

Coercion and Captivity

LISA RIVERA ■

All these can be considered captives: a POW, a prisoner suffering the punishment of a ten-year sentence, a slave in the prebellum South, a victim of sex trafficking, a member of an extreme cult, a whale at Sea World, an elephant owned by Ringling Brothers, and a kidnapped child sold to a rug manufacturer to provide cheap labor. What can such different creatures have in common when materially their conditions are so dissimilar? Captivity is not a “You know it when you see it” phenomenon. Although the paradigm case of captivity is a free person who is held against her will by another, the existence of captive children and animals makes it clear that the denial of autonomy as it is usually understood is not a condition for captivity. Questions also arise about whether a captive must be held against her will. Further, the experience of captivity can dramatically alter a person’s psychology and the choices she will make. If their capacities for free choice are sufficiently undermined, some captives may accept captivity or seek to remain captive. Captivity, it seems, takes multiple forms and has varying consequences.

The origin of the term “captivity” is in the word “captus,” to take hold or seize a person or animal. A creature is captured when a captor holds her in a manner that prevents the captive from taking any action that is unwanted by the captor. Many types of animals can be captured, but the types of animals that are held in captivity are those that are capable of intentional self-directed movement. Captive animals generally will not be under a captor’s control without some method preventing them from going elsewhere of their own accord. However, captivity is achieved through a variety of methods. For humans, especially, many of these methods are psychological.

Even if not the whole story, the imagery of a creature that is caught by someone does illuminate a central feature of captivity: the relation between captor

and captive. Captivity is not simply a condition of confinement or unfreedom: it is a relationship between a being capable of intentional self-direction and someone who is substantially in control of that being's actions and movements. While we may loosely say a person has been held captive in his home by a landslide, such a person is not in captivity. A captive is always held by another person or set of persons who chooses to hold them.

A second significant feature of captivity is that it benefits the captor, and, in almost all cases, harms the captive. Captors benefit socially, economically, politically, and/or psychologically (e.g., from the pleasure of their power) by holding another captive. A captive creature's body, effort, labor, psychological response, or physical presence is used by a captor for his benefit. For this reason, we would be unlikely to call a woman with dementia whose freedom of movement is constrained for her safety or a toddler kept under his parents' constant control "captives" even if they would both strongly prefer not to be confined and are deprived of alternative options for action. The benefit of captivity for the captor alone is true even for the form of captivity that is the best candidate for justified captivity: imprisonment as punishment for crime. Benefiting the convicted is not the primary purpose of imprisonment. Although they have specific captors such as wardens and guards, convicts are captives of the state, and members of society believe that they benefit from the security captivity as a punishment is thought to facilitate.

This fact about the extreme lack of reciprocity of benefit in captivity also reveals why it makes more sense to see farm, zoo, and show animals as captives, but makes less sense to regard pets this way. I control my dog's options for action nearly as much as a free-range dairy farmer controls the options of his cows. However, the relationship I have with my dog is intended to be one of mutual benefit even if I am unable to confirm that my dog would choose it over other options (see the discussion in chapter 1 in this volume).

Thus, we can preliminarily say that the captivity occurs when there is a self-directed creature capable of independent intentional movement, and her movements, choices, and actions are subject to the control of another who benefits from this control. Captivity is a condition of powerlessness over one's options. Although captives need not be autonomous or have the complex deliberative capacities we ascribe to agents, the captor does need deliberative capacities since he must determine at the very least how best to maintain control over the captive's options.

My main focus here is human captivity. To understand the effects of captivity on people, I will look at three modes of captivity and the methods by which these are secured. The first type is physical captivity, which is primarily achieved by sequestration of the body and limitations on physical movement, as we see in prisoner-of-war camps, detention centers, and prisons. The second type is

psychological captivity, as paradigmatically seen in totalistic cults, extremely abusive and controlling relationships, and the conditions of some members of completely totalitarian states such as North Korea. The third type is social and legal captivity, as in the case of legal slavery and certain forms of bonded labor.

These modes of captivity overlap with one another. Even when captivity is a physical condition of constrained movement, it is a psychological condition of constrained choice. All types of captivity cause enormous suffering for captives but may be experienced quite differently. I will first consider how each mode of captivity affects freedom and identity in different ways.

The examination of the effect of the methods of captivity on freedom brings me to consider these further questions: What is the relationship between captivity and coercion? Are the processes that create captivity always coercive? To answer, I will consider two different accounts of coercion. On the first account, argued for by Nozick and others, coercion is primarily a matter of conditional threats. This account purports to capture coercion of the will, but I will argue it overlooks the way in which situations such as imprisonment or legal enslavement unavoidably shape nearly all of a captive's choices in a way that clearly coerces her will. Given this, I argue an alternative, the enforcement account, better explains a central type of coercion at the heart of physical and legal/social captivity: the creation of barriers to disable a captive's options. However, we will find that psychological captivity straddles both accounts in an unusual way in that the captor harnesses and uses the captive's beliefs and emotions against her to eliminate her own power over her choices.

Before discussing modes of captivity, a few preliminaries about autonomy are in order. It goes without saying that captivity is the most extreme interference with human liberty and that it inhibits a person's autonomy. I will show below that there are various ways that captivity erodes or destroys some of the capacities necessary for autonomy, such as the capacity to think independently about one's choices or the capacity to execute choices that arise out of this reflection. In thinking about the effects of captivity on the person, however, it is more revealing to focus primarily on questions about basic capacities needed for free and independent action of any sort, rather than consider precisely how captivity constitutes interference with autonomy. Autonomously chosen desires may have a special dignity, and autonomy may be the true standard for full personhood. But given that autonomy is a standard some meet imperfectly or not at all, a focus on the interference with autonomy might be taken to imply that nonautonomous desires and preferences, especially when had by less autonomous people, are of less concern when we consider the wrongfulness of captivity. Although I cannot argue this at length, it does not seem plausible that there are degrees of wrongfulness for captivity that depend on how close the person comes to meeting standards of autonomy or how much her choices meet these

standards. Rather, unjustified captivity violates something extremely basic that underlies the very possibility of autonomy: someone's ability to be a free agent in any respect, understood as the ability to make her own choices and act on those choices without the interference, control or domination of anyone else.

Different modes of captivity depend on different methods of interference, control, and domination of a person's choices and actions. The distinction between *autonomy of judgment* and *autonomy of action* is helpful in thinking about these methods (see Dworkin 1978, 163). A person has autonomy of judgment if she is able to think in a clearheaded way without internal or external interference about what she desires, cares about, and ultimately wants to do. Autonomy of action is her ability to act as she has decided she should, based on those judgments. Captivity is usually thought to impede autonomy of action. Physical captivity most certainly does; it sometimes leaves room for independent reflection and choice, but it may also undermine these as well. Psychological captivity directly impedes autonomy of judgment. Psychological captivity is secured by various means, among them information control, shame, guilt, harassment, and trauma. These techniques impede a person's ability to think clearly enough to independently form desires and choices. Social/legal captivity contains elements that impede both judgment and action. I have argued elsewhere that the ability to think clearly about what one wants can depend on the ability to act on what one has chosen (Rivera 2011). We will see in the case of captivity, how this occurs depends on the method of control.

PHYSICAL CAPTIVITY

We can understand physical captivity as a situation in which a person's movements and actions are controlled primarily by physical means rather than by psychological compliance or legal and social enforcement. Anyone whose captivity depends on the control of her body rather than of her mind can be regarded as a physical captive, even though a certain amount of compliance for a physical captive comes about through psychological methods such as threat and intimidation (see, for example, chapters 7 and 8 in this volume). Much physical captivity is outside the realm of law and it is uncontroversial that it is unjustified, for example, sex trafficking and forced labor. Here I will focus primarily on those who are serving prison sentences as a result of being convicted of crimes. Whether or not imprisonment for punishment is justified is not a question I take up. However, the lasting psychic effects of imprisonment should be relevant to anyone who cares about that question.

Unlike psychological captivity, it is not assumed or expected that a physical captive will willingly comply with the mechanisms to control his actions and the

norms being pressed upon him in the absence of continual physical monitoring and force. In light of Bentham's panopticon, which causes prisoners to believe they may be watched at all times, some might argue that an important element of physical control depends on psychological domination. The prisoner's belief that he is being watched is significant in securing his submission. Since the prisoner modifies his behavior as the result of this belief, isn't physical captivity also a substantially psychological process? As we will see, physical captivity does have psychological elements as well as lasting psychological effects on a person's free agency. However, the important thing to note about the panopticon is that the prisoner is not thought to comply because of internalized acceptance of the norms of the prison, or from fear of guilt or shame at his behavior, but because he knows the norms he is violating will be enforced in a way that is physically or psychologically painful to him.

What causes a person to become a physical captive? First, physical captivity is generally initiated with some capture of the body, and it is secured over time by physical control over the prisoner's body and movement. A prisoner is arrested, handcuffed, shackled, held, and so on. His physical captivity over time always involves barriers such as walls, gates, and fences. Such barriers do have a psychological element, particularly given the fact that the prisoner becomes very dependent on those holding him prisoner for all his physical needs. Generally, a prisoner is only allowed to meet his physical needs such as eating, sleeping, elimination, cleaning, and exercise at the behest of those imprisoning him. (Prisoners in some poorer countries depend on their families to provide food, but they still depend on the prison to allow them to keep and eat the food brought by their families.) The physical space of the prison becomes the prisoner's only available space, and he may be confined to an even smaller space, as when confined to his cell or put into solitary. The prisoner's personal liberty is also curtailed within that space (e.g., what he reads, says, eats, etc. and what times he does all these things).

Second, the control that constitutes physical captivity is also secured by means of various direct penalties for disobedience. One type of penalty is to revoke privileges allowed in the prison such as the permission to read, write, watch television, make phone calls, receive visitors, or eat a variety of foods. A second type of penalty is to inflict physical or psychological pain for infractions of prison rules or policies. Some prisons employ direct physical harms such as whipping or being placed in a hot box. Some, including American prisons, utilize solitary confinement, in spite of the fact that it risks causing lasting mental illness (Grassian 2006). Although these penalties do inflict punishment after the transgression, their point is to deter: they are intended as a method to secure compliance and obedience on the part of all prisoners. Finally, the threat

of death or of more extreme or lengthy punishment is often used to try to prevent prisoners from escaping their physical captivity.

Imprisonment is our paradigm for the loss of liberty. It absolutely eliminates the possibility of meaningful autonomy of action, and, during the period the person experiences captivity, it will also constrict autonomy of judgment, since her options are so severely limited. Yet one way that physical captivity in the case of prison differs from psychological captivity is that prisoners may have some small opening to choose their deepest identity constituting values. Prisoners are not forced to internalize the values and beliefs of their captors in the way that a victim of an ultra-totalitarian state, an abusive relationship, or an extreme cult is. Prisoners are not expected to have loyalty or fidelity to or even accept the norms of the prison. In his famous study of a maximum security prison, Gresham Sykes argues, “In the prison, power must be based on something other than internalized morality and the custodians find themselves confronting men who must be forced, bribed or cajoled into compliance” (2007, 47). Although prison undermines identity and agency, Sykes argues that some prisoners make it a goal to maintain these, for example by being a “real man,” someone who tries to “[pull] his time” by refusing to let the custodians “strip him of his ability to control himself” (2007, 102).

Thus, compliance in physical captivity is primarily about behavior rather than internalized attitudes. And although it may leave room for some elements of identity and agency to be retained, maintaining these requires exceptional effort. A prisoner’s success may depend on features of character or life experiences that he could not be responsible for. Thus, it would be unfair to expect physical captives to evade the agency and identity-destroying elements of their experience.

Physical captivity has significant psychological effects that may also affect a person’s free agency for the period of time following captivity. Some of these effects may be permanent. The list of these is quite vast. Even if we confine ourselves to the supposedly more humane imprisonment by the state rather than illegal forms of imprisonment such as forced labor, it is impossible to detail all the ways physical captivity will alter people’s future choices and choice-making abilities when they are free of the physical control they suffered: people’s tolerance for imprisonment differs significantly, and some of the effects of prison are caused by traumas experienced in prison, such as rape and other forms of violence. If post-traumatic stress disorder or other mental illness is caused by imprisonment, this will affect a person’s future free agency by damaging her capacities for deliberation and her ability and willingness to have certain kinds of experiences. It would be somewhat absurd to say that these effects are not from physical captivity itself. When you render someone powerless or near powerless in a social context as imprisonment does, you make the person

vulnerable to violence (see Haney, Banks, and Zimbardo 1973). Unless prisoners' rights are respected and continually enforced (which is very rare), it is inevitable that some people may be psychologically damaged or destroyed by the physical insecurity and violence of imprisonment. Even so, certain effects of the many kinds of mistreatment in physical captivity are not wholly intrinsic to imprisonment itself. Physical captivity always contains an element of actual or implicit violence in the form of bodily domination, but it is the irregularity, fear, and insecurity of violence in prison that appears to do the most psychological harm.

A thoroughly studied effect of prison life that *is* inherent to imprisonment is institutionalization. Institutionalization directly impacts what we might refer to as the internal capacities of free agency such as deliberation and choice. Almost all of a prisoner's choices and actions are severely circumscribed by prison routine and by the dictates of prison personnel. Over time, the inability to exercise deliberative and choice-making capacities over even the very basic aspects of his daily life can erode a person's ability to act independently. A person shows signs of institutionalization when he becomes dependent on other decision-makers for basic choices, and disoriented or confused when forced to make choices on his own. There are at least two different manifestations of the effect of institutionalization on freedom. First and more commonly, after a long period with very few options, many ex-convicts experience discomfort with the wide variety of options for action outside of prison. In rare cases, some prisoners become altogether unable to make and act on their own decisions. There have been instances where ex-convicts seek to re-enter prison because of their distress and confusion in the absence of external control and regimentation. Such a person can be regarded as a willing captive but only because captivity has so destroyed his capacity for autonomy of judgment that prison becomes his only option. Thus, although captivity generally involves some resistance on the part of captives, captivity can also destroy free agency to the extent that at least a few are not held against their will. The possibility of willing captivity in this very narrow sense exists for all physical, psychological, and legal/social captivity.

A second effect of institutionalization is the inability to self-regulate one's behavior when outside the prison environment. Since the prison environment immediately enforces conformity with rules, some prisoners become dependent on the swift and definite punishment within the prison structure to control their own behavior. Thus, the person (if imprisoned from a very young age) fails to develop, or loses, that aspect of autonomy which makes it possible for him to act on desires he wants to act on, since he is not in control of the desires he acts on (see Frankfurt 1988). Prison may make some people more likely to commit crimes because they are more prone to act on impulse when there is no one but themselves monitoring their day-to-day actions (Haney 2003, 40).

Although institutionalization may seem pathological, it is better understood as an adaptation to the near total control in the prison environment. Those prisoners who refuse to submit to prison requirements will be met with harsh treatment. Physical survival in prison requires submission to prison rules and routine, and basic actions such as eating, bathing, and exercise all require compliance with the schedule and sometimes the explicit permission of guards. However, to submit in this way likely requires an initial act of will. Automatic obedience is psychologically difficult. Yet regular failure to obey commands in physical captivity incurs painful penalties. Thus, habitual compliance would likely have to be learned in part by suppressing the tendency to act on one's own accord over various domains. Further, the continual desire for more personal liberty over one's day-to-day life will only make prison more distressing. The more routine and habitual one can make one's compliance, the more secure one's well-being is (to the extent one can secure one's well-being in physical captivity). Thus, there is a form of internalized compliance in physical captivity but, unlike in forms of psychological captivity, it takes the form of habitual behavior rather than internalized belief that prison rules are intrinsically valuable or that the guards' power over oneself stems from legitimate moral authority.

Another relevant effect of imprisonment on free agency is the loss of self-worth that results from it:

However painful the frustration or deprivation may be in the immediate terms of thwarted goals, discomfort, boredom and loneliness, they carry a more profound hurt as a set of threats or attacks which are directed against the very foundation of the prisoner's being. The individual's picture of himself as a person of value—as a morally acceptable, adult male who can present some claim to merit in his material achievement and his inner strength—begins to waver and grow dim. (Sykes 2007, 79. See also Haney 2003, 45)

Following Rawls, we can say that a prolonged period where one's agency is not shown respect by others and where one is unable to act on one's purposes or carry out a plan of life in any meaningful way is likely to damage or destroy "his secure conviction that his conception of his good, his plan of life, is worth carrying out" (Rawls 1971, 440). A person's confidence in her agency depends on the idea that what she intends to do is worth doing, and a confidence that the results she can bring about are valuable. Physical captivity leaves some room for this, but only in an extremely limited way. When permitted to, some prisoners do participate within their limited social sphere, try to benefit other prisoners, take up educational or artistic projects, and so on. However, to achieve the robust sense of self that can undergird these activities requires enormous

effort on the part of the captive. And over time, the continual thwarting of one's opportunities and efforts to act independently may undermine a captive's motivation and sense of his own agency.

PSYCHOLOGICAL CAPTIVITY

We tend to think of physical captivity as the ultimate loss of freedom. However, because psychological captivity amounts to adopting a captor's intentions, it may involve a more extensive loss. What is given up is not only free agency but identity. Like the physical captive, the psychological captive's movements, actions, and body are under the control of a person or persons who benefit from this control. The psychological captive has very limited or no freedom to make choices that the captor disapproves of. Orwell's *Nineteen Eighty-Four* describes a society almost entirely made up of psychological captives.

There is a certain artificiality involved in talking of psychological captivity in the abstract. Paradigmatic cases of psychological captivity such as submission to an ultra-totalitarian state, extreme cults, or abusive relationships frequently occur in the presence of physical controls, threats, or harms. In real-life cases, each mode of captivity may involve elements of the other modes. What is distinctive about psychological captivity is that the near total control over someone's action that physical captivity achieves through physical barriers and force can be accomplished in the right context without those barriers and without force. Another significant feature of psychological captivity is that it often includes the expectation that the captor's preferences for the captive's choices will be internalized and acted upon by the captive as if these preferences are valuable. Thus, loyalty rather than mere behavior can be demanded by captors. Psychological captivity is effective only in some cases without violence or the threat of violence but the psychological captive is, in a physical sense, sometimes free to escape.

The apparent possibility of escape means that the psychological captive's innocence of complicity in her own captivity may be doubted. Such skepticism was seen in the Patty Hearst case, for example.¹ Thus, a conceptual problem with the idea of psychological captivity is that we often think of those who are under the near total psychological control of another person without any apparent physical control as being willing participants. Some may desire to hold them fully responsible for their actions. Whether they are fully responsible depends on whether people are always responsible to maintain autonomy and identity in circumstances of extreme pressure, duress, or coercion. Although this is beyond the scope of this paper, acceptance of a set of values, a religious or political doctrine, or a captor's rightful place as one's controller after a period of

violence, coercion, or psychological manipulation does not meet the standards we ordinarily set for voluntary action.

Different methods are utilized to effect the psychological compliance necessary for psychological captivity, but what they tend to have in common is that they disorient the person and undermine her prior certainty about her beliefs and values in a gradual process of alienating them from their identity-constituting values and replacing these with those the captor regards as desirable. Robert J. Lifton describes a process of “thought reform” based on his study of former subjects of Chinese Communist schools of reeducation. Some of these were European and American prisoners of the Chinese Communist government. Some were Chinese intellectuals. Lifton argues that the process of thought reform in reeducation schools to initiate people into accepting “ideological totalitarianism” is similar to that used in religious cults and on political prisoners. While it will always be controversial to claim that some instances of political and religious ideology are forced upon people, rather than genuinely held, Lifton’s claim that this is the case depends on the fact that, when individuals describe the experience of belief formation after the fact, they describe not only acquiring a new set of beliefs and values but relinquishing many of their most cherished prior attachments such as love of their parents. They also claim to have believed things that they later regard as obviously false. This transformation of basic beliefs and primary identity-constituting values occurs in a manner that bypasses rational consent and endorsement. Nor is their transformation a matter of mere behavior. Lifton’s subjects would later state that their confessions renouncing their former beliefs, values, and personal emotional attachments were sincerely felt (Lifton 1956, 1989).

According to Lifton, the process of thought reform can be successful without actual violence even if a fear of violence lies in the background. Thought reform primarily manipulates its subjects’ social contact, beliefs, desires, and emotions so they eventually relinquish any doubts they have about the set of ideologies and beliefs the regime, group, or person desires them to have. He describes three main stages of thought reform when it was undergone voluntarily by Chinese students (even if the student was unaware of what his or her transformation would be). The first stage is group identification. For students who voluntarily underwent thought reform, the student was welcomed enthusiastically into the group, and “thought reform is presented to the student as a morally uplifting, harmonizing and therapeutic experience” (Lifton 1956, 77). The second stage is one where the milieu “closes in” on the student and the student was encouraged to regard himself as the object of study and consider his own deficiencies. Gradually, moral criticisms of the student (by instructors or other students) that were founded on the totalist ideology became more intense. The student was expected to make a full public confession of

his deficiencies. Students began to experience acute anxiety. There was some latent background fear of violence because they were aware that the punishment for being found a reactionary could be grim. Instructors ascribed their physical symptoms of acute fear, loss of appetite, and inability to sleep to guilt that could only be relieved if they confessed to all their failings. Students who seemed resistant to the process of transformation or who appeared emotionally detached from the process were subjected to the highest level of pressure and public criticism. Finally, there was a period of “submission and rebirth” that required students to write scathing criticisms of themselves and their family. With this act of self-betrayal, they transferred their fealty to the group or regime (Lifton 1956, 77–82). Rather than excessive fear of bodily harm, most of what took place in this process utilized the power of students’ natural sociality and their need to confirm their beliefs with others. Everyone socially available to the person undergoing thought reform showed utter conviction in the truth of the beliefs and value commitments being inculcated and in the extreme failings of any student who was suspected of clinging to his prior beliefs and commitments.

Lifton breaks this process down further into various elements that he argues also apply to other ideologically totalist indoctrinations such as cults and totalitarian states. Among these are

1. Milieu control: All information and ideas come from the tightly controlled milieu of students and instructors. Everyone surrounding the student agrees on the correctness of the ideology being presented and students monitor one another’s statements and attitudes. Lifton compares this experience of information control and constant monitoring to the two-way telescreen in Orwell’s *Nineteen Eighty-Four*. There, any lack of attention to the screen or any activity disapproved of by the screen would be reprimanded (Lifton 1956, 82).

2. Mystical manipulation: The student is enjoined to have faith in a higher purpose that justifies actions he might ordinarily reject. He is encouraged to believe in particular individuals, who have been chosen for this higher purpose and who should not be resisted (Lifton 1989, 400–401).

3. The demand for purity and guilt, shame and confession: The former life, identity, beliefs commitments, and values are regarded as impure. The person begins to feel guilty and ashamed. She is encouraged to confess her failings and begins to have a compulsion to do so. “Private ownership of the mind and its products—of imagination or of memory—becomes highly immoral . . . the milieu has attained such a perfect state of enlightenment that any individual retention of ideas or emotions can become anachronistic” (Lifton 1989, 404).

4. Belief transformation: Lifton discusses three elements that are fundamentally about providing a totally self-contained ideological framework to supplant

the person's prior frame of reference. First, the ideology is presented as an absolute body of truth that is absurd to question either from a factual or moral standpoint. Second, the language is loaded with "ultimate terms" and jargon such that the person's thought is constrained within that jargon. (This is also described in *Nineteen Eighty-Four* as the process of "newspeak," where words are removed from the language that express complex or nuanced ideas, and new words are promulgated that are ineffective in criticizing the totalitarian regime.) Third, Lifton states that the person is to prefer "doctrine over person." One's own beliefs are required to harmonize with the doctrine, and the doctrine is expected to supersede one's own beliefs, memories, and experiences. If contradictions occur, then new explanations and doctrines are expected to be accepted (Lifton 1989, 405–410).

5. The dispensing of existence: Those whose thoughts are being reformed are required to accept black-and-white thinking about groups. Members of some groups are good (e.g., the people), and members of others do not deserve to live (e.g., reactionaries and political criminals). This element of thought reform may not be relevant in every case of psychological captivity. However, it does explain how individuals in totalist situations such as cults commit senseless murders or mass suicides. Lifton also argues that this perspective creates fear of annihilation on the part of thought reform participants that makes them more willing to undergo the transformation of their belief system.

It is reasonable to question how perfectly and completely thought reform exercises control over individuals. Lifton points out that thought reform and submission to totalist belief systems often fail to be permanent or complete (Lifton 1989, 411). In the majority of cases, the belief system tends to fall apart when the milieu is no longer controlled. Thus, some escapees to South Korea from North Korea describe their deep love for the Kim family and continuing loyalty to the state even while experiencing starvation and imprisonment at the hands of the state (see Harden 2012 and Demick 2010). These feelings dissipate for most people once they become part of open societies. What is compelling about Lifton's account is that we do know of many cases where people come under the extreme control of others without initially desiring or endorsing this control. Thus, those who voluntarily enter extreme cults do not consent to their later submission to the cult leader's control. They are deceived about the cult's purpose and practices. It is not plausible to suppose the extent of power and control cult leaders have over their members occurs by the process of rational persuasion, and processes like thought reform do explain the blind obedience of these members. The fact that people come to sincerely believe and feel in the ways desired by these powerful others as well as act at their behest also needs to be explained when there is no overt threat of pain and punishment.

LEGAL/SOCIAL CAPTIVITY

Legal chattel slavery was a form of social and legal captivity. Its existence depended both on law and on widespread acceptance and social enforcement. I focus primarily on the form of slavery that existed within the United States prior to the Civil War. However, it is important to note that forced labor is not a historic phenomenon. An International Labour Organization report estimates about 12.5 million people are victims of forced labor (ILO 2005, 9). Some slaves are the victims of human trafficking for sex or manual labor, some are bonded agricultural laborers. Currently, this slavery is socially but not legally enforced as ownership of one person over another. Forced laborers are often physical captives who are held at their work sites, are physically threatened, or have their passports held. Debt bondage is sometimes both a legal and economic method of captivity. There are also cases of descent into forced labor where children are born into debt bondage (ILO 2005, 9). Although forced laborers are not legally property, it is difficult to draw a sharp line between forced labor and slavery. Victims of sex trafficking are often referred to as slaves because they are purchased and then regarded as owned by their captors. This is also true of child laborers who are kidnapped and held. Social and ethnic groups have also been enslaved as a result of war, and had their slavery legally institutionalized, as in the case of Nazi slave camps. Labor can also be forced by the state, as formerly in some Communist bloc countries and currently in Myanmar (ILO 2005, 25). Much forced labor depends on physical captivity and some, such as with victims of sex trafficking, may come about through psychological captivity.

Both physical and psychological captivity as described above were not primary in ensuring the captivity of chattel slaves. Although slaves were often physically free of barriers to movement and may have recognized the injustice of their captivity, they were unable to live independently of their master's control. Society gave them no such option. Slavery wherein the slave is the legal property of the master is a complex social phenomenon, however, and it is impossible to engage with all the social aspects of slavery here. The primary aspect of slavery relevant to this discussion is the total domination by the master over the slave. The slave has no place in society and therefore no recourse but to accept this complete control of himself. Orlando Patterson defines slavery as "the permanent, violent domination of natively alienated and generally dishonored persons" (Patterson 1982, 13). Its fundamental characteristic is social death. Patterson describes the slave's powerlessness as due to the fact he has no social role and no social power outside his role as the property of his master:

The power relation has three facets. The first is social and involves the use of violence or threat of violence in the control of one person by another.

The second is the psychological facet of influence, the capacity to persuade another person to change the way he perceives his interests and his circumstances. And third is the cultural facet of authority, “the means of transforming force into right and obedience into duty...” (Patterson 1982, 1–2)

There are many physical and psychological aspects of a slave’s captivity, but the primary method of making a person a captive through the practice of slavery depends on the social community’s enforcement of captivity, which gave the slaves no options but enslavement. Masters had extreme power over slaves, but this power was legally defined. Slaves always faced the most brutal physical punishments for disobedience, yet even allowable punishment for slaves could be defined legally. Nor were all the restrictions on a slave’s freedom up to the master. Laws directed at masters sometimes forbade what they were permitted to do with slaves. For example, in pre-Revolutionary South Carolina, teaching a slave to write or using him as a scribe carried one of the highest fines in the colonies. It was also illegal to employ slaves in jobs where they could learn about poisons or to teach them anything about poisons. Anyone employing them in an apothecary was subject to fine (Higginbotham 1978, 198).

Slaves, according to Patterson, did not lose all options:

He might, in relative terms, be powerless; but he always had some choice. He might react psychologically, play the slave, act dumb, exasperate. He might lie or steal. He might run away. He might injure or kill others, including his own master. Or he might engage in armed revolt. Barring all these, he might destroy his master’s property by destroying himself. To be sure... most chose simply to behave with self-respect and do the best they could under the circumstances. Nevertheless I know of no slaveholding societies in which some slaves at some times did not rebel in some manner. (Patterson 1982, 13)

Nevertheless, after rebellion or disobedience the options narrow. All these possible actions either risk extremely harsh punishments or death, and so we cannot say a slave truly has a wide set of *genuine* choices. The frequency of slave rebellion indicates that, like a physical captive, a slave might maintain autonomy of judgment if the circumstances were right. However, a person born in slavery also had his entire social existence shaped by the system of enslavement and whatever self-concept or plan of life was constrained by that. The slave system is designed to disable whatever capacities the slave may develop for free agency. The slave is given no social resources, no education beyond the

minimum required to serve, and is subject to a continual fear of violent reprisals for actions disapproved by his master. These social barriers to developing capacities required for free agency may also be true for some of those born into extreme poverty and debt bondage, when debt bondage is a traditional social practice and society only enforces the rights of those holding the debt over the laborer.

COERCION

What is the relationship between captivity and coercion? It may seem intuitively obvious that the control a captor has over a captive depends on his power to coerce the captive to behave, and sometimes to believe and feel as he desires. There is no term or concept other than coercion that works so well to describe the process that ensures a person becomes and remains a captive. However, standard philosophical accounts of coercion do not correlate well with the main processes that create captivity. So are these processes not coercive? Or does captivity reveal that something is missing from standard accounts? I will first discuss Nozick's account—which most contemporary views of coercion follow—that coercion is a matter of controlling a person through conditional threats. On this view, it looks as if the physical methods of making someone unfree, such as chains or walls, are not coercive. (Behavioral controls through threats common to prisons are coercive on the Nozickian account.) Slavery, understood as the elimination of options for action by social and legal enforcement, is also not well conceptualized as coercion through conditional threats. I will argue that failure to regard these processes as coercive is an oversight of Nozickian-type accounts. This gives us a reason to regard coercion as having various faces and, for some aspects of captivity, to favor an enforcement account of coercion that focusses on the coercer's access and use of power to ensure the captive behaves as he desires. But difficulties remain for both accounts if psychological captivity is regarded as coercive.

On Nozick's view, if a would-be coercer (P) wants to prevent a would-be coerced person (Q) from performing some action A, Q is coerced when

1. P has communicated a (not necessarily verbal) threat to Q if Q does A.
2. Caused Q to believe that P will carry out his threat.
3. If P carries out his threat, doing A is a much worse alternative for Q than not doing A.
4. So Q doesn't do A.
5. Q's reason for not doing A is to avoid the situation in which P carries out his threat. (Nozick 1969, 440–446)

On this view, coercion is always successful. A person is only coerced if she alters her actions in order to avoid the bad consequence.

This type of coercion is biconditional: Do / do not do A or else I will do / not do B. However, offers are similarly structured this way and many offers, for example, to only sell someone a car if he pays a particular price, are clearly not coercive. On the conditional threat view, the main difference between a threat and an offer is that a threat if carried out would worsen the coerced person's condition (cf. Frankfurt 1988; Wertheimer 1987).

Yet things are not so simple since threats can come in the form of an offer. Nozick describes two very similar cases. In the first, Q's usual supplier of drugs (P) says he is not going to sell them to Q for a reasonable price, but instead Q can have the drugs "if and only if Q beats up a certain person" (Nozick 1969, 447). Nozick contrasts this with another case, where a stranger, who knows that P has been arrested, takes advantage of Q's desire for drugs and says he will give him drugs only if he beats up a certain person. The reason Nozick regards the first case as a threat but the second as an offer is that the expected baseline is different in the second: P usually comes through for Q and provides him with drugs. However, the option the stranger raises is an unexpected event.

The notion of a baseline can also depend on moral expectations rather than expectation about what is a usual occurrence. Nozick considers the case of a slave who is beaten daily but offered a respite from his daily beating if he performs some task well. If the baseline is what the slave expects to happen, this is an offer. But if the baseline lies in what we morally expect to happen, it is a threat. The appropriate baseline between a threat and an offer, Nozick says, depends on what the person prefers. The addict prefers the normally expected course of events as a baseline, and the slave prefers the morally expected course of events as a baseline.

The usually expected baseline won't resolve all questions; sometimes a person claims she will bring about a consequence that worsens another that she is regarded as having a right to bring about, for example, a landlord may threaten to evict a tenant if he does not give up his smoking habit as disallowed on the lease. This is not coercion. Thus, Alan Wertheimer (1987) argues, partly based on a view of what counts as coercion in the law, that coercion only occurs when the person is made worse than he has a right to be made. Coercion is therefore a moralized notion: Coercion is always wrong because the coercer has to threaten the coerced with a consequence he has no right to bring about. If imprisonment is justified captivity, on this view, it must not involve coercion.

Physical captivity does sometimes involve threats to enforce behavior, and these would seem to count as coercion if we set aside the issue of whether imprisonment is justified for the time being. There are various ways these situations could count as coercive in the Nozickian sense. There is an omnipresent

background threat of further punishment such as solitary confinement upon failure to comply with prison rules. Escape is punishable by much more imprisonment. However, the physical barriers that create the condition of imprisonment are not coercive. Nozick claims that it is not coercive to force someone into a space where they cannot leave:

If I lure you into an escape-proof room in New York and leave you imprisoned there, I do not coerce you into not going to Chicago though I make you unfree to do so. (Nozick 1969, 440)

Although we might think a more pertinent question is whether you are coerced to *stay in the room* by the fact you are trapped there, on Nozick's view, you do not coerce someone if you remove all her options by force or constraint such that she must choose to do as you wish. Rather, coercing someone appears to involve getting the person herself to choose as you wish because she wants to avoid the threat you have presented.

A similar question can be raised about slavery. Slaves comply with the specific wishes of their masters because of violence and threats of punishment. But in the United States they did this because, until the abolitionist movement made escape a viable option, slaves had no choice but to be slaves. They could not own property, work, or subsist as free persons. They had no social identity separate from their master's identity. Background violence and barriers to all alternative survivable actions are not regarded as coercive on the Nozickian view. Only a direct threat of harm (which many slaves did experience) is coercive.

It may help to consider the conceptual work that coercion is supposed to do in explaining how one person controls another. Frankfurt raises a distinction between physical coercion and coercion of the will. An instance of physical coercion would be to put pressure on another's hand to make him drop the knife. In such a case

the victim is not made to act; what happens is that his fingers are made to open by the pressure applied to his wrist. It may in certain situations be difficult, or even impossible, to know whether or not an action has been performed. Perhaps it will be unclear whether the man dropped the knife because his fingers were forced open or because he wished to avoid a continuation of the pressure on his wrist. (1988, 26)

Likewise, McCloskey claims that a person whose choice is shaped by force or physical barriers

does not act at all; rather [he] is acted upon... [However], the coerced person acts... he chooses to do it. (McCloskey 1980, 340)

So do prison walls or social barriers to action simply amount to coercion of the body but not coercion of the will? This seems to rely on the idea that the prisoner who is in prison is not making a choice to remain in the prison; the walls and electrified fences give her no choice. We should reject physical barriers as coercive to the will, someone may argue, because coercion involves choosing (i.e., “using” one’s will) and therefore there must be a set of alternatives to choose from even if the coerced choice is still unfree. (On the conditional threat model, the alternative can be very nasty as in cases like “Your money or your life,” and so perhaps is not viable.) However, barriers do affect choices just as threats do. The effectiveness of the physical barriers in keeping the prisoner captive is precisely what shapes *all* the prisoner’s subsequent choices. The prisoner obeys guards, eats, sleeps, exercises, and bathes because the physical barriers make her utterly dependent on the prison structure for her survival and she isn’t able to go elsewhere. Without that context, these threats would not be meaningful. In acting on her only relevant options, the prisoner uses her will just as much as the person who is threatened, and just as unfreely. Thus one oversight in the Nozickian model is that it takes coercion to be a matter of discrete threats and overlooks the fact that even coercion via threats depends on a particular context, that is, the person’s relative powerlessness against the threat.

On the Nozickian model, it also appears that coercion cannot be a prolonged over time since coercion must be a matter of discrete, actual threats. But it is particularly odd to characterize that the condition of being a slave as noncoercive except in cases where the slave faces a direct conditional threat. We might characterize prison walls as barriers or force, but it is clear that all slaves are not held in slavery by constant force. The power of the master over the slave and the master’s ability to get the slave to do his bidding doesn’t depend on the threat of force or violence alone (although it did depend on that at times), but on the social and legal power the master has over the slave. Without this legal and social control, and the social death of the slave, a threat of violence would not necessarily be effective over the slave since the slave would have some recourse or capacity to defend himself.

A view of coercion that better explains these cases is found in “the enforcement view” (Anderson 2010). This view of coercion depends on the fact that the coercer already is in a position of power over the coerced person that he uses to force or disable her actions. Thus, barriers to action, both physical and social, that render agents powerless and require them to submit to another’s will, should count as coercive:

On this account, the principle mode of coercion is *prevention*; inducement to perform specific acts typically follows on the ability to prevent many or even all other acts. When an agent acquires the power to inhibit another’s action broadly, the powerful agent has the ability to alter radically what is practically necessary for the weaker agent, thus explaining the sense of

necessity invoked when coerces claim, e.g., that “I had no choice” or “he made me do it.” (Anderson 2010, 9)

Anderson argues that this type of coercion should not be moralized: Imprisonment is coercive, whether it is justified or not.

This view sheds important light on the power of the captor over the captive. Captivity depends on power, but it is power of a special sort: The power to enforce the choice and action that the captor desires. Psychological captivity is perhaps the most effective means of control one person can have over another. However, an interesting question remains about whether psychological captivity is coercive on either of these views. On the one hand, psychological captivity can involve threats. If we consider the method of thought control, three types of threats were salient. First, there was the background threat of actual penalties (e.g., political imprisonment) for refusing to embrace the beliefs and values or have the feelings desired by the eventual captor. Does it matter if the threat is unstated? The fact that it exists should still make it coercive on the Nozickian account. Second, there is the (again, implied) threat of social ostracization because the social milieu demands of the proposed captive an agreement with the views others are expressing. Third, there is the threat of continual distress caused by the shame and guilt that prompts the confession. Interestingly, this emotional threat seems to finalize the result the captor seeks, wherein the captive fully embraces the beliefs, desires, and values the captor desires her to have. On the other hand, the enforcement model also could shed some light on psychological captivity because it seems to be most effective when the psychological captive loses her sense of identity and independent power. The would-be psychological captor’s goal is to create a feeling of helplessness.²

However, neither view of coercion explains whether or not psychological captivity is coercive. Although threats are involved, there is no clear-cut Nozickian biconditional trade-off wherein the captive clearly gives the captor something concrete to avoid his carrying out the threat. Rather, what the captor wants as a result of his control is the psychological submission of the captive. The captive’s submission is obviously not a choice of the type made when someone is told “Your money or your life,” since the captive now accepts the captor’s views. With respect to the enforcement view, the would-be captor has power, but it seems to arise from the would-be captive’s helplessness. The captor’s power is gradual and purely psychological in that he maneuvers the would-be captive into an ever-increasing state of guilt and shame. However, for psychological captivity without the threat of force, the barriers the captor creates are internal to the captive. The would-be captive comes to regard assent to the captor’s control as practically necessary in order to avoid the psychological distress of the emotions she now feels when she resists.

It may be that this is the result because psychological captivity is imperfectly understood as coercive. Even so, the role of emotional reactions to pressure in causing someone to act as another desires suggests another thing missing from the Nozickian account of coercion: the fact that coercion depends on harnessing a person's motivations against her. If coercion is always a matter of biconditional threats, there are many threat situations where we cannot say the coerced person has no choice. Many things may count as a worsening that would leave the would-be coerced person unmoved. A suicidal person may not be motivated by someone's threat to kill her, for example. It seems that the actual result of coercing someone depends on whether the threat is enough to motivate him (see Frankfurt 1988).

A final question about psychological captivity (and the institutionalization that follows physical captivity) concerns the willing captive. If the captive no longer seeks to escape, does she continue to be coerced? In the case of psychological captivity, the captive now comes to embrace the captor's control over her. In the case of institutionalization, the prisoner willingly accepts imprisonment because he no longer has the capacities needed for free agency and fears a life that is independent of someone else's control. This suggests that one eventual result of coercion may be that continued coercion becomes unnecessary. Thus, one disturbing possible effect of coercion within captivity is the destruction of someone's free agency to the extent that she is wholly subject to a captor's will.

CONCLUSION

Captivity brings a multitude of harms to those who suffer it. It is no exaggeration to say that it is one of the most extreme assaults one person can make upon the self of another person. In rare cases, such as physical captivity that contains little traumatizing violence, the captive may retain his identity-constituting beliefs and values and there will be some room for the captive to retain autonomy of judgment and create a life plan, however constrained. Still, physical captivity frequently brings damage in its wake. Even if we assume imprisonment of the guilty is justified, we must acknowledge that current practices of imprisonment put the captive at risk for the erosion of capacities he needs for free agency, such as the inability to independently determine what he wishes to do or the belief that his own aims have value. Psychological captivity, on the other hand, potentially destroys identity and agency by its very nature. The psychological captor seeks the captive's submission to his desires, and this process involves replacing the captive's cares and values with his own. Social and legal captivity similarly destroy identity and agency, but for different reasons: a slave is stripped of an independent social identity and given an identity as an

extension of his master. Thus, his choices are entirely constrained. The options that he might freely exercise, according to Patterson, all contain the threat of punishment or death. Thus, any exercise of freedom from control a slave might engage involves overcoming an omnipresent coercive structure.

When considering the role coercion plays in captivity it is reasonable to conclude that coercion involves more than using conditional threats as leverage against someone's will. Even the conditional threats that keep prisoners and slaves subject to their captors' desires depend on barriers to action that eliminate any options but submission. Thus, conditional threats do constitute coercion but do not constitute the whole of coercion. The full story of how physical and social/legal captives are coerced must also engage with the power of captors to utilize barriers to action that render captives helpless. Psychological captivity raises more difficult questions about coercion since the psychological captive is subject to a certain kind of nonexplicit, nonverbal threat and submits partly as a result of that threat. However, many of the processes that cause psychological captivity depend upon affecting the captive's own emotional states to create an internal pressure to comply. This process of harnessing a person's motives against her by making her feel powerless fits neither view of coercion perfectly, but, if it can be called coercion, it must be understood by drawing on aspects of both the conditional threat and the enforcement view.

NOTES

1. Patty Hearst was kidnapped on February 4, 1974, at the age of nineteen by members of Symbionese Liberation Army (SLA), a very small domestic militant group. On April 3, 1974, a tape was released with Hearst's voice claiming that she had joined the SLA, become a revolutionary, and taken the name "Tanya." On April 15, she was seen on videotape robbing a bank. In her trial she claimed to have been beaten, raped, and kept without food and water in a closet for many days prior to "joining" the SLA. However, she was convicted of bank robbery and sentenced to seven years in prison.
2. The destruction of independent motives to resist the captor's control that occurs in psychological captives, parallels the concept of "learned helplessness" developed by Martin Seligman at the University of Pennsylvania. Seligman discovered that dogs who received a series of inescapable shocks would eventually fail to jump out of their enclosures even when the shocks became escapable. Dogs who received shocks that were always escapable did not develop this persistent helpless response. Seligman later applied this concept to human behavior and argued that learned helplessness is a factor in depression (cf. Overmier and Seligman 1967 and Seligman 1975).

REFERENCES

- Anderson, Scott A. 2010. "The Enforcement Approach to Coercion." *Journal of Ethics and Social Philosophy* 5(1): 1–31.

- Demick, Barbara. 2010. *Nothing to Envy: Ordinary Lives in North Korea*. New York: Spiegel & Grau.
- Dworkin, Gerald. 1978. "Moral Autonomy." In *Morals, Science and Sociality*, T. Engelhardt and D. Callahan (eds.), 156–171. Hastings-on-Hudson, NY: Hastings Center.
- Frankfurt, Harry G. 1988. *The Importance of What We Care About*. Cambridge: Cambridge University Press.
- Grassian, Stuart. 2006. "Psychiatric Effects of Solitary Confinement." *Washington University Journal of Law and Policy* 22: 325–383.
- Haney, C. 2003. "The Psychological Impact of Incarceration: Implications for Postprison Adjustment." In *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families and Communities*, J. Travis and M. Waul (eds.), 33–66. Washington, DC: Urban Institute Press.
- Haney, C., W. C. Banks, and P. G. Zimbardo. 1973. "A Study of Prisoners and Guards in a Simulated Prison." *Naval Research Review* 30: 4–17.
- Harden, Blaine. 2012. *Escape from Camp 14: One Man's Remarkable Odyssey from North Korea to Freedom in the West*. New York: Penguin.
- Higginbotham, A. Leon. 1978. *In the Matter of Color: Race and the American Legal Process*. New York: Oxford University Press.
- International Labour Organization (ILO). 2005. *A Global Alliance Against Forced Labour*. Global Report Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. May. Accessed May 5, 2013. <http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/rep-i-b.pdf>.
- Lifton, Robert J. 1956. "Thought Reform of Chinese Intellectuals: A Psychiatric Evaluation." *Journal of Asian Studies* 16(1): 75–88.
- Lifton, Robert J. 1989. *Thought Reform and the Psychology of Totalism*. Rev. ed. Chapel Hill: University of North Carolina Press.
- McCloskey, H. J. 1980. "Coercion: Its Nature and Significance." *Southern Journal of Philosophy* 18: 335–352.
- Nozick, Robert. 1969. "Coercion." In *Philosophy, Science, and Method*, Sidney Morgenbesser, Patrick Suppes, and Morton White (eds.), 440–472. New York: St. Martin's Press.
- Overmier, J. Bruce, and M. E. Seligman. 1967. "Effects of Inescapable Shock upon Subsequent Escape and Avoidance Responding." *Journal of Comparative and Physiological Psychology* 63(1): 28–33.
- Patterson, Orlando. 1982. *Slavery and Social Death*. Cambridge: Harvard University Press.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge: Harvard University Press.
- Rivera, Lisa. 2011. "Harmful Beneficence." *Journal of Moral Philosophy* 8(2): 197–222.
- Seligman, M. E. P. 1975. *Helplessness: On Depression, Development, and Death*. San Francisco: W.H. Freeman.
- Sykes, Gresham M. 2007. *The Society of Captives: A Study of a Maximum Security Prison*. Rev. ed. Princeton, NJ: Princeton University Press.
- Wertheimer, Alan. 1987. *Coercion*. Princeton, NJ: Princeton University Press