was going to implement this. When we were talking with Alan Kazdin, whom I had great hopes for—in part because Kazdin was a psychologist who had a

name for himself before he had president of the APA. I had hopes that, unlike this batch of presidents of the APA who had really become president by working their way up the ranks and by excelling at the internal politics of the organization—I had high hopes that he would be somebody different because he had an independent, strong standing as a psychologist. That turned out, unfortunately, not to be the case because he took a hands-off approach. He handed it off to the decision-making staff—to people like Ellen Garrison. The APA continued to put barrier after barrier in front of us.

What happened in that first exchange with Garrison to start off with? In the case of Ellen Garrison—on our second or third phone call with Alan Kazdin I let him know that I did not want to work with the APA staff and that I wanted to work with him directly. He let us know that he was not going to be working with us. I offered my critique of the power of the staff and in kind of a comic moment he said, "Well, if your impression of me is that I'm being controlled by my staff, you're dead wrong. Dead wrong. Now I want you to be in touch with my staff." I don't think he heard the irony of what he was saying. For him, this was something he had put forth—that this order was going to go forward. The staff he saw as functionaries—as people who performed the will of the elected leadership—where I see the staff as *the* leadership of the association.

Q: In a way he didn't realize he was being played.

Aalbers: I don't think he realized that he was being played. I think he's guilty of a profound moral error. I think he is guilty of a sin of omission. He had a chance to make a difference and he

decided that he was too busy with his graduate students to devote any time to ensuring that this was overseen. He handed it over to Ellen Garrison. Ellen Garrison is a person I like personally. I think she is somebody who sees the mission of the APA as a guild and its job is to increase the amount of grants that go to psychologists. It's an opportunity to increase the funding part of it.

Q: Let's go to particularly to your exchanges with her over the letter that Kazdin was supposed to send at that point.

Aalbers: Ellen Garrison let me know that Alan Kazdin would like me to be happy with the letter and she offered a draft of the letter.

Q: It was a letter to whom?

Aalbers: It was a first attempt to Secretary [David J.] Hayes, to [Robert M.] Gates, the heads of the FBI, CIA and the DOD [Department of Defense]—to be CC'd to the president, as well. So we were working essentially on the template letter. She was given the task of modifying it for each recipient. I was not part of modifying it for each individual recipient. It was a draft which completely misunderstood and misinterpreted the referendum. Completely.

Q: Did you have enough input to change that?

Aalbers: Yes—in some ways. The first thing that Ellen Garrison told me was that I should be happy to know that exactly what I was getting at in the referendum had already been done and

she didn't see the need for a lot more action to be taking place. Because what I wanted was for psychologists to no longer be involved in interrogations, I should be happy to understand that there is actually a firewall between the medical staff and the interrogators and it's no longer the case.

Q: I've not read the referendum or read it with blinders on—I'm trying to understand how you must have felt when she said that to you.

Aalbers: In some ways I was happy. I was happy to have someone who was listening to me at this point. Ellen Garrison was a very good listener. I was happy to have someone—and I was hoping for that same sort of switch in her, like the people who had approached me when I was leafleting. I was hoping that once I had given her enough information that there would be a change—she would see the referendum differently and to understand why the sort of attempts to "fix hell" were inadequate.

Q: So, moving along—did you succeed?

Aalbers: No, I did not. Well, the letter became stronger. I decided—in the end, Ellen Garrison and the APA declined to call for psychologists to be removed from Guantánamo. They simply sent the text of the referendum itself and the called action was not to remove psychologists, which was clearly what the referendum calls for. It was not a call to work with independent organizations to get independent psychologists in there. It was, instead, a call on the president to continue to safeguard the lives and the mental health of the people at Guantánamo. So while

there was a partial victory, in getting the text of the referendum itself in that original letter, to me it remains a deeply flawed letter because its call to action was to continue to safeguard.

The most significant contribution I made to the letter were getting the text of the referendum in there—although I failed to get the interpretation that I thought was appropriate in there, which is to say, by the way, this means that psychologists have to leave; or it means that independent psychologists need to come in. Indeed, I actually walked away from the letter, at the end. The last change I've heard was the wording on one sentence, as it came down to, where the sentence I had written about the evidence for abuse at Guantánamo is overwhelming, was changed to "there have been reports of abuse of Guantánamo." So the shift went from "evidence" to "reports." I asked for the change to say "credible reports." At that point, that couldn't be done without some sort of authorization, to say that these reports from people like the ICRC, from the UN, which were included in the text of the referendum itself, were not credible reports and it was not going to be accepted. I declined to sign onto that letter, at that point. Here, then, at the last possible moment, Garrison called me, about a week to two weeks later and said, "Okay, it's been changed to 'credible reports.' The letter is going out." Then I had the choice, am I going to protest this letter because of its inadequacies or am I going to jump on the letter and say that it's something I endorse?

In the end, I was hoping that his was going to be the start of something; that we had at least gotten the text of the referendum out and decided that, despite what I thought were very deep flaws, to endorse that letter. I used the opportunities I had during press interviews to praise Kazdin at that point, even though I wish I had not.

Q: And the letter did start out by saying there is a significant change—was it in "our policy?"

Aalbers: Yes.

Q: It seemed really momentous but I certainly hear the ways in which they were able, very cleverly, to take the teeth out of it, nonetheless.

The deeply flawed letter goes out with a kind of wink, probably to the various Secretaries of State, et cetera, saying, "Okay, here we are, accusing these people that you and I know what's going to continue to happen."

Aalbers: Exactly right.

Q: What happened next, for you?

Aalbers: At that point Kazdin wanted to have an advisory group on how to implement the petition. The APA lawyer had earlier decided that, if the vote went through, it was not directly enforceable. It had to be endorsed by the counsel of representatives. The leadership of the APA decided, I think quite disingenuously, that they could not understand the text of the referendum. They couldn't see how you could read the referendum and get that it was not a ban on interrogations but that it was a call for psychologists to leave. That didn't make any sense to them. They didn't understand why it was not a call to increase behavioral safeguards.

Q: Although they had actually argued against it as a call to remove psychologists completely from Guantánamo during the period building up to the actual—when they had—against statements and we had some “for” statements about voting on the referendum.

Aalbers: Absolutely.

Q: So once again we've gone through the looking glass with them.

This advisory committee—originally did not have any—you were not on the advisory committee.

Aalbers: Yes. This is where you know part of the story better than I. I was invited to join the advisory committee. I was the only member of our group to join the advisory group. It was at first none of us, then it was only me and then I let them know I was not going to join. At least Brad and Ruth were to join. We made up a list of about ten people we would like to see—including yourself—Frank Summers, Stephen Soldz, other members of the coalition, so many of the activists who helped us bring about the referendum that should be on the advisory committee. Every single one of those names that we presented was shot down. It was made up—overwhelmingly—of critics of the referendum.

Q: Though you were actually able to prevail and have the people who had actually worked on the referendum with you most immediately—Brad and Ruth were on there.

Aalbers: Yes. That is a sort of victory. However, to me this seemed to be a door-in-the-face persuasion technique. To me this was like the salesman who wanted to offer you a car for \$1 million, when they really want to sell you the car for \$10,000—the idea of excluding the three authors of the referendum. I was excluded from actually arguing in favor of the referendum because I was not a member. The idea that Brad would not be on this—who had had his name on the APA official statement in favor of the referendum—was an absurd idea. It was a slap in the face designed to make us satisfied with the fixed hand that they had dealt us from the deck. I understand that something is a victory but I also think that was something they were prepared to give us.

We got that. When every one of the rest of our names was not accepted, I wanted to boycott. I did not boycott the advisory group. Brad, Ruth and I voted democratically because I had—my interpretation—because I had weakened our position before by entering into negotiations with a rival group of activists. I think my credibility and my ability to persuade my fellow activists was at an all-time low and we decided to join.

Q: How had you weakened your credibility?

Aalbers: I had weakened my credibility when we were blindsided by the so-called peace psychologists. The peace psychologists—just before the vote—had come out with a critique of the referendum asking that any APA document be based on the U.S. reservations to the CAT—to the Commission Against Torture.

Q: Yes. Right. That was running up to the vote on the—and you thought that having made that choice to originally listen to the peace psychologists—and you were, after all, close with them at the time—you realized that they were, in fact and had become very much APA insiders.

Aalbers: They had become APA insiders. Before I had pushed forward—against the objection of Brad and Ruth—to enter negotiations with them—to get them to withdraw their opposition. That was a mistake on my part. I had used what credibility I had to persuade them to join that. Then when I had a second—not wanting to join the presidential advisory group, my persuasive abilities were at an ebb.

Q: You felt that you made a mistake when it was you versus Brad and Ruth. It was coming up again—you versus Brad and Ruth. They said, "No, we really need to be at these meetings in Washington—"

Aalbers: Absolutely.

Q: "—arguing for the implementation."

Aalbers: Absolutely.

Q: Deciding on the implementation.

Aalbers: Exactly. We at least have to try to pull this lever of institutional power. I think because we allowed ourselves to enter into internal politics when my strength was going to be in grass-roots politics—my ability to persuade comes from having facts at hand and having people behind me. Going into institutional settings where I had no institutional power and trying to negotiate with a stacked deck was a bad decision.

We had the three of us. Of all the members of this group—other than the three of us—only one person on that advisory group had voted for the referendum. The selection criteria of the advisory group that was first offered by Ellen Garrison to answer the concerns of critics of—you had a better chance of getting onto that advisory group if you disliked the referendum than if you liked the referendum. That's the way the advisory group was set up.

Q: While they've made an enormous amount of work for you guys, nothing of any practical value came out of this.

Aalbers: Absolutely nothing of practical value came out of this. In fact, if you look at the website—after being pressured, they did make a website to look at the implementation—as they called the membership petition resolution. If you go onto Google and type “the implementation of the membership petition resolution”—you will find a timeline of what they've done. It reads like a padded CV [curriculum vitae]. What they are doing is—time and time again—talking about sending out the same letter with a handful of sentences changed. Usually what's changed is the address and the director. They send out the same letter—

Q: —that you eventually decided to agree to.

Aalbers: Yes.

Q: —the original letter that went under Kazdin's name.

Aalbers: Absolutely. The APA staff likes to complain that they have devoted hundreds of hours of work—and they have—to work on the referendum. The work that they've actually done could be done in an afternoon. It is like somebody who has decided to take all the wheels off the car and decided to remove the engine from the trunk compartment and they're complaining how hard it is to push the thing forward. [Laughter] Most of the work they have done is actually pushing *against* us and they want us to count that in their favor.

Q: That was October of 2008. Now it is May of 2013. Psychologists continue to work in Guantánamo Bay and the black sites.

Aalbers: Yes.

Q: As far as we know, there are no psychologists working there for human rights organizations. We had hoped there would be—to be able to work with the detainees to the extent that they would trust anybody who is American at this point. I guess they could have brought in international psychologists. What do you know about the ways in which the APA has continued—all the while pretending that they are trying to implement the referendum—the ways

in which they have continued to keep psychologists roles consistent with what the current needs are, et cetera? What do you know about that?

Aalbers: If you look at the revised description of what these Behavioral Science Consultation Teams—the BSCTs—are doing—they were ready for the moratorium to pass. They have simply redefined their job description from “somebody who aids interrogation” to “somebody who consults to how to improve the conditions at the camp.” This is a distinction without a difference. If you look at the [Donald H.] Rumsfeld list of approved techniques, they're all about environmental manipulation. All they have done—the BSCTs—is say, “We no longer interrogate. We no longer consult to interrogations. We only consult to environments.” This is part of why—

Q: When was that description of the BSCT task written?

Aalbers: We don't know the exact date of it being changed. I've seen it. It is present in the most recent memo that we have—which goes from 2007 to 2009. Sometime in late 2007 there is this change from the BSCTs being able to be consultants to interrogation to being consultants to environments.

Q: That would certainly reflect their anticipation that the moratorium would pass—which it didn't—in 2007. You don't know of any changes or any new SOPs—standard operating procedures—or anything that have been written since 2008?

Aalbers: No. The 2008 to 2009 Bagram SOP is the most recent one that I have had access to and in that case they are working as consultants to interrogations. They decide which prisoners can be cleared for release. They decide which prisoners will need to remain. They still play an absolutely critical role—as of 2009—working inside these black sites.

The [Barack H.] Obama administration claims that it has closed the black sites. However, reporting by Jeremy Scahill has revealed that there is a black site in Mogadishu that is actually run—there are no CIA employees. Every single staff member at that particular prison is being paid by the CIA. This seems to be a new model for what black sites are. No longer is the CIA doing the hiring itself. It is simply paying the salaries of people who run the secret prisons.

Q: DOD might actually be doing the hiring.

Aalbers: DOD might be doing the hiring. It might be something more like the dirty wars in South America where we send in advisors to tell them how we would like a prison to be set up and we let that internal government set up and run the prison and then return information to us. As best we know. We also know that there are BSCTs there and we certainly know—from Guantánamo's own magazine—which is the copy that actually mentioned—it can no longer be found on the Guantánamo website—but Guantánamo's "open" magazine, *The Wire*, lists favorably some of the actions that BSCTs do as of 2009. That issue has disappeared but you can find it in cached versions of the same website if you go to Archive.org and look in the "way-back" machine. You can find—

Q: That means that this Mogadishu black site—they have BSCTs?

Aalbers: We don't know that they have BSCTs. It's now become much harder to know because what's happened—. Ironically, we have less information under Obama than we ever did under Bush. Obama's war on whistleblowers—because of this new model, where it seems that more and more we're outsourcing torture rather than hiring torturers, we—. [Interruption] We don't know as much of what's going on.

Q: We work with this. We tell people. You said at one point early on—maybe in 2006 or so—that if psychologists would learn the truth about what's happening they would be up in arms. I think psychologists know and they're not up in arms. Do you have any thoughts about that?

Aalbers: I think it's become less possible to communicate through the mass media. I think psychologists know but they assume—because we have this belief that psychology is a benevolent profession—that because the referendum passed everything is okay. We've had a harder time since then in getting the mass media involved.

Q: You mean since the passage of the referendum.

Aalbers: Since the passage of the referendum.

Q: The media needs to be informed, too.

Aalbers: I think the media needs to be informed as well, because I think we are more powerful. The grass roots of the association are more likely to be getting the news on this. The APA really does not talk about it at all. If you're getting your news on what's possibly happening from the APA, it's not slanted positive, it's not slanted negative—it just simply doesn't exist. While the AMA [American Medical Association] has made some very good, powerful statements about the participation of medical doctors at Guantánamo, the APA remains silent.

Q: There is one more initiative afoot—an APA-begun initiative. It was proposed that they should roll back PENS—because we know how deeply flawed PENS was. Of course, if you actually followed the referendum—the letter of referendum—then you don't need PENS. You've rolled back PENS.

Aalbers: Yes.

Q: There is a debate continuing—with many of these same peace psychologists taking the lead here—about how to come up with a new PENS initiative. This is Psychological Ethics in times of National Security—how to come up with new guidelines for psychological ethics in times of national security—

Aalbers: Yes.

Q: —completely making invisible—again—the referendum. Do you have anything to say about the initiative?

Aalbers: I wish in some ways they would make the referendum invisible. Unfortunately, it's worse than that. What the so-called peace psychologists have decided to do—they have made the referendum—minus any of the footnotes other than footnote seven—the first statement in their new position. Everything else undermines everything they're going to do. The referendum is now going to be combined with PENS—with all of the other policy statements from the APA that it rose in opposition to.

Q: You have the paragraph—that brief paragraph of the referendum—which is available in the Columbia archives—and then each successive clause basically undoes the referendum even though it is supposed to build on it?

Aalbers: Absolutely. In the U.S. reservations to the CAT, one of the key parts of the referendum that is so very important is to say that the referendum applies to domestic *or* international law. Whatever the stronger standard is—if domestic law is the stronger standard, then we follow domestic law. If international law offers the stronger standard, we follow international law. According to this new document domestic law has primacy over international law. Where the rubber meets the road—the practical significance of this is that the U.S.—what is happening right now with these men who are languishing in Guantánamo—many of them cleared for release and possibly about to kill themselves by starvation is not torture. International law says clearly what's happening there *is* a violation of anti-torture treaties. We have actually had the former UN Rapporteur on Torture communicate directly with the APA to let them know that what is happening at Guantánamo *is* in violation of the referendum specifically and of

international law. This new document will undo that because any time international law and domestic law are in conflict, psychologists will be free to follow domestic law. The referendum is going to go from being the first—the statement of the membership and it is now being folded into a document which claims to be a grass-roots effort. It is now being folded into a document that is overwhelmingly dominated by APA insiders. One of the authors of this *is* a member of the APA board and is a military contractor himself. He has written—

Q: Can you say his name?

Aalbers: Bill Strickland. William Strickland. He is a military contractor. He has been elected to the APA's board of directors. He was also on the presidential advisory committee. Bill is a nice guy but he has an institutional interest. He has been *the* spokesperson for psychologists on the Hill. The APA has not been able to *once* get somebody down to the Hill to argue in favor of taking action on the referendum. It has been silent on Guantánamo. Dr. Strickland is there time and time again asking for more funding for military psychologists and for military bases that are only peripherally related to the field of psychology—using the moral authority of the APA to do so.

Q: The collaboration continues and now will be entrenched in yet another contested piece of APA legislation.

Aalbers: Indeed. The insiders are willing because they are portraying themselves—this is an AstroTurf effort. They're portraying themselves as a grass-roots, member-initiated coalition that

has come together to integrate all possible documents. These documents mix the way that oil and water mix. You do not take something that is in opposition and combine it without changing it completely. It's like adding just a drop of alcohol to lemonade. Once you add a single drop of alcohol to lemonade you have an alcoholic drink. This is exactly what they are doing.

Q: I think we are at a very sobering conclusion here. It's horrifying but I like your AstroTurf. We have the real grass roots and they have this manufactured feel-good group that has nothing to do with grass roots.

Aalbers: It has absolutely nothing to do with grass roots.

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