

Editor:

I read with great interest Dr. Jerold M. Post's article, "Terrorist on Trial: The Context of Political Crime" (28:171-8, 2000). When he first reported the case of Omar Rezaq, the terrorist who participated in the 1985 hijacking of the EgyptAir plane (*Psychiatric Times*, May 1997), I suggested that Dr. Post would have made an eloquent expert for the defense (*Psychiatric Times*, July 1997). Consistent with what was written in the JAAPL article, Dr. Post wrote in *Psychiatric Times*: "Rezaq almost lost his life in a car bomb explosion that destroyed a cafeteria he had just left. He realized that had he remained he would have died. He had never thought of his own death before and began to have dreams about his death, feeling suspicious and on guard . . . . When I asked him about his emotional state at the time of the killings and how he had reacted to killing a person at close range, he looked at me with perplexity and responded as if it should be self-evident that he was following the plan for the mission . . . . Like his fellow terrorists, he believed that he acted righteously in the service of the Palestinian revolution. He had been programmed to blame all of his and his people's difficulties on the enemy, and to believe violent actions against the enemy were justified."

Although Dr. Post argued forcefully against the "creative" defense position that "the defendant was suffering from posttraumatic stress disorder (PTSD) and accordingly did not appreciate the wrongfulness

of his act," I felt that Dr. Post himself described Mr. Rezaq as exhibiting significant features of PTSD and a failure to appreciate wrongfulness. However, quite apart from the issue of whether Mr. Rezaq should have been found guilty or innocent, what is particularly disturbing to me in Dr. Post's exposition is his implication that the defendant would have been entitled to an acquittal by reason of insanity if it had been proven that he did suffer from PTSD and had not appreciated the wrongfulness of his conduct.

The insanity defense has no place in a rational system of criminal justice. Whether a defendant appreciates wrongfulness or not has nothing to do with holding a perpetrator responsible for intentionally committing a criminal act. Dr. Post's notion that Mr. Rezaq should be found guilty because he is normal is no less "creative" than the defense's forensic psychologist's notion that he should be acquitted because he is abnormal. The fact is that PTSD or no PTSD (or any other Axis I disorder, for that matter), Mr. Rezaq should be found guilty only if it is proved that he met the elements required for conviction of the crime charged against him.

As I stated in *Psychiatric Times*, Dr. Post's noteworthy contributions to the understanding of terrorist psychology do not serve to diminish the confusions and complexities faced by forensic psychiatry as it struggles with the paradox and irrelevancy of an outmoded exculpatory insanity rule.

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