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Can psychiatry apologise for crimes against humanity?



Apologies from the psychiatric establishment are welcome but reconciliation requires acknowledging its continuing role in human rights violations.

Jan Wallcraft and Debra Shulkes

We live in an age that seeks to establish political truth, perhaps best exemplified by the creation of truth commissions in societies seeking to emerge from dictatorial pasts.¹

Hundreds of people around the world have signed the petition for Truth and Reconciliation in Psychiatry (TRIP), launched in 2010, asking for the psychiatric profession and governments to own and apologise for centuries of damaging psychiatric practice backed by the law. Their testimonies highlight lobotomy, incarceration, seclusion and restraint, harmful drugging and electroshock, and stigmatising diagnoses meted out to people of particular 'race', gender and sexuality. Almost all these acts continue to this day.

Public apologies, truth commissions and reconciliation processes have happened in other contexts after the recognition of large-scale, state-supported human rights abuses. These apologies are an attempt to draw a line in the sand

and mark out a more enlightened and ethical era. Could this really happen in the context of psychiatry? And what does it achieve when institutions and governments apologise to the people they have harmed?

Apologies for crimes against humanity

The German leader Willy Brandt spontaneously dropped to his knees at a commemoration of Jewish Holocaust victims while on a state visit to Poland in December 1970, later stating that "carrying the burden of the millions who were murdered, I did what people do when words fail them."² The former South African president F.W. de Klerk famously condemned 46 years of oppression, saying that the policy of apartheid was "deeply mistaken."³ On 20th March 2010, the BBC reported that Pope Benedict XVI apologised directly to the victims of sexual abuse by Catholic clerics in Ireland and called for wrongdoers to be punished.

These apologies went some way



towards awakening public awareness of institutionalised violations of human rights and dignity that had once been tolerated or even endorsed as normal.

Psychiatric apologies

Recent statements by some psychiatrists and their organisations suggest they too might be ready to admit to abuses, albeit ones lodged safely in the past. The few psychiatric apologies that have emerged focus strictly on the crimes of earlier

generations of professionals.

Thus, more than 65 years after the end of the Second World War, in a speech by their president, Prof Frank Schneider, the German Association for Psychiatry and Psychotherapy finally admitted to German psychiatrists' lead role in the Nazi murder of millions:

"Under National Socialism, psychiatrists showed contempt towards the patients in their care; they lied to them, and deceived them and their families. They forced them to be sterilised, arranged their deaths and even performed killings themselves. Patients were used as test subjects for unjustifiable research – research that left them traumatized or even dead... Why has it taken us so long to face up to these facts and deal openly with this dark chapter in our history? ... for too long now we have been hiding, denying a crucial part of our past. For that, we are truly ashamed."⁴

Writing in *Nursing Review* (September 2011), Alan Rosen, a professor of psychiatry from Australia, asked his national psychiatric organisation to apologise for the past mistreatment of the country's indigenous peoples including forced sterilisation and children being taken from their families:

"An apology would help to 'clear the air' and ensure these practices, including misdiagnosis and lengthy incarceration, would never be repeated (p.11).

The first step is to identify the wrongs through gathering the testimonies of service users, survivors and their friends, families and allies. Justice must include the reform of all laws and practices so that they recognize our full human rights on an equal level with others.

Present and continuing abuses

But many service users and psychiatric survivors are unconvinced by these words. They say that an apology for crimes and mistreatment in the past is self-serving to say the least while the legacy of previous abuses continues in the cruel and unacceptable treatment of people all over the world.

The TRIP testimonies abound with the damage done by psychiatry in the course of its everyday practice. Here is one telling example:

"I have always maintained my son was worse after receiving treatment than before. The medication itself can produce the symptoms of psychosis and other mental health diagnosis. He started out on antipsychotics, now he is taking antidepressants, cholesterol lowering medication, heart medication and antacids. He has experienced seizures, heart attack and is obese... The professionals have been convincing him since 1996 he has a very serious mental illness and will never work again, and now it seems they are saying 'We have got it wrong'. He still hears voices, still becomes paranoid and will not socialize... Is this because he has an illness or what the medication has done to him?"

Towards a meaningful apology

The timing for an official apology is right as UN bodies have named enforced psychiatry a gross human

rights violation. The UN Convention on the Rights of Persons with Disabilities (CRPD) establishes that deprivation of liberty based on a psychiatric diagnosis is contrary to international human rights law, is intrinsically discriminatory, and is therefore unlawful. Such unlawfulness also extends to situations where additional grounds – such as the 'best interests' of the person or the safety of the community – are used to justify psychiatric force.

An apology for psychiatry's appalling record can never be enough on its own. A meaningful apology has to be a part of redressing the harm suffered, and must include:

- a full acknowledgement of all the facts
- acceptance of responsibility, which implies making reparations
- a guarantee never to repeat the harmful acts.

Since apologies seek to right wrongs, "the process must begin with an identification of the wrongs in question."⁵ The first step is to identify the wrongs through gathering the testimonies of service users, survivors and their friends, families and allies. Justice must include the reform of all laws and practices so that they recognize our full human rights on an equal level with others. This means especially ending forced treatment, ensuring support is always based on informed choice and involvement, and ultimately compensation, in forms to be negotiated with users/survivors at national and international level.

Resources

- UNCRPD: www.un.org/disabilities/default.asp?id=150
- TRIP: www.ipetitions.com/petition/truth_and_reconciliation_in_psychiatry/

1 Gibney, M., et.al. (2008) *The age of apology: facing up to the past*. University of Pennsylvania Press

2&3 Fastenberg, D (2010). 'Top 10 national apologies.' www.time.com

4 www.dgppn.de

5 Marrus, M.R (2007). 'Official apologies and the quest for historical justice.' *Journal of human rights*.