

The Politics of Exclusion: Institute Stagnation

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This is a difficult report for me to write, but it is a story I am compelled to tell. First, some background:

Herman Nunberg is credited as the earliest advocate of an analysis of at least one year as a requirement for analysts in training. The principle of obligatory training analysis was formalized in the IPA in 1922 when the report of a committee chaired by Max Eitingon and written by Sandor Rado and Karen Horney. I assume it also specified at least one year, but I do not believe it indicated who would be designated a training analyst. In 1927, an International Training Committee was established in the IPA and there were more contentious issues between the IPA and APsaA about who decided on training requirements, including the issue of lay analysis. The Maresfield Garden Agreement gave APsaA autonomy over training requirements, including determining who could be trained. APsaA was given a status of regional autonomy. Brill effectively prevailed over Freud—lay analysts were excluded—a situation which remained in place until a suit against the IPA, APsaA, NYPSI, and the Columbia Center started in 1987 by the Division 39 was settled in 1989, with the plaintiffs prevailing.

Meanwhile back at APsaA, before World War II and during World War II, psychoanalytic training and standards were the charge of a Committee on Psychoanalytic Education in which APsaA institutes were represented and all decisions required unanimous agreement. The arrangement continued until 1946 when APsaA was reorganized and the APsaA Educational Training Committee was replaced by the Board of Professional Standards in which all APsaA institutes were represented and decisions were decided by a majority vote. BoPS was established 1) to assure that only physicians could be trained as psychoanalysts and 2) to exclude WAWI (Karen Horney) and assure that Sandor Rado's new institute would require four times per week analysis and not three times per week.

It is ironic that Horney and Rado were the authors of the Eitingon training model passed in 1922. The bylaws of APsaA require that in order for a graduate of an APsaA institute to become a member of APsaA, they must present their clinical work to the BoPS Membership Committee (later renamed Certification Committee). As a result, up until 1980s, between 700 and 1400 institute graduates never became members. They were called “the lost sheep.” There were many attempts to change the requirements in the 1980s, but it was not possible to get enough support for the supermajority required for a bylaw amendment. This is an example of how the politics of exclusion and the certification requirement for membership in APsaA led to organizational stagnation.

Fast-forward to 1964, more than 50 years ago: I was admitted to the New York Psychoanalytic Institute and started my analysis with Dr. Henry Lowenfeld. I began classes and supervision of analytic cases in 1965 and graduated in 1969, completing the program in fewer years than usual. Clearly I was a highly regarded candidate and my education was excellent. My instructors included some the great analysts of that time—Edith Jacobson, Rudy Lowenstein, Charles Brenner, Margaret Mahler, Jacob Arlow, Martin Stein, Nick Young, Otto Isakower, *et al.* I was appointed to the faculty soon after graduation, elected Secretary of the Society, and served for many years as Chairman of its Program Committee. As one of the prime movers in the development of the Extension Division, I arranged for many well-received courses and well-attended panel discussions. I was clearly in favor and could do no wrong.

This all changed significantly in the late '80s when a group from Division 39 sued NYPSI, as well as APsaA, the Columbia Center, and the IPA for restraint of trade because of the exclusion from training of non-physicians, *i.e.* psychologists. My wife Arlene Kramer Richards was involved in the lawsuit from the beginning, as I am sure was known to many members of the NYPSI, and I played a role in the suit as well.¹ Some of my friends in the Society told each other that I should not be blamed for supporting the lawsuit because of my wife; and that this did not mean that I as a physician and psychiatrist favored non-medical psychoanalytic training. Others, as we shall see, have been less forgiving.

In 1991, I was appointed editor of *JAPA*, a very prestigious position. I was the second editor of *JAPA* who was a member of NYPSI, thus “a feather in our cap.” That same year, I was invited to give the A.A. Brill Memorial lecture of the New York Psychoanalytic Society and eventually gave that talk in 1995. The title was “A.A. Brill and the Politics of Exclusion,” in which I contrasted the attitude of A.A. Brill against lay analysis with that of Sigmund Freud in its favor. I spoke about how the shadow of the founder (A.A. Brill) falls over an organization (APsaA and NYPSI) and faulted NYPSI in particular for what I called “the politics of exclusion,” in this case excluding non-medical psychoanalysts. This has been the theme of many of my scientific, political, and polemical contributions since.

Also in 1995, in an effort to demonstrate that APsaA welcomed psychologists, I prevailed upon my wife to apply for Certification from BoPS. I thought it would be a slam-dunk, as she was a Training Analyst at two non-APsaA IPA Institutes, and two of her candidates had become Training Analysts as well. We were all surprised when Arlene was “continued.” She considered starting a suit because NYPSI and APsaA were still under the jurisdiction of the judiciary that was set up as part of the lawsuit settlement, but she agreed not to file a complaint if I would start a discussion about certification on the APsaA members’ listserv, which I did.²

I began the discussion with a quote from Robert Michels’ *JAPA* plenary address in which he said the purposes of the Certification Committee and the Committee on Scientific Activities were in conflict. My argument was that the examination should not be used as a basis for professional advancement, as it has no demonstrated outcome validity. This listserv discussion has continued for more than two decades and has resulted in significant changes in the role of certification in the organizational structure of APsaA. For example, certification had been a requirement for voting on bylaws and holding office, as well as for being a fellow of BoPS, but that is not longer the case.

As one might expect, I am not celebrated for this accomplishment by the NYPSI oligarchy. I was told by more than one colleague in NYPSI (all of whom had also been personal friends) that they would never forgive me for what I did. Clearly, in their view, I had destroyed psychoanalytic education. By starting a discussion about certification on the members’ list, I was providing a platform for members with no standing to discuss educational matters—those who were not Training Analysts and could not become Training Analysts because they were not certified. To this day, there are still some faculty there who hold the view that only psychiatrists may become psychoanalysts; perhaps because the medical identity has classically been a very important component of the Society and Institute’s original public image.

In the early '90s as editor of *The American Psychoanalyst*, I arranged for a special issue to discuss certification with pro and con voices. The bylaws did not pass the first time but did the second. Certification was no longer required for membership but was still required to run for office and vote on bylaw amendments. A second bylaw amendment ended those requirements as well. What remained was the certification requirement for Training Analyst appointment.

Eventually, two new bylaws were introduced—one called local option, one called institute choice. They each received a majority, but not a supermajority because of the opposition of the leaders of BoPS Fellows. The BoPS position was based on the view that educational matters were not the provenance of the majority of members of APsaA but were the charge of the “educators,” the training analysts in the institutes and their representatives in BoPS. I suspect there was a concern that removing the certification requirement for Training Analyst appointment was a slippery slope and passing the bylaws would put the training analyst system at risk.

My position was that the institute choice bylaw should reintroduce a third time, and that it would pass. However, the “Left Group,” the so-called Alliance, did not agree and came up instead with the Pyles, Perlman, Procci proposal (PPP). The proposal would establish a category of National Training Analysts based on objective and validated requirements, including certification. Such National Training Analysts could be designated Training Analysts at an institute if their faculty agreed. The intent of the framers of the proposal was for it to be considered by BoPS. BoPS referred it to a so-called reference committee, which met, but no one spoke. I attended and sat through two hours of silence.

BoPS did not act on the proposal up or down, but a group of BoPS leaders decided—without informing the Fellows of BoPS, or asking for a vote—to go to court to sue APsaA, asserting that the PPP Fisher Proposal violated the bylaws of APsaA. The judge ruled in the plaintiffs favor and stated that the remedy for APsaA would be a change to the bylaws. In fact, such a bylaw had been submitted, the so-called Membership Empowerment Bylaw, which established that the APsaA Board of Directors had final authority over all matters, including educational matters. This passed with a supermajority—about 70% voted for, which had not been expected, but it did represent a singular victory for the liberal anti-establishment side.

The problem in APsaA had been that the BoPS has been controlled by a self-selected and self-perpetuating group. For example, for decades the chair of BoPS appointed the Nominating Committee, which nominated the Fellows to run for BoPS chair. On the other hand, it seemed to some of us, and some of the BoPS leaders who initiated the law suit, that their majority was at risk. The conservative candidate for BoPS chair won by only one vote.

Mark Smaller became very concerned about the divisiveness in APsaA and by the threat of some institutes leaving if they had to function with membership empowerment. Mark, who was President at the time, convened a retreat resulting in an agreed-upon Six Point Plan which was billed as a set of proposals to bring all the from factors the right and the left together and resolve the contentious issues. Certification was externalized and provenance of a board outside of APsaA, the American Board of Psychoanalysis, was established. BoPS was sunsetted and replaced inside APsaA by a Department of Psychoanalytic Education (DPC) and externalized outside APsaA as AAPE, the American Association for Psychoanalytic Education, which does not have APsaA members outright—the goal of the BoPS leaders who instituted the lawsuit. With the sunsetting of BoPS, the certification requirement for Training Analyst appointment is no longer in the APsaA bylaws, but AAPE requires that all institutes that join AAPE maintain the certification Training Analyst requirement.

It is my view that AAPE is divisive for APsaA (eight institutes have signed up so far), that it will lead to organizational stagnation: within APsaA, as both energy and person power are drained from the APsaA educational enterprise, as well as in those institute that join AAPE. AAPE bills itself as an organization of “like-minded” institutes, presumably disconnecting

themselves from “non-like-minded” institutes. This will cut off these institutes from the opportunity to learn about other innovative and creative educational approaches.

After the sunset of BoPS’s requirement of certification for TA appointment in June 2017, institutes will thereafter be free to decide whether or not to require certification for TA appointment. It has been a long road; but I believe I have contributed to bringing about positive change in APsaA. The Training Analyst system, nevertheless, remains the basis of a two-tier system and a ruling oligarchy in some institutes such as NYPSI.

In conclusion, I have been *persona non grata* at NYPSI since the ‘90s. I have not been asked to teach, supervise, or analyze, although I am a sought-after teacher, supervisor, and analyst in non-APsaA institutes, including CFS, AIP, and MITPP. Moreover, I have consistently received rave reviews from students in the courses that I have taught. However, in NYPSI, politics evidently trumps pragmatism. Perhaps the concern is that I would “contaminate” their candidates by inculcating them with radical political views on organization. NYPSI is a body that does not welcome dissent; it is even able to discourage members from publicly disagreeing with it. My experience has been that there are candidates who agree with me, but their concern is with progression and graduation; and there are members who agree, but their concern is with faculty and TA appointments, and patient referrals.

That is my story. But I remain hopeful that the situation will change. I certainly will continue my efforts. Moreover, there have been encouraging events at NYPSI even since I wrote the first draft of this recollection. The election in June 2016 resulted in a less conservative majority on the NYPSI Educational Committee; and this EC voted against NYPSI’s joining AAPE (American Association for Psychoanalytic Education), which is BoPS *redux*, but outside of APsaA member oversight. NYPSI has begun to consider some of the policies that I have advocated for decades. But a member once said that the Institute needed me to be their Socrates: “We just want you to drink hemlock!”

¹ After a lawyer from Paul Weiss, a firm that also represented NYPSI, filed a reply brief to a motion for summary judgment, Jack Arlow and I advised Richard Simons, President of APsaA, to hire a new lawyer. This one, unlike the Paul Weiss lawyer, was for settling instead of fighting. The Division 39 plaintiffs indicated that they would file an antitrust complaint. At that time, APsaA and the IPA were for settling, Columbia and NYPSI were opposed. The “smoking gun” was a comment by the chair of the Board of Professional Standards that it was a “pocketbook issue.” Dick Simons wrote in *JAPA* several years later that the publication was not guilty of anti-trust violation; instead, it was guilty of “arrogance.”

After the lawsuit was settled, the Institute did admit psychologists, but as of this writing there are only two or three candidates who are not psychiatrists. Although after the settlement other APsaA institutes admitted social workers (MSWs), it took 15 years of efforts, both by me and by Manny Furer, for the requirement to change. The Institute first agreed to train social workers who had a PhD and then those with a MSW. I don’t think there are any MSWs currently in training, but I don’t know if that is because none applied, or whether some applied and were rejected.

² Arlene has written about her experience in a paper for a meeting in Paris (Estates General) about the politics of psychoanalytic groups. See <http://internationalpsychoanalysis.net/2008/05/25/discussion-of-the-certification-process-at-the-apa/>