

Do as Little Harm as Possible

A review of the film



Doctors of the Dark Side

(2011)

Martha Davis (Director)

Reviewed by

[Paul Kimmel](#)

The American public is not aware of the role of psychologists in the interrogations of military prisoners in America's war on terrorism (Rubenstein, 2011). With the exception of the photos of torture at Abu Ghraib and the trial of Bradley Manning, there has been little general publicity about these interrogations. After producing a short documentary on psychologists involved in detainee interrogation, clinical psychologist Martha Davis (retired from John Jay College of Criminal Justice) decided to make a feature film about the crucial role of doctors, and especially psychologists, in the development and implementation of abusive detainee interrogations. With no formal training in filmmaking and little funding, she directed and produced *Doctors of the Dark Side* with a team of professionals that included Mercedes Ruehl as narrator.

Four years in the making, the film premiered at Georgetown University Law Center on October 11, 2011. It was followed by a panel discussion that featured three of the professionals seen in the film: Stephen Xenakis, a retired brigadier general and physician; Eric Montalvo, a marine military prosecutor and defense counsel who represented several

Guantanamo Bay detainees, including Mohammed Jawad; and Len Rubenstein, the former executive director and president of Physicians for Human Rights, an organization that exposed the involvement of physicians and psychologists in detainee torture.

The American Psychological Association and the Film

I heard about this film as I was preparing to take part in the 30th Annual Meeting of the International Congress of Psychology in Cape Town, South Africa. I contacted Davis and, after seeing the DVD, got her permission to present it at this meeting in July 2012. The first showing was so popular that it was shown a second time. At the second showing, two representatives from the American Psychological Association (APA), Ethics Office director Stephen Behnke (who appears twice in the film) and Ellen Garrison from the Advocacy Office, joined the panel discussion.

Responding to questions after the film, Behnke said that there never was any questioning about the APA getting involved in military interrogations because “America is our client.” At the time, that phrase struck me as rather strange. APA’s members are its clients, like myself, as are individuals seeking their help with psychological problems; but I had never considered the nation as a client. Perhaps he meant the APA must serve the public interest, as one of its priorities is “promoting human welfare through social justice research, practice, policy and/or education” (APA, 2012, pp. 1–2). Indeed, the APA has argued that by helping to develop and monitor general techniques for investigations, it is serving the public interest. But when these investigations become secret interrogations without informed consent and independent legal oversight, it is hard to know whether they promote human welfare.

Although Davis integrated existing audio and video clips (such as the two that feature Behnke) in her film, she did not succeed in her attempts to interview the military psychologists and physicians involved in the interrogations. A major problem in making *Doctors of the Dark Side* was that much of the information Davis needed was classified.

As the film points out, none of the doctors taking part in the interrogations at Guantanamo or Abu Ghraib used their real names. Two military psychologists named in the film, James Mitchell and Bruce Jessen, were responsible for training interrogators in the techniques used by the CIA at military dark sites. Mitchell and Jessen were contracted by the Central Intelligence Agency (CIA) to reverse-engineer military techniques developed earlier to help American prisoners of war resist torture in Korea. Their enhanced interrogation techniques were tested at Guantanamo and Abu Ghraib to break “unlawful insurgents,” and involved training military psychologists to crack the “tough nuts” who did not give up information easily (National Public Radio, 2009).

The interrogation techniques used today at our dark sites and prisons came out of this “research.” Military psychologists are still watching the outcomes at these sites to see what is working. Because their work is classified, the APA restrictions now placed on psychologists on the basis of studies that have looked at some of similar processes—such as conformity and cruelty to strangers (Milgram, 1963; Zimbardo, 2007)—cannot be applied to them.

Healers or Abusers

A major question posed by the film is asked by Nathaniel Raymond, president of Physicians for Human Rights: “What is different between this research and that done by Nazi physicians in World War II?” Rubenstein notes that participating American doctors have escaped any ethical or legal responsibility for what they have done. *As Doctors of the Dark Side* points out—especially in the cases of Mohammed Jawad, a 12-year-old Afghan turned over to American authorities by other Afghans for a price, and Almed Zuhair, a Saudi who was force-fed in what he called a torture chair during a hunger strike protesting his seven-year imprisonment—many of those interrogated were innocent, had no information to provide, and were not treated humanely.

Davis uses orders from the CIA’s Office of Medical Services to the doctors at the interrogations of these detainees to illustrate their treatment. The staged demonstrations dramatize the roles played by medical professionals. They portray the interrogations as inhumane. In a C-SPAN interview in 2006, Lt. General John Kimmons, Army Chief of Staff for Intelligence, called them counterproductive. The seizure and torture of suspected insurgents who provide other nonterrorist names under duress creates more enemies of the United States.

Clips of Kimmons’s interview, of interviews of the families and friends of some of the detainees released or killed by our interrogators, and of demonstrations against our dark sites at home and abroad provide convincing indictments of the damage done by current interrogation techniques. Although President George W. Bush and Vice President Dick Cheney are shown assuring the public that we are getting useful information, commentators in the film acquainted with the facts (such as Montalvo) suggest otherwise.

We know from our second panel discussion in Cape Town and from other documents (Moorehead-Slaughter, 2006; Pope, 2011) that the APA says that military psychologists involved in interrogations have ensured that they are conducted “safely, legally, ethically and effectively.” These terms are used by the Department of Defense when citing the role of psychologists at the interrogation sites. These terms are also in the Presidential Task Force on Psychological Ethics and National Security (PENS) Report (American Psychological

Association, 2005) that set the guidelines for APA members participating in military interrogations (Rubenstein, 2011).

Although non-APA members like Mitchell and Jessen are not bound by these guidelines, the film shows that there are APA members who have placed national security above their oath to “do no harm.” Army Surgeon General Kiley told the APA Council of Representatives in August 2006 that interrogation must sometimes override healing.

Ending Military Interrogations

Doctors of the Dark Side proclaims that these military interrogations could be stopped if the healing professions did not support them. Some professional organizations began to question the participation of their members in the proceedings at Abu Ghraib and Guantanamo after the 2009 release of memos of the CIA concerning torture and photos of the torture of El Jamadi (Davis’s second case study) at Abu Ghraib.

In 2006, the presidents of the APA and the American Psychiatric Association were given tours of Camp Delta in Cuba to observe the treatment of the detainees. Steven Sharfstein was not impressed by what he saw and returned to set up policies that stopped members of the American Psychiatric Association from assisting in any way with the interrogations. The APA did not follow this lead and is now the only healing profession that allows its members to be involved. Even the International Red Cross has stopped visiting some of the interrogation sites (International Committee of the Red Cross, 2004).

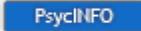
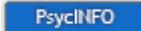
Certainly a good case is made for keeping all healers out of military interrogations, but would that end them? Raymond points out that no professional organization or state-licensing board has sanctioned members accused of abuse (Eligon, 2011). The only military case that went to trial was dismissed, and President Obama promised that interrogators who acted in good faith would not be prosecuted. Without firm sanctions, we believe that there will always be psychologists like those described in the film who will provide their services to military interrogations.

Does this mean that Davis’s effort to expose the role of doctors in military interrogations will fail? It will be hard for her film to reach the general public, as it requires an introduction to provide context and a question-and-answer session with experts after the showing.

Nevertheless, *Doctors of the Dark Side* will have an impact. Certainly it got my attention and that of many of my colleagues. The chair of the Ethics Committee of the South African Psychological Association, who facilitated the showings in Cape Town and was on both panels, has offered to gather support for the annulment of the PENS Report now in progress among APA members (Arrigo, Eidelson, & Bennett, 2012). He is in touch with his association and the International Union of Psychological Scientists (the largest association of

psychologists internationally), whose African president is devoted to human rights. Such international attention helps realize Davis's aspirations.

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