

Witnessing Psychoanalysis' Lethal Strangulation

WITNESSING POST #5

Sunday, December 15, 2013

Glendale, California

I direct this posting specifically to Clinical Associates in training analyses or in supervision at APsaA-affiliated institutes.

In 1963, Thomas Szasz published an article entitled, "The concept of transference as a defense for the analyst." In it, he described how analysts risk using negative transference to avoid considering the possibility that patients may just not like them. Along the same lines, philosopher Annette Baier describes how "expert wisdom" can lead to authoritarianism, writing that relationships between "unequals" fails when it produces anything other than "a readiness for reciprocal and equal dependency."

Your TA earned that status by passing through the BOPS Certification process that, prior to the 1989 lawsuit, restricted TA status to medical doctors. The Certification process has always been entirely subjective. The examiners are not trained in assessment. The process lacks any objective, verifiable standards for assessing psychoanalytic competency. Quite literally then, just because your analyst has been Certified represents nothing more than ambition or, worse, masochism.

Certification alone prevents you from determining whether your analyst is any more competent than your classmate.

If you are unhappy with your TA, you should consider that you may be in the throes of negative transference. You should of course discuss this with your analyst. But please don't think — even for a second — that your analyst's TA status represents anything even remotely approaching a validation of competency.

If you're pleased with your analysis, good for you. (Although even then evaluation of your positive experience necessitates analysis; it could be a function of idealization).

In any event, if you're displeased with your analysis, and you've reflected on its meaning and discussed it, then knock aggressively on the door of your Dean. If necessary, kick the door open. It is crucial that you transition to a TA experience that will be transformational for you.

With kind regards,

Alan

WITNESSING POST #4

Saturday, December 14, 2013

Glendale, California

Dear Local, National, and International Friends,

Having written list-serv posts for the last 14 months and patiently waiting two decades for our professional membership organizations to (ironically) work to enliven rather than threaten our profession, I embark now on an unfortunate and expensive legal journey.

The American is obviously hopelessly deadlocked, resulting in its almost deliberate destruction of our beloved profession. I will not stand by passively while the IPA throw me — a card-carrying psychoanalyst by any measure — out of their club solely due to an anachronistic, unethical, and harmful deal they made with The American in the 1930s.

If you are interested in my posts to date, please go to alankarbelnig.com, click on Alan Karbelnig blog, and then click on Regarding Psychoanalytic Governance. I have organized all of my posts, in chronological order, in this one section.

Before I paste the letter on, please note that I would really appreciate help — in the form of support, interest, or even money for legal expenses. (You'd have to check with your accountant, but I believe that if you send funds directly to my attorney's trust account, your donations would be considered a business expense).

Since my posts will end in two weeks, please contact me directly by email if you'd like to be part of this next course of action. I hope I hear from any of you who support my efforts to end the madness, and who wish to work towards helping psychoanalysis thrive.

I send you my kindest regards and my heartfelt thanks. Please stay tuned.

Here comes the letter, now airborne, heading towards the UK:

December 13, 2013

International Psychoanalytical Association

Attn: Mr. Paul Crake, Executive Director

Re: Continuation of IPA Membership – Alan Karbelnig, PhD

Dear Mr. Crake:

This firm has been retained by Alan Karbelnig, PhD for the purpose of protecting his rights to a continuation of his membership with your organization. Effective January 1, 2014, my client will have terminated his membership with your "Regional Association", the American Psychoanalytical Association (hereinafter, "APsaA"). It has come to our attention that, due to certain entangling affiliations, discussed further below, the termination of Dr. Karbelnig's APsaA membership may have some adverse consequence on his membership with the International Psychoanalytical Association ("IPA").

We find the prospect of Dr. Karbelnig's membership being compromised merely by his disassociation with the APsaA to be unconscionable and, frankly, unbelievable, given that Dr. Karbelnig has been an IPA member in good standing for more than two decades and has achieved the highest possible levels of IPA accreditation.[1] The purpose of this letter is to: (a) provide a statement of Dr. Karbelnig's position prior to the initiation of legal action on his behalf to secure the continuation of his membership with IPA; and (b) to request responsive action that, if taken by IPA, would preclude the need for such legal action.[2]

My client has studied and trained at The New Center for Psychoanalysis (NCP) in Los Angeles, California, an institute nationally and internationally recognized for excellence in the field of psychoanalysis. It is well-established in the industry that the NCP and the IPA have an independent affiliation and fruitful collaboration. Dr. Karbelnig, naturally, wishes to remain a faithful member of the institute where he trained and continues to experience a professional comfort and resonance.

As Dr. Karbelnig's institute, NCP, satisfies the highest IPA standards for a constituent organization, it is eminently reasonable to assume that an affiliation with NCP would be a satisfactory foundation for continued membership with IPA. However, NCP also has an affiliation with APsaA. Incomprehensibly, we are now given to understand that NCP's affiliation with APsaA threatens to sever Dr. Karbelnig's access to IPA membership. The possibility of such an outrageous result recalls to mind the exclusive days of psychoanalysis in the United States before barriers were broken down by the decision in *Wilk v. American Medical Association*. As you may recall, in *Wilk*, the American Medical Association fought unsuccessfully to reserve psychoanalysis in America for medical doctors only. Professional associations with members in the United States do well to be admonished by this precedent.

I. Fundamental Fairness and the Letter and Spirit of IPA's Own Rules Support the Continuation of Dr. Karbelnig's Membership Based on Current Affiliations

We have reviewed your rules and procedures and developed an understanding of the multiple ways through which practicing psychoanalysts can become members of the IPA. Pursuant to IPA Rule 5, Section A(1), IPA members must comply with applicable IPA Criteria and either be a member of one of three types of IPA-affiliated organizations or be found by the IPA Board to meet the criteria for direct membership. Through his affiliation with NCP, Dr. Karbelnig satisfied the foregoing requirements and became a member of the IPA some twenty years ago, remaining a member in good standing to this day and even going on to exceed the basic IPA membership requirements by being awarded status as a Training and Supervising Analyst.

My client is a devoted member of both the NCP and the IPA. He feels deeply connected, professionally and ideologically, to both organizations. Like the IPA, NCP does not require its members to be members of the APsaA. IPA Rule 4(A)(3) indicates that the jurisdiction of the APsaA is "nonexclusive." [3] Indeed, the spirit of the IPA rules clearly and strongly dictates that Dr. Karbelnig's membership with an IPA-trusted and affiliated organization, such as NCP, should satisfy the requirements of IPA Rule 5(A)(1).

On a similarly fundamental level, the six "purposes" of the IPA, as set forth in IPA Rule 2, would be grossly disserved by terminating Dr. Karbelnig's membership in the IPA. The purposes of the IPA speak to the importance of establishing the essential criteria for selecting and training psychoanalysts. Forcing

psychoanalysts to maintain membership in the IPA's nonexclusive Regional Association is not (nor should it be) a "purpose" of the IPA. Dr. Karbelnig, while soon to be disassociated with APsaA, has achieved the highest possible levels of achievement with IPA. Dr. Karbelnig has heard from IPA that his continued sole affiliation with NCP (without a membership in the APsaA) will result in the termination of his IPA membership. To terminate my client's membership in this myopic fashion would be tantamount to making APsaA membership a prerequisite of IPA membership. Such a result would be inconsistent with all published IPA principles and purpose statements, not to mention being a serious discouragement to other potential IPA members affiliated with organizations affiliated with both IPA and the APsaA.

II. The Adverse Effect of Dr. Karbelnig Being Deprived of IPA Membership

As you well know, IPA is the original international psychoanalytic association, formed in Salzburg during 1908, with founding members including Sigmund Freud, Carl Jung and Ernest Jones. Dr. Karbelnig believes there is a significant tangible value in being associated with IPA (a premise with which I assume you would strongly agree). Assuming Dr. Karbelnig can be proven right in a court of law regarding the value of IPA membership, the deprivation of such membership will cause Dr. Karbelnig to suffer a legally cognizable loss of prestige and harm to his reputation and ability to market his professional practice. The precedent of terminating Dr. Karbelnig's membership would be a major and visible discouragement to future IPA members. If a member in good standing for more than two decades, one who has shown commitment to active participation in IPA events (including attending each of the last five annual conferences and who has been trained and certified at the highest IPA recognized standards), is subject to summary dismissal from the ranks of membership based solely on his disassociation with the APsaA, what comfort can any IPA member have of fair and reasonable treatment?

III. Dr. Karbelnig's Requests

We request that you acknowledge and confirm that IPA will perform at least one of the following courses of action, which would have the effect of removing unreasonable obstacles to the continuation of Dr. Karbelnig's membership in the IPA:

1. A finding by the IPA Board that Dr. Karbelnig's affiliation with NCP is sufficient to satisfy the requirements of Rule 5(A)(1);
2. A confirmation that NCP has been formally and independently designated as a Constituent Organization by IPA; or
3. A finding by the IPA Board that Dr. Karbelnig may maintain a Direct Membership with IPA and continue such membership unless/until such time as NCP is independently accepted by IPA as a Constituent Organization.

In the event IPA is willing to comply with one or more of the foregoing requests but will not be able to finalize its compliance actions by January 1, we ask that you give Dr. Karbelnig a standing reprieve from any termination of his membership while compliance actions are completed.

If we do not receive a written confirmation by January 1, 2014 that our reasonable requests have been or imminently will be complied with by the IPA, our requests will be transmuted into demands that will be formally asserted against IPA[4] in a civil lawsuit bringing claims that will include, without limitation, unlawful restraint of trade under California law and antitrust violations under California and Federal law.[5]

To the extent you may view this letter as hostile, I ask you to reorient yourself regarding the dynamic of the situation: In an era of evaporating disposable income and dwindling membership rolls for many non-integrated (i.e. voluntary) professional associations, we present to you a proud, long-standing member of your association simply asking to be allowed to continue to pay dues and remain a member.

Respectfully Submitted,

Anthony A. DiMonte, Esq.

[1] Dr. Karbelnig has secured the prestigious status as a Training and Supervising Analyst through APsaA, a status recognized by IPA.

[2] Be advised that the continuation of his membership with your organization is of great importance to Dr. Karbelnig and we are resolved to protect the continuation of that membership by whatever legal means are necessary. We anticipate this may involve legal action against both IPA and APsaA. IPA finds itself in the unique position of being able to avoid any legal action by complying with the below requests to continue Dr. Karbelnig's membership.

[3] We find the existence of the APsaA as a "regional association" to be curious, actually. The cryptic statement in Rule 4(A)(3)(a) that recognizes APsaA as the sole Regional Association "for historical and legal reasons" is of particular interest to us. We seek a voluntary explanation from IPA regarding said historical and (particularly) the legal reasons; in any event, we will learn the reasons through formal discovery, if necessary. Perhaps, this is a vestige of the pre-Wilk way of thinking in U.S. psychoanalysis?

[4] And APsaA, as applicable.

[5] In order to strike a more collegial tone in this letter, we chose to reserve discussion of the restraint of trade issues. However, if we are unable to enlist your cooperation in protecting Dr. Karbelnig's membership amicably, the effect will be a clear and actionable restraint of trade as well as creative of claims under California and U.S. antitrust laws, particularly related to the adverse effect on his hard-fought status as a Training Analyst.

WITNESSING POST #3

For your amusement and enlightenment, I share my recent exchanges with Paul Crake, Executive Director of the IPA:

Sent by Paul on Sunday, December 8, 2013, at 138a

Dear Alan

As I keep explaining, the IPA does NOT require you to join your national organisation in order to be a member.

I don't understand why you keep ignoring this fact.

Sent by me at 753a:

Dear Paul,

We are engaging in what a mathematician called a "strange loop," meaning an infinite regress.

You keep pointing out that I need not join The APsaA in order to be an IPA member. From a restricted perspective, you are correct. I understand you.

In my specific situation, I sought training two decades ago in an institution, now known as New Center for Psychoanalysis (NCP), deliberately due to it's being accredited by APsaA as well as IPA. I joined both organizations while I was still a student.

Now that I have become disenchanted with APsaA and will resign later this year, I shall be ejected from the IPA. In effect, I am being punished because of my institutes' APsaA affiliation.

Here's where we keep missing each other:

You write, "Well, Alan, you could simply quit NCP and join another IPA only group."

And I write back, "But Paul, why would I do that if I've been in the same small community of analysts at NCP for 20 years?"

You reply, "You could stay with NCP then, and join another IPA only institute."

"Why would I spend \$1000 in dues to join another group only to get IPA membership?" I reply.

"Would you consider moving to Wyoming, where you could join the IPA as an individual (because there's no local IPA institute)?" You ask.

"Or I could move to England, or Russia, or any other country because only in the US does a national organization hold an 'exclusive franchise,'" I reply.

"Great idea," you respond. ("But please don't move to close to me," you think).

Paul, you understandably must advocate for the organization you direct.

I ask you nonetheless to please comment on the abject absurdity, worse, on the trade-restraining, unethical nature of this situation.

I was trained at, and have been an active member, of an IPA and an APsaA institute, and yet I shall be ejected from the IPA ONLY because my institute ALSO has an APsaA affiliation.

Can you appreciate the Orwellian nature of this situation?

Can you appreciate it's discriminatory and freedom-restricting nature?

I would appreciate a reply, particularly since I referred to one of your country's most wonderful writers.

With affection,

Alan

WITNESSING POST #2

Saturday, December 7, 2013

Glendale, California

Dear Local, National, and International Colleagues and Friends,

Even greater than my disappointment at the failure of the recent NCP Bylaws amendment, I feel disturbed that so many of my colleagues and friends are either unaware of our profession's frightening defects or are apathetic about them.

I offer a short list of the problems lying before professional psychoanalysis:

1. The American and the IPA actively harm psychoanalysis, completely contrary to their missions. Just last night I encountered two excellent psychoanalysts, one trained at NPI and the other at ICP. We discussed how they'd be unable to join either of these professional membership organizations. Psychoanalysis expands in institutions unaccredited by these two professional membership organizations, validating how our two professional membership organizations have failed to evolve.
2. The TA system needs complete dismantling. Institutes will continue to need some way of approving TA-analysand matches, but the current system creates a two-tiered hierarchy that results in chronic internal conflicts, thereby harming the profession.
3. The various way TAs are currently certified relies on unscientific, outdated, and unethical systems of assessing competency. Ironically, psychoanalysis has generally privileged a scientific approach, but its way of choosing its high priests is anything but scientific.
4. The fact that we American psychoanalysts can only join our heralded IPA — founded by Freud — by being members of The American is patently absurd. No other professional membership organization behaves in such a cult-like fashion. This arrangement, resulting from the "1938 rule," and related to the now anachronistic desire to keep American psychoanalysis medical, made The American into a "Regional Association" of the IPA. This happens nowhere else in the world. This harms us economically and harms the prestige of our profession.
5. Because of points 1 through 4, psychoanalysis, as a profession, remains fractured, divisive, and lacking in integration. It slowly dies while comparable professions — medicine, law, accounting, etc — have all evolved into using standardized means of assessing competency, non-cult-like professional organizations, and proper ways of accrediting educational institutions.

I remain puzzled and, at times, enraged that so many intelligent, warm, and kind colleagues fail to see these obvious problems. These are facts, not opinions.

As soon as it is done, I will be posting the letter my attorney is preparing as I proceed with my plan to litigate against the IPA for restraint of trade.

Alan

WITNESSING POST #1

Glendale, California

Saturday, November 23, 2013

12noon

Dear Local, National, and International Friends and Colleagues:

The New Center for Psychoanalysis (NCP) released the results of the vote on the proposed Bylaws Amendment a few days ago. Of its 238 members eligible to vote, 131 members, or 55 percent, returned their ballots within the one month voting period. 56 members, or 43 percent, voted in favor of the amendment. 69 members, or 53 percent, voted against it. Six members, or four percent, abstained.

The voting process resulted in the Amendment being defeated.

It leaves us with important questions:

1. What does it mean that just over half of our members even bothered to return ballots on such a crucial matter?
2. What has happened to psychoanalysis in Los Angeles, given that 20 years ago two IPA-APsaA institutes existed, with a combined membership of nearly 600, and we now only one institute, NCP, limps along with 238 voting members, nearly half of who don't bother to vote?
3. Can you still believe, in good conscience, that NCP is not in serious trouble of dying off?

The recent balloting also provides crucial information:

1. Close to 50 percent of those who voted, and 25 percent of all eligible members, would discard BOPS involvement in our TA selection process.
2. The controversy regarding the TA selection process is serious. It is local as well as national.
3. Our APsaA and IPA affiliation certainly does not help us here at NCP. I believe it actually harms us.

Philosopher Mari Ruti (2012) wrote, regarding what occurs in institutions, that:

disciplinary requirements can sometimes divest us of intellectual capaciousness, open-mindedness, and generosity to the extent that we find it difficult to appreciate anything that falls outside of our own tightly defined way of doing things. We are, in short, prey to a professional inertia that can, to greater or lesser degrees, overtake the best of us at various moments.

Quite the understatement.

I want to express my gratitude to those of you who have read my many posts over the past year. Thank you for the many positive comments I have received; and I also send my thanks to those of you who have responded negatively. At least you engaged in the discussion.

More to come, and only for a few more weeks

Alan