

Guantánamo and the taint of torture

The decision to try 9/11 suspects in military commissions only highlights how the US has yet to reckon with detainee abuse



By Amy Goodman

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On the same day President Barack Obama formally launched his re-election campaign, his attorney general, Eric Holder, announced that key suspects in the 9/11 attacks would be tried not in federal court, but through controversial military commissions at Guantánamo. Holder blamed members of Congress, who, he said, "have intervened and imposed restrictions blocking the administration from bringing any Guantánamo detainees to trial in the United States."

Nevertheless, one Guantánamo case will be tried in New York. No, not the trial of Khalid Sheikh Mohammed or any of his alleged co-conspirators. This week, the New York state supreme court will hear the case against Dr John Leso, a psychologist who is accused of participating in torture at the Gitmo prison camp that Obama pledged, and failed, to close.

The case was brought by the New York Civil Liberties Union and the Centre for Justice and Accountability (CJA) on behalf of Dr Steven Reisner. Reisner, a New York psychologist and adviser to Physicians for Human Rights, is at the centre of a growing group of psychologists campaigning against the participation of psychologists in the US government's interrogation programmes, which they say amounts to torture.

Unlike the American Medical Association and the American Psychiatric Association, the American Psychological Association, the largest association of psychologists in the world, has refused to implement a resolution passed by its membership barring APA members from participating in interrogations at sites where international law or the Geneva conventions are being violated. Reisner, a child of Holocaust survivors, is running for president of the APA, in part to force it to comply with the resolution.

John Francis Leso is a US Army major, formerly chief of the clinical psychology service at Walter Reed Army Medical Centre in Washington, DC. According to CJA, Dr Leso "led the first Behavioural Science Consultation Team (BSCT) at ... Guantánamo from June 2002 to January 2003", where he "co-authored an interrogation policy memorandum that incorporated illegal

techniques adapted from methods used by the Chinese and North Korean governments against US prisoners of war."

Reisner filed a complaint with the New York state agency that governs licences of psychologists, the New York Office of Professional Discipline (OPD), asking for an investigation and appropriate disciplinary action. He took this route, Reisner told me, because:

"health professionals are privy to private information, to weaknesses, to psychological and physical compromises, and they are privy to that information because they take an oath not to abuse that information to cause harm. So when health professionals use that very information ... to cause harm, we want to make sure that those people are held accountable and have their licenses revoked, if necessary."

The OPD declined to investigate, so Reisner is seeking a court order to force the agency to do so.

Maj Leso recommended three categories of interrogation severity at Guantánamo, depending on the prisoners' ability to resist. "Category III" included "daily use of 20-hour interrogations; the use of strict isolation without the right of visitation by treating medical professionals or the International Committee of the Red Cross (ICRC); the use of food restriction for 24 hours once a week; the use of scenarios designed to convince the detainee he might experience a painful or fatal outcome; non-injurious physical consequences; removal of clothing; and exposure to cold weather or water until such time as the detainee began to shiver."

Leso is alleged to have participated in the interrogation of Mohammed al-Qahtani, a young man captured in Afghanistan and referred to as the "20th hijacker". Al-Qahtani's interrogation was so harsh that his charges were dropped. He is represented by the Centre for Constitutional Rights, which said in response to Holder's announcement:

"The Obama administration all but admitted political failure today, as it announced it would try the 9/11 defendants before the deeply flawed military commission system rather than in Article III civilian courts as originally planned. [...] In the same breath that the US is calling for the rule of law in the Middle East, it is subverting it at home."

The roll call of US officials implicated in torture is long, yet not one of them has been held accountable: George W Bush, Donald Rumsfeld, John Yoo, Alberto Gonzales, psychologists Col Larry James and John Leso, among others. As an Arab Spring is celebrated around the world, we should turn over a new leaf in the United States and celebrate an American Spring as well – one that rejects torture and is not afraid to use its judicial system, whether trying accused terrorists or torturers.

- Denis Moynihan contributed research to this column.

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