

Editor:

Countertransference and its relationship with forensic psychiatry was the subject of a brilliant article¹ and of a very thoughtful commentary.² Indeed, this relationship has not been explored entirely, and there are many aspects of countertransference that have to be kept in mind by any psychiatrist, let alone a forensic specialist. Not only may dealing with a criminal individual stimulate particular countertransference feelings, but a number of other situations also deserve consideration. One of these is evaluating a psychiatrist who may have transgressed sexual boundaries with a patient.³ In this case, the forensic psychiatrist may experience countertransference feelings that lead to supporting or condemning one's colleague. In other words, a forensic psychiatrist may have to assess the validity of the allegation made by the victim, consider the harmful effects on the victim, and in some cases contemplate the notion of the victim's responsibility.⁴ No doubt the uniqueness of the psychiatric and psychotherapeutic environment force the forensic psychiatrist to be cautious and to consider all the times that, in a way, he is dealing with something very close to him or his profession. Needless to say, these difficulties with countertransference may arise during the evaluation of the case.

We support the concept that psychodynamic psychotherapy allows the development of those particular skills needed in the doctor-patient relationship. Thus, psychiatrists may be able to understand inner conflicts, fears, and anxiety. Psychiatric training is crucial to helping one develop empathic skills and a deep emotional awareness. Facing psychic sorrow may serve to move one toward experiencing specific anxieties of projection and identification. There was a time, however, when countertransference was not known and psychiatrists and psychotherapists had to handle their patients with no awareness of the phenomenon.

The first reference to countertransference was actually in 1910,⁵ but earlier Freud had himself experienced it. In fact, he described in his *Autobiographical Study*⁶ an episode in which a female patient, after being relieved from her hypnotic state, clearly expressed her erotic feelings to him at the time when

the psychoanalysis still had to be developed further. He concluded after that episode that they should interrupt the treatment. Not only was the patient struggling with her sexual desires, but also Freud was struggling with his. A long time after Breuer's cathartic treatment of Anna O., in 1932 Freud wrote in a letter to Stefan Zweig⁷ about Breuer's reaction to Anna O.'s sexual feelings. Like a flashback created for the occasion Freud said: "On the evening of the day that all her symptoms had been brought under control, he was called to her once more, found her confused and writhing with abdominal cramps. Asked what was the matter, she replied, 'Now comes Dr. B.'s child.'" At that moment Freud commented that Breuer had "the key in his hands." Unable or unwilling to use it, "he dropped it. With all his great mental endowment there was nothing Faustian about him. In conventional horror he took to flight and left the patient to a colleague."⁷

It is clear that a reciprocal attachment existed between the two, and the scene created by Anna O. made Breuer recognize his countertransference. Even a forensic psychiatrist has the key in his or her hands to unlock the defendant's inner feelings by analyzing the countertransference. The historical note serves as an example of a possible situation in which either the patient or the doctor may have behaved incorrectly. We believe that a forensic psychiatrist, like any other psychiatrist, has to be aware of countertransference, especially in the evaluation of colleagues who transgress sexual boundaries with patients.

The historical material presented has interesting features that deserve a brief note. First, the two situations described may occur in any clinical practice; second, the patient may accuse the doctor of something that has never happened; third, the doctor may act out the countertransference feelings developed in the setting, but the patient cannot prove it. A forensic psychiatrist may be called to assess who is the perpetrator, but there are no guarantees that he or she, on discovering the truth, will be able to handle countertransference feelings correctly. One may have unconscious desires to protect supposedly innocent colleagues who in truth are guilty. On the contrary, one may cause great harm to an innocent practitioner who is falsely accused of sexual involvement with a patient and is later judged to be innocent. More studies are needed to evaluate feelings of countertransference when a forensic psychiatrist deals with criminal

individuals as well as when erotic feelings have to be considered in the evaluation of a defendant.

Maurizio Pompili, MD
 Iginia Mancinelli, MD
 Roberto Tatarelli, MD
 Dept. of Psychiatric Sciences and
 Psychological Medicine
 University of Rome "La Sapienza"
 Rome, Italy

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Response to Munro:

Editor:

Robin Munro, in response¹ to my criticisms of his article, "Judicial Psychiatry in China and its Political Abuses,"² makes several points that require a response. It is well known that, under Chairman Mao, China engaged in horrific abuses of its citizens that rivaled Stalin's worst. Also well known is the fact that during the Cultural Revolution, the psychological methods of "thought reform" were imposed on political dissidents in prisons and in forced labor camps. Mr. Munro insists that forensic psychiatrists were directly involved in that persecution and that an influential cadre of forensic psychiatrists continues to participate in abusive "judicial psychiatry." Mr. Munro offers not a shred of direct evidence for this indictment of Chinese psychiatrists, most of whom were themselves victims of the Cultural Revolution.

Mr. Munro concedes that he has no direct knowledge of psychiatry in China, but now, in response to my criticism that there were no forensic psychiatrists, no courts, no judges and no mental health laws dur-

ing the Cultural Revolution and the decades that followed, Mr. Munro offers a semantic response. He points out that the Chinese word for judicial (*sifa*) encompasses "the police."

This is disingenuous. Mr. Munro was writing for an English-speaking audience, and "judicial" means courts and judges to us, not police. There is no question that the police and security forces have been the arm of political persecution in China. This was true in the past, and it is true today in the persecution of the Falun Gong. Police and security forces have exercised the Government's power over members of the Falun Gong sect by beating them, by imprisoning them, by sending them to forced labor camps, and, yes, by sending some to psychiatric hospitals. Based on the reports of sect members and their families, psychiatrists fearful of the authorities have reluctantly acquiesced to the police. Psychiatrists have not initiated these abuses. Certainly (even Mr. Munro is forced to agree), judges, courts, and forensic psychiatrists are not involved in the ongoing persecution of the Falun Gong. The current regime's misuse of its raw political power is a reversion to Mao's tactics. To describe those tactics as judicial psychiatry or to blame forensic psychiatrists is unjust.

Mr. Munro questions the necessity of the two paragraphs in my critique describing the belief system of the Falun Gong as a "neotraditional" sect. There is an important issue here that also goes to Mr. Munro's biased account of the Chinese psychiatric literature. He describes at length the published efforts of Chinese psychiatrists who carefully and thoughtfully attempted to distinguish between extreme political convictions and paranoid beliefs. Like many antipsychiatrists, Mr. Munro minimizes the reality of these clinical complexities and presents this issue as a black-and-white matter in which the psychiatrists intentionally created misleading criteria to label political dissent as mental illness. In truth, some dissidents are also paranoid, and drawing lines can be very difficult, as any experienced psychiatrist can report. Mr. Munro fails to recognize this complex reality. The Falun Gong belief system presents a similar kind of problem. The teachings of Master Li, the absolute leader of the sect, go beyond benign regimens of exercise, meditation, and traditional healing. Master Li urges his followers to reject modern medicine, because it and other technology were brought to Earth by aliens who continue to threaten humanity.³ The Falun Gong are being persecuted by the

Chinese authorities, and that is wrong. It is, however, also wrong to describe their beliefs as neotraditional and to compare them with the religion of Jehovah's Witnesses as Mr. Munro does. My two paragraphs were intended to correct his misrepresentations. Let me again emphasize that the Chinese government has no justification for persecuting the sect. Political observers, knowledgeable about the situation in China, suggest that the government is concerned not about the belief systems of the Falun Gong but about the sect's capability of mobilizing large peaceful demonstrations.

On a different note, I want to thank the *Journal of the American Academy of Psychiatry and the Law* for giving me the opportunity to make the case that human rights advocates had also grossly exaggerated the nature and extent of political abuse involving Soviet psychiatrists. Those advocates, like Mr. Munro, were on the side of the angels, but, like him, they often got the facts wrong. Finally, I would like to take this belated opportunity to thank my research assistant, Brad Abruzzi, who worked on the Falun Gong paper with me. He found the Web site³ where Master Li, the leader of the Falun Gong, has published his startling revelations, and Mr. Abruzzi painstakingly annotated them for me.

Alan Stone, MD
 Professor of Psychiatry and Law
 Harvard University
 Cambridge, MA

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Editor:

I found the editorial entitled "Killing" (Nadelson T: *J Am Acad Psychiatry Law* 30:201-6, 2002), about generalized massive sanctioned killing, timely and the contents of the editorial powerful and persuasive. Two points came to mind. First, as a forensic psychiatrist who has worked for more than 25 years with a number of serial murderers and mass murderers, the following dynamics were also associated with them and their crimes: there was an imperative to

kill, stalking the victims was exciting and for some erotic, and the patients were permanently changed by the murders; each was, from that point on, "fixed to the death he ha[d] caused." Although these individuals killed without the sanction of the state, they killed with the sanction of their "state of mind."

Second, the editorial ends with the statement, "We are at war with the seventh century." What is implicit in this is that we, the West, particularly our country, are at war with fanatical Islamists whose psychological development appears to be equivalent to that of their seventh-century peers. I would ask the following questions: are we not ourselves struggling with our own seventh-century psychology, which is morbidly evoked by guns and murderous video games? Would it not be useful to solicit the input from an Islamic militant, not necessarily a fanatic, to describe killing from the standpoint of the fundamentalists? Although this editorial appears to be fair, "it is difficult to adjudicate the justness of cause when both sides—the West and the fanatical Islamists—claim the moral high ground." The article clearly endorses our side as the just side.

As an American, I do not doubt that we are on a more just side, but in fairness to the Islamists we would have difficulty honoring their side as it is described because it has been denigrated to seventh-century stature. For a better understanding of the issues, it would be helpful if Dr. Nadelson would contact his local imam and seek the Islamists' opinion about "killing" in this context. In my opinion, to further the process of peace, we must honor the fundamentalist point of view. This could lay the groundwork for honest dialogue and erode the impression of superpower bullying. In doing this, we would elevate the conceptual level of this murderous dispute to the 21st century mode of conflict resolution and work toward a win-win outcome.

Gary Maier, MD
 Waunakee, WI

Reply:

Editor:

I want to thank Dr. Maier for his thoughtful response to my editorial in the *Journal*. I have not worked with serial murderers, but I have considered the relationship between serial murderers and sol-

diers. Both indeed kill serially, and both can find excitement in destruction. Dr. Maier is probably aware of the vast difference between these two groups. He does indicate that there is, for soldiers, sanction of the state and for Jeffrey Dahmer the “sanction of [his] state of mind.” The soldier is an arm of the state, subject to its rules. Killing is his assigned job. He does not do it for excitement as a free agent. Further, he is not imposing his personal desire on his victims. He may become excited by war’s wonder and kill with some satisfaction, but he has been put in harm’s way by the state, and part of the harm accruing to him is just that excitement and possible attachment to killing. Learning to kill may be the worst part of the harm to which we expose our soldiers.

Dr. Maier weighs in on the side of the angels: he suggests sweet reason in dialogue with Islamists. I also am aware that the United States has acted arrogantly and bullied smaller states (Muslim, of course, included). We and I can regret that, but there has been no time in history when the polities with greater strength (Muslim nations, of course, included) did not bully and exploit lesser nations. That does not excuse our unjust actions, it just supplies historical context.

Right now, the argument of right or wrong, just or unjust is of no consequence. They (that special group of militant Islamists) intend to kill us—or to convert us to Islam. Whether we choose life or death is of no consequence to them. They will attack us without concern for human feelings or life. I wish it were different, but fairness to that subgroup of Islamists seems a very misplaced concern. There can be no discussion with them. Their *fatwas* prohibit discussion with us while they pursue their struggle (*jihad*). Their worldview is incompatible with ours, and they are so heated by that difference that they cannot live on the same planet with us. More than that, other *fatwas* state that if there is any dialogue with us, the Islamists must lie and deceive. There is no “honest dialogue” possible. Could you have honest dialogue with Ted Bundy? Would he not point out society’s killing—as egregious, he would say, as we view his.

The “seventh century” reference is to Muslim history. That was the time of the height of their annexing land and peoples with the sword. Speaking of denigration, they really intend to destroy us, all of us, you know. It doesn’t get more denigrating than that.

Theodore Nadelson, MD
Brookline, MA