

What's Wrong with the Torturer?

Nolen Gertz

I. Introduction

When reading an analysis of torture, one often comes across descriptions of purportedly typical torture scenes that depict something like a helpless victim struggling to survive in the face of unspeakable cruelty being unleashed by a mysterious figure known only as: torturer. This is then followed by a dismissal of all possible motivations for the torturer—whether politics, urgency, or security—that do not bear a complete and absolute burden of criminality, inhumanity, and often sadism, for the torturer. For example, in Elaine Scarry's *The Body in Pain*, we can find:

However near the prisoner the torturer stands, the distance between their physical realities is colossal, for the prisoner is in overwhelming physical pain while the torturer is utterly without pain; he is free of any pain originating in his own body; he is also free of the pain originating in the agonized body so near him. He is so without any human recognition of or identification with the pain that he is not only able to bear its presence but able to bring it continually into the present, inflict it, sustain it, minute after minute, hour after hour.¹

But what is the basis for this perspective on the torturer? With what access does Scarry make these pronouncements? Though this is presented as accurate and in no need of being questioned, is this not instead perhaps a symptom of our need to remove the torturer from our domain, from any possible connection to or association with us and with humanity in general? If so, this could explain then why the tone and rhythm of the last sentence in this passage does not merely continue Scarry's attempts to burrow into the mind of the torturer, but also evokes an association with the victim, placing the reader before the torturer, and thus also *against* the torturer.

Even Alan Dershowitz—whose position on torture has led to his being called “Torquemada Dershowitz” (Dershowitz, 14)²—still makes a point of referring to torture as an

¹ Scarry, Elaine, *The Body in Pain*. New York: Oxford University Press, 1985, pg. 36.

² Dershowitz, Alan, “Tortured Reasoning”, *In the Balance*, <http://www.pbs.org/inthebalance/pdf/dershowitz-tortured-reasoning.pdf>. Hereafter parenthetically cited as above.

“evil” and criticizes its use. While responding to critics in his essay “Tortured Reasoning”, he tells the following story:

For example, William Schulz, the Executive Director of Amnesty International USA, asks whether I would favor “brutality warrants,” “testilying warrants” and “prisoner rape warrants.” Although I strongly oppose brutality, testilying and prisoner rape, I answered Schulz with “a heuristic yes, if requiring a warrant would subject these horribly brutal activities to judicial control and accountability.” [...] My question back to Schulz is do you prefer the current situation in which brutality, testilying and prisoner rape are rampant, but we close our eyes to these evils? (Dershowitz, 16)

There is an important premise to this argument that has seemingly been left out here. Even if—as Dershowitz is at pains to remind us throughout—he is not advocating the use of torture but is simply arguing for the need to “subject these horribly brutal activities to judicial control” if and when they are employed, it would still appear that what is not being made explicit is that the “brutality” is not the problem so much as who is allowed to perpetrate it. To create a warrant-based system for torture is to try to check the freedom of those doing the torturing, to “add a degree of legitimation to it while perhaps *reducing its frequency and severity*” (Dershowitz, 17; emphasis added). It is not torture that we should fear, but the torturer—“As Mark Twain once observed: ‘To a man with a hammer, everything looks like a nail’” (Dershowitz, 25)—and both Scarry and Dershowitz, among others³, are helping to promote this view.

Jean Améry best encapsulates this view in his writings on his personal experience of being tortured when he refers to the torturer as the “counter-man” (Améry, 28)⁴, “the other” (Améry, 34), “antiman” (Améry, 40), or “monster” (Améry, 70). This idea that the torturer is not simply someone who performs a particular activity but rather someone who, through his activity, becomes something alien and nightmarish to us has become so ingrained in our understanding of

³ Cf. Sussman, David, “What’s Wrong with Torture?”, *Philosophy & Public Affairs*, vol. 33, no. 1, 2005, pg. 7: “The torturer confronts no moral or legal impediments stemming from his victim’s will, but evidently takes himself to be limited only by his own desires and interests, or the desires and interests of those he serves as an agent. [...] The asymmetry of power, knowledge, and prerogative is absolute: the victim is in a position of complete vulnerability and exposure, the torturer in one of perfect control and inscrutability.” Hereafter parenthetically cited.

⁴ Améry, Jean, *At the Mind’s Limits*, trans. Sidney Rosenfeld and Stella P. Rosenfeld. Bloomington: Indiana University Press, 1980. Hereafter parenthetically cited as above.

torture that it is rather difficult to remember that, regardless of how we might feel about it, the torturer is still a person performing an activity. And if we begin to take this simple fact more seriously and try to understand how particular people came to perform these particular activities then perhaps we can achieve a more realistic depiction of torture that is not just victim versus torturer, but instead something far more complicated. By looking at what torturers have said—in interviews, testimonies, and memoirs—rather than only what has been said about them, we can find that many of the concepts that have been applied to victims of torture can be usefully applied to the perpetrators as well, thus requiring that we pay more attention to the context in which torture takes place and less attention to merely our outrage over the fact that torture does take place.

II. Becoming a Torturer

In writings on torture, there is very often a slippage that occurs between discussing a torturer and then discussing torturers or a “torture regime.” Though such a move may appear to be quite in keeping with discussions of members of other professions, it is of course a far different thing to talk of, say, teachers and an educational system, and to talk of torturers and an authoritarian system. With the moral condemnation that is automatically attached to the subject of torture, to slide from the one to the many is to both treat members of a “regime” indifferently—as though the hierarchical structure is unimportant to our judgments—and to treat the various regimes indifferently—as though the different situations are unimportant to our judgments.

For example, in Henry Shue’s essay “Torture”, there can be found the following argument:

Terroristic torture is a pure case—the purest possible case—of the violation of the Kantian principle that no person may be used only as a means. The victim is simply a site at which great pain occurs so that others may know about it and be frightened by the prospect. The torturers have

no particular reason not to make the suffering as great and as extended as possible. Quite possibly the more terrible the torture, the more intimidating it will be—this is certainly likely to be believed to be so. [...] Terroristic torturers have no particular reason not to carry the torture through to the murder of the victim, provided the victim's family or friends can be expected to spread the word about the price of any conduct compatible with disloyalty. (Shue, 132-133)⁵

While it is certainly true that what Shue refers to as “terroristic torture”—as opposed to “interrogational torture”—has as its basis the goal of intimidation and fear in order to prevent “disloyalty” to those in power, he leaps to the conclusion that this is the goal of the “terroristic torturers” as well, as though there were no distinction to be made between the leaders of a regime and the other members. This leap then also includes within it the assumption that deterring disloyalty is the motivation for the torturers, that they think of their actions as “terroristic” in nature, while it is quite possible that they have been led to believe that what they are doing is “interrogational” and intended to save lives from suspected terrorists rather than to send a message to potential dissenters. The point here though is not to multiply the ambiguities of Shue’s hypothetical situation further, but to show that the ambiguities that already exist here—and are often taken for granted—create a false sense that we need not delve deeper and examine how close this imagined scenario comes to representing reality.

In order to try to distinguish a torturer from a torture regime and avoid these theoretical ambiguities, we must examine how it is in practice that someone becomes a torturer. It is often not enough to simply volunteer, as part of what makes the military or police units charged with carrying out torture “elite” is the ability to follow and carry out the strict requirements that come with the job. Though we might imagine that, for such a task, anyone willing to do it would be accepted, it must not be forgotten that torture is generally considered to be something only a professional or expert could perform. Thus even a regime as notoriously brutal as the Khmer Rouge gave the following instructions in their S-21 Interrogator’s Manual:

⁵ Shue, Henry, “Torture”, *Philosophy and Public Affairs*, vol. 7, no. 2, 1978. Hereafter parenthetically cited as above.

The purpose of torturing is to get their responses. It's not something we do for the fun of it. Thus, we must make them hurt so that they will respond quickly. Another purpose is to break them [psychologically] and to make them lose their will. It's not something that's done out of individual anger, or for self-satisfaction. Thus we beat them to make them afraid but absolutely not to kill them. When torturing it is necessary to examine the state of health first and necessary to examine the whip. Don't greedily want to quickly kill them—bring them to death.⁶

There can be seen here both a prohibition against what the perpetrator might want or feel —“fun,” “anger,” “self-satisfaction,” “to quickly kill them”—and guidelines as to what the perpetrator is supposed to be able to do—“get their responses,” “break them,” “make them afraid,” “examine the state of health,” “examine the whip,” “bring them to death.” To be able to perform these duties successfully would clearly require very specific training and a particular set of skills, while the simple desire to torture would actually hamper, if not completely defeat, the ability to carry out these duties. Thus to join the ranks of a torturer one must be promoted from within or otherwise specially selected.

According to the findings of the criminologist Ronald Crelinsten, there are essentially four ways for an individual to become a torturer: career advancement, conscription, by chance, and by force (Crelinsten, 44-46). As was previously mentioned, units charged with carrying out torture are often considered to be “elite,” and thus to join such a unit requires having been chosen for some particular reason. Whether it was because they “displayed the most care and zeal in the accomplishment of their duties” (Crelinsten, 44), or they showed particular “efficiency in repressive methods” (Crelinsten, 45), or they were “carefully selected for their ferocity and their reliability” (Crelinsten, 45), just to have been chosen can bring with it certain feelings of being wanted or being needed that often accompany any promotion. However, as the recruit or soldier has most likely been selected after having gone through very rigorous and demanding training, these feelings can be especially intense:

Because they have enforced on you this inferiority complex, it's not so strange that you want to

⁶ As quoted in Crelinsten, Ronald, D., “In Their Own Words”, in *The Politics of Pain*, eds. Ronald D. Crelinsten and Alex P. Schmid. Boulder: Westview Press, Inc., 1995, pg. 35. Hereafter parenthetically cited.

please them [commanding officers], because...they break you down, they've made you feel that you are nothing, and all of a sudden they say you've got great qualities, you can do that, we very much want you to do that. It will be super. You can do it. [...] It's not an objective decision that I want to do it or not. And I was not ordered directly to go...but I was sort of coached into coming to that move, to step forward [and volunteer].⁷

While this method of manipulation, and its importance, will be discussed more fully in the next section, we can see here already that those who have advanced through the ranks in this way did not necessarily decide to become torturers, but were rather made to feel that this was something that they wanted to do or that was important for them to do. It therefore cannot be simply assumed that even someone who has “volunteered” to become a torturer ever actually had such a desire, as the very training process one must go through to even be in a position to volunteer can greatly diminish one’s capacity to make any such “objective decision.”

Of course not everyone who would become a torturer was given such a chance to volunteer (even if a false one), as many were instead drafted directly into these units, or otherwise forced to join. As Crelinsten points out, conscripts were often from the lower classes, with little to no education. On top of this, many—usually teenagers—were simply kidnapped off the street and sent to basic training. A former Nicaraguan Contra who had joined through such an experience explained to *Harper's*:

I admit that I had a chance to take off several times, but I didn't. It was more fun than going back to my family. It's true that once they've snatched you, you feel a little of their power. That makes an impression. I really felt excited.⁸

It's interesting to note that after having been “snatched,” he was presented with the “chance to take off several times.” Whether this was by design or by accident, such an opportunity could at the same time function as something of a transformative moment, wherein the victim of having been kidnapped is turned—by his “choice”—into a comrade-in-arms. This experience would then also allow him⁹ to go from being able to “feel a little of their power,” to having the “fun” of

⁷ As quoted in Crelinsten, 44.

⁸ As quoted in Crelinsten, 45.

⁹ On the use of masculine pronouns when referring to torturers, cf. Crelinsten, Ronald, D., “The world of torture: A

being able to wield it himself. Thus once again we can see here an indication of the importance of being presented with at least the illusion of having chosen to torture in the process of becoming a torturer.

Perhaps the most indicative examples of the role of choice in becoming a torturer are also the most different, i.e., by chance and by force. The former refers to a situation where an individual in one branch of the government—whether the police or military—needs to transfer to another branch for one reason or another and ends up in a unit charged with torture. As an example of such a situation, Crelinsten discusses José, a man in Honduras that had worked in surveillance and kidnapping who, because of the desire to spend more time with his family, became a torturer as the hours of the job were less “erratic.” Crelinsten also tells the story of Kazimierz Sulka, who transferred from the military police to the Polish Secret Police because “he wanted to live closer to his home town,” and “the only organization to have an opening, at the level of inspector, was the secret police” (Crelinsten, 46). José and Sulka clearly did not seek to become torturers, but rather were put in a position to become one because of their particular circumstances.

Though the circumstances in which someone becomes a torturer “by force” are as far from those of “by chance” as could be imagined, the outcome is still the same. As Crelinsten writes,

There is a fourth way in which individuals can become torturers that typically occurs in the context of counterinsurgency and antiterrorist campaigns. Captured insurgents, guerillas or terrorists can be made to work for their captors, against their former colleagues. This often involves torture or other coercive means, combined with propaganda to counter the insurgent’s ideological commitment, and amounts to blackmail or extortion: If you work for us, we will overlook your crimes. In return for cooperating, the new “recruit” receives favorable treatment or special privileges. (Crelinsten, 46)

constructed reality”, *Theoretical Criminology*, vol. 7, no. 3, 2003, pg. 316n1: “I shall refer to torturers in the masculine as I am unaware of any research on women as torturers. I have come across occasional references to regimes that do use women torturers, such as the Islamic Republic of Iran, but to my knowledge there has not been any systematic study of whether or how women are recruited or trained as torturers.”

If it can be said that career advancement and conscription both involve choosing to become a torturer in an indirect way—insofar as the individual in both cases is likely to believe that he has chosen to remain in the situation into which he has been placed—then, with regards to the methods of chance and force, choice can be seen to operate directly. If José or Sulka had decided that having more time with their families was not worth having to torture, or if a “captured insurgent” had decided that his own life was not worth endangering that of another, then they would not have become torturers. The choice was theirs and they made it.

And yet, to be given the option to become a torturer for personal gain or for personal safety is still to be put in a situation where there likely is no option, but merely the appearance of one. While this is obviously more evident when the individual is in a life-or-death situation, we must not underestimate the extent to which merely being offered the chance to become a torturer can put the individual at risk. Along with being considered to be “elite,” torture units are also often considered to be covert, with not just their actions being kept secret, but, perhaps even more importantly, their members. Hence to be introduced to such a unit can bring with it fear and trepidation whether the introduction is friendly or otherwise. Consider, for example, that a former torturer in Chile testified that “once you are in you cannot get out”; a former member of a Honduran death squad said that he was told that “the day you leave...we will cut off your head”; a former member of a Salvadoran death squad explained that he could not “express opposition” to orders because he “felt instinctively that [his] life was on the line.”¹⁰ In such a situation therefore it can easily be imagined why an individual would not feel able to decline an offer to join, and without the capability to decline there is once again only an illusion of a choice.

III. Training to Torture

¹⁰ As quoted in Crelinsten, 59.

We have now seen that though there are a variety of routes to becoming a torturer, it is unclear to what degree any of them involve an active desire to be a torturer or an active identification with the torture regime. It is also unclear how what would appear to be an illusory role in choosing to become a torturer functions; whether it could serve to distance the torturer from the regime, or if simply being offered an illusion could be empowering enough to actually bond the torturer to the regime. Thus to get a better sense of what it means to be a torturer we must next move to an investigation of the process of how one trains to become a torturer.

From his analysis of the relationship between the torturer and his regime, Herbert Kelman identifies three social processes that facilitate participation in torture: authorization, routinization, and dehumanization (Kelman, 28).¹¹ A regime does not authorize torture merely by giving the interrogator the power to use torture, for the regime must also give the interrogator the means to use this power. While governments might like to claim that interrogators who torture have done so on their own initiative, and it may be comforting for us to believe the pop culture stereotype of the torturer as a sadistic “loose cannon,” nevertheless we must recognize that an individual selected to become a torturer has to be integrated into a militaristic hierarchy to carry out such a job. As a former member of the police and military intelligence in Columbia explained to Amnesty International,

In the army, for you to take a person in, you can't do it because you wanted to, because you felt like it. You have to rely on the infrastructure to do it. You need cars; you need radios. To do something like that, the army informs the police that it's working in such and such a place, so that they won't interfere. This is fundamental. So how am I going to detain a person on my own without my colleagues. Where will I take him and who's going to protect me? It doesn't stand to reason. In these units, you can't just take out a car because you feel like it. You can't do anything without the commander of the unit knowing. And the unit commander can't just do something because he feels like it either; they'll have insinuated to him that it has to be done. [...] There are internal checks. It's impossible to make “arrests” or form work groups on personal initiative. *It's totally impossible because of the very structure, the discipline mentality imposed in the army.* The military structure in Columbia is set up so that everything's in a chain, no unit can operate

¹¹ Kelman, Herbert, C., “The Social Context of Torture: Policy Process and Authority Structure”, in *The Politics of Pain*, eds. Ronald D. Crelinsten and Alex P. Schmid. Boulder: Westview Press, Inc., 1995. Hereafter parenthetically cited as above.

independently.¹²

To be a torturer is to be part of an “infrastructure,” working with “colleagues,” all of whom have been trained to have a “discipline mentality,” to think of themselves as but one link “in a chain,” because “no unit can operate independently.”

What such a “military structure” creates therefore is a situation whereby all actions are performed on the authority of another, under the idea that there is a guiding mission or purpose that requires each action be done, and be done in a specific way at a specific time by a specific person. According to Kelman, authorization “helps to define the situation in such a way that standard moral principles do not apply,” because “the individual is not acting as an independent moral agent and therefore feels absolved of the responsibility to make personal moral choices” (Kelman, 28-29). When an individual is taught not to act but to react, not to question but to follow, not to think but to do, the individual can either feel restricted by such a system and rebel against it or feel comforted by such insulation and give himself over to it. The individual who blindly follows orders clearly would not feel as though his actions were of his own choosing as it is exactly the desire to be “absolved of the responsibility” that is fulfilled by the structure of authorization.

What is of greater concern here though is the possibility of the individual who would want to question, if not completely disobey, his orders, since it is the belief that there is always an option for the torturer to not torture that allows for condemnation of the torturer along with the regime. With regards to authorization, while the hierarchical structure is designed to remove the individual from the decision-making process to insure discipline, as we have already seen there is also the constant threat—whether implicit or explicit—within the hierarchy that any subordinate could easily be replaced. However, while bureaucratic processes and pervasive fear

¹² As quoted in Crelinsten, 43-44; emphasis in original.

are certainly effective persuasive techniques, perhaps the most powerful tool at the regime's disposal to promote conformity among its subordinates is actually the process of routinization that begins during training.

Routinization both serves to “normalize” the practice of torture (Kelman, 30-31) and to desensitize the practitioner. Most individuals who have been selected to torture must first go through the same training as any other member of the military or police—which is already designed to suppress individuality and prepare the trainee to be able to unquestioningly follow orders even if they should require the use of force¹³—but their training does not end there. Based on his interviews with former torturers, Crelinsten writes of how “recruits had to hang from a rope by their fingertips to learn how to withstand pain,” as well as being shown “films that get progressively more gruesome, during which the trainee must concentrate on small details such as the motif on the handle of a knife” because “a steady diet of this desensitizes the soldier so he can dissociate his feelings from the act of killing and inflicting pain” (Crelinsten, 48). Similarly, David J. Morris, a former Marine and graduate of the “U.S. military’s secretive torture school, known as SERE [Survival, Evasion, Resistance, Escape],” writes,

While I was in the school, I lived like an animal. I was hooded, beaten, starved, stripped naked, and hosed down in the December air until I became hypothermic. [...] The experience of torture at SERE surely plays a role in the minds of the graduates who go on to be interrogators, and it must on some level help them rationalize their actions. It's not hard to imagine them thinking, *Well, if I survived this, then it's OK to do it to this guy*. This acceptance of abuse from up high down to the lowest levels is the root of our military's torture problem. (Morris, 1-2)¹⁴

This method of training, whereby the torture trainees are themselves tortured, clearly combines the processes of authorization—“acceptance of abuse from up high”—and routinization—“learn

¹³ Cf. Gray, J. Glenn, *The Warriors*. Lincoln: University of Nebraska Press, 1959, pg. 103: “The routine of military life, the repetition, drill, and uniformity of response, works to dampen and dull any individual intensity of awareness. Even the civilian soldier who finds the military way quite alien and strange can learn to hold fast to the few simple rules, to be a proper cog in the vast machine, and to suspend thoughts that might unfit him for his appointed mission. He learns to expect orders from above and to pass them along to those under his control. Thinking tends to become not only painful but more and more unnecessary.”

¹⁴ Morris, David, J., “Cancel Water-Boarding 101”, *Slate*, 29 January 2009, <http://www.slate.com/id/2210059/>. Hereafter parenthetically cited as above.

how to withstand pain,” “concentrate on small details”—to allow the regime to “break” the recruit in the same way that it would want to “break” a captured insurgent. While in the latter circumstance the desired end is to create an informant and in the former the desired end is to create an interrogator, the means used are identical. Whether the individual in question is on the side of the regime or not, all that matters is turning the individual into someone that can be controlled, and, as was shown above, these methods can at times be so effective as to even turn an informant into an interrogator.

What is important to stress here finally is the role that dehumanization plays in this training process. Though it is often argued that one of the reasons, if not *the* reason, why an interrogator feels able to torture a suspect is that the torturer no longer identifies the suspect as a fellow human being, attempts to explain how such a change in recognition takes place are often unsatisfying. Thus Kelman argues that “the main source of dehumanization of the victims is their designation as enemies of the state who have placed themselves outside the moral community shared by the rest of the population” (Kelman, 31). In the same vein, Wolfgang S. Heinz, after having interviewed torturers throughout Latin American, writes,

Given the almost mystical meaning of “nation” and “the national being” (*ser nacional*), for example in Argentina, those who agreed to serve an international, atheist, Moscow-directed movement (in the eyes of the military) were almost automatically seen to have lost the sense of being a national, and as a consequence, the quality of being human.¹⁵

The problem with this type of justification is that “enemies of the state” are certainly not the only ones in these situations “who have placed themselves outside the moral community” or the “nation,” for surely the torturer, in becoming a torturer, has also removed himself from “the rest of the population” and lost some of the “the quality of being human.” Hence to argue that it is only the victim who is dehumanized in torture, and who must be seen as dehumanized for torture

¹⁵ Heinz, Wolfgang, S., “The Military, Torture and Human Rights”, in *The Politics of Pain*, eds. Ronald D. Crelinsten and Alex P. Schmid. Boulder: Westview Press, Inc., 1995, pg. 87.

to take place, is to overlook the degree to which this is true of the torturer as well.

Throughout his memoir describing his service as the head of intelligence for the French forces in Algeria, General Paul Aussaresses justifies the torturing of members of the *Front de Libération Nationale* (FLN) that was either done by him or under his authority by arguing that it was his duty (authorization), the most effective method (routinization), and that they deserved it (dehumanization). However, while he asserts that “one must never regret anything accomplished in the line of a duty one believes in” (Aussaresses, *xxi*)¹⁶, he also recognizes that he had a “career demanding the kind of behavior that is banned by any ordinary moral code” (Aussaresses, 4); notes that “some torturers are even more fragile than their victims” (Aussaresses, 16); admits that those who tortured “engaged in it without being sorry they did, even though they found the practice disgusting” (Aussaresses, 18); and points out that “we did everything we possibly could to avoid having the youngest soldiers bloody their hands and many would have been unable to see it through anyway (Aussaresses, 128). What can be seen here then is an acknowledgement that the service provided by the torturer is unlike any other, and thus Aussaresses would want to protect the “youngest soldiers” from having to “bloody their hands” so that they would not become like those who already had. However, in order to try to better understand the meaning of this dehumanization process for both the torturer and the victim we must first investigate what it means to be tortured.

IV. Torture and Trust

Jean Améry’s analysis of his experience of being tortured has seemingly provided us with an argument for why the physical, mental, and existential destruction of the victim should

¹⁶ Aussaresses, Paul, *The Battle of the Casbah*, trans. Robert L. Miller. New York: Enigma Books, 2005. Hereafter parenthetically cited as above.

forever outweigh any conceivable justification for the use of torture. Central to his analysis is the argument that “with the first blow from a policeman’s fist, against which there can be no defense and which no helping hand will ward off, a part of our life ends and it can never again be revived” (Améry, 29). Thus torture, like some sort of perpetual motion device, continues to inflict damage long after the initial force “from a policeman’s fist” is felt, leaving the victim forever experiencing something far worse than helplessness, as he or she will have lost that fundamental faith in the possibility of help that all animals share, what Améry famously refers to as “trust in the world” (Améry, 28). To torture someone does not mean therefore to simply apply a more extreme interrogation method to an uncooperative suspect, but to permanently separate the individual from the human, to exile him, for “whoever has succumbed to torture can no longer feel at home in the world” (Améry, 40).

After dissecting his encounter with the incomparable violence unleashed during torture, Améry cannot help but identify the torturer as “a god or, at least, a demigod” (Améry, 36), while at the same time referring to the mastery (Améry, 35), “control” (Améry, 35), and “dominion” (Améry, 39) the torturer wields over the victim. From the perspective of the victim, torturers are not “merely brutalized petty bourgeois and subordinate bureaucrats of torture,” because any torturer can “cease the torture when it suits him,” and afterward, “when it has happened and the torturer has expanded into the body of his fellow man and extinguished what was his spirit, he himself can then smoke a cigarette or sit down to breakfast” (Améry, 34-35). But it must be asked whether this is a true representation of the power of the torturer, or if instead it is merely the consequence of the victim being unable to see that the “policeman’s fist” and the policeman’s will are not necessarily equivalent or even under the policeman’s control. For as we have already seen, while the regime taken as a whole is certainly able to exercise such power over the

victim, in reality the torturer is only a representative or symbol of this power, like any other weapon at the regime's disposal.

Not only is the torturer incapable of commanding this domination, but the very process that transforms an individual into a torturer also transforms him into a victim of this domination.

As Morris writes,

I was incarcerated at SERE for only a few days, but my mind quickly disintegrated. I became convinced that I was being held in an actual prisoner of war camp. Training had stopped, from my point of view. We had crossed over into some murky shadow land where the regulations no longer applied. I was sure that my captors, who wore Warsaw Pact-style uniforms and spoke with thick Slavic accents, would go all the way if the need arose. (Morris, 1)

Though Morris was certainly “incarcerated” under radically different circumstances than Améry, he still went from viewing his “captors” as simply fellow human beings taking part in a training exercise to viewing them as belonging to “some murky shadow land” where they would put him in a situation where his “mind quickly disintegrated” and where they “would go all the way if the need arose.” The question that arises here then must be: What is the purpose of dehumanizing the torturer, of forcing him to lose his “trust in the world”? Though Morris has already provided us with one possible answer that it is simply to convince the trainee that if he can survive it then so too must the prisoner be able to, evidence would seem to suggest that this would not and could not be the lesson learned by such training. For the most part, neither the trainee nor the prisoner could be said to “survive” torture in anything more than merely a biological sense.¹⁷

However, I would argue that Améry actually offers us an answer that is far more compelling and complete. To see this answer though we must examine the following passages:

At the first blow...this trust in the world breaks down. [...] Certainly, if there is even a minimal prospect of successful resistance, a mechanism is set in motion that enables me to rectify the border violation by the other person. For my part, I can expand in urgent self-defense, objectify my own corporeality, restore the trust in my continued existence. The social contract then has another text and other clauses: an eye for an eye and a tooth for a tooth. You can also regulate

¹⁷ In opposition therefore to Améry's aforementioned claim that after torturing, the torturer “can then smoke a cigarette and sit down to breakfast,” cf. Fanon, Frantz, *The Wretched of the Earth*, trans. Richard Philcox. New York: Grove Press, 2004, pgs. 194-199.

your life according to that. (Améry, 28)

It would be totally senseless to try and describe here the pain that was inflicted on me. [...] The pain was what it was. Beyond that there is nothing say. [...] If someone wanted to impart his physical pain, he would be forced to inflict it and thereby become a torturer himself. (Améry, 33)

The horsewhip lacerated me; for that reason, even if I do not dare demand that the now defenseless thug be surrendered up to my own whip-swinging hand, I want at least the vile satisfaction of knowing that the enemy is behind bars. (Améry, 69)

...I finally relearned what I and my kind often had forgotten and what was more crucial than the moral power to resist: to hit back. [...] In open revolt I struck Juszek in the face in turn. My human dignity lay in this punch to his jaw—and that it was in the end I, the physically much weaker man, who succumbed and was woefully thrashed, meant nothing to me. [...] In situations like mine, physical violence is the sole means for restoring a disjointed personality. (Améry, 91)

Améry is here pointing to the demand felt by the sufferer to make the perpetrator suffer, a demand that can only be satisfied through the ancient justice of “an eye for an eye” that demands that the victim “become a torturer himself” and with his “own whip-swinging hand” rediscover “the moral power to resist: to hit back.” And yet at the same time we can find Améry seemingly contradicting this demand, instead claiming that justice cannot be found in this way, that “nowhere else could the *jus talionis* make less historic and moral sense than in this instance” (Améry, 77). To make sense of this tension we must see that Améry does not find fault with “the *jus talionis*” because it is wrong or because it goes too far, but rather because it does not go far enough. For as Améry points out, what happened to him was not the fault of any one individual, but required “an entire inverted pyramid of SS men, SS helpers, officials, Kapos, and medal-bedecked generals,” and this “inverted pyramid is still driving [him] with its point into the ground” (Améry, 70-71). Thus what Améry refers to as his “resentment” does not want to merely strike back at the torturer, but wants instead “the spiritual reduction to pulp by the German people, not only of the books, but of everything that was carried out in those twelve years” (Améry, 79).

Améry here shows us that what one who has been dehumanized demands as compensation, as reparation, is nothing short of “the negation of the negation” (Améry, 79). For

Améry such a negation would mean the “annulment of time—in the particular case under question, by nailing the criminal to his deed” (Améry, 72). For Morris this would mean not just ending SERE but “eviscerat[ing] the structures that enabled and supported torture” (Morris, 1). For Aussaresses this meant not just successfully dismantling the FLN’s network in Algeria, but going so far as to “finish the job and do away with the support the FLN was relying on inside France” (Aussaresses, 152). Likewise, for the trainee, such a negation would mean destroying the perceived cause of his dehumanization, which would mean destroying those who caused him to go through the process of becoming a torturer in the first place. This is why it is so important that beyond dehumanization, the training process also includes authorization and routinization. As a former torturer explained to Crelinsten:

When one’s self-image is crushed and crumbled after, say a period of eight weeks, with...methods applied and enforced *very* vigorously, a mixture of propaganda is brought to the soldiers in the form of magazines and films etc. This material is developed in such a way as to make the soldier believe what he does is good, that he is on the good side for all the right reasons and that he must fight enemies of that right and justified system. If there is a specific enemy. The Enemy and all its sympathizers and followers are sketched and portrayed as bad and fierce. This way a monster is born within these soldiers. A monster (the enemy) which they have to fear. They become motivated by the fear inflicted upon them. *That fear is then quickly changed into hatred.* It is also that you become conditioned. (Crelinsten, 48; emphasis added)

Though the trainee is dehumanized at the hands of the regime, the regime is able to avoid being made the object of the trainee’s “resentment” by being able to convince him that the true cause of what he had to endure was the “Enemy,” and that what they did was necessary so as to prepare him to “fight enemies of that right and justified system.”

V. Conclusion

After trying to show how and why torture should be condemned because it “involve[s] some sort of perversion of the most basic human relations,” David Sussman concludes his essay “What’s Wrong with Torture?” on the familiar note, “Whether such objections could ever be

overcome by legitimate military or punitive interests is a question that waits upon more comprehensive understandings of the morality of punishment, warfare, and self-defense” (Sussman, 33). Here we can see the other side of the aforementioned danger of overly focusing on the victim when trying to understand torture. Aside from our tendency to vilify the torturer and thus ignore the complicated processes and procedures that a regime must first put in place for torture to be able to even occur, we also tend to assume that the morality of torture must rest solely on the side of the victim. This is why questions about the use of torture almost always come down to questions of “legitimacy,” and we are left debating either “ticking time-bomb” scenarios or whether or not torture “works.”

We never question, however, whether or not it is moral to ask someone to torture, as we assume that the torturer must already be some inhuman thug and therefore we do not inquire, or care, how he possibly came to be that way. This then also raises the problem of another tendency we have with regards to torture, that of likening it to rape. For in connecting the violation of rape to the violation of torture we simultaneously are drawn to make a parallel connection between the rapist and the torturer and see both as simply “violate.” Consequently, such parallels allow us to argue that the horror of what has been perpetrated so far outweighs any conceivable precipitating factors that to even investigate what reasons the perpetrator may have had for committing the crime is itself bordering on the criminal. The problem of course with this way of thinking is that without knowing why someone would commit such a crime we can never do anything to prevent it from happening again other than to hope that by making examples of those who have already been caught that possible offenders would be frightened off. Unfortunately, we know that such strategies are ineffective at best and counter-productive (e.g., by increasing the prison population without doing anything to decrease the factors that lead to

people ending up in prison) at worst.

What is most problematic though is that both our debates about legitimacy and our desire to vilify serve to perpetuate the conditions for the creation of torturers. While many have argued that to have representatives of the judicial or medical professions involved in torture is to help create the perception that torture is just another part of “the state’s security apparatus” (Kelman, 28), we do not recognize the extent to which politicians, pundits, and academics play a similar role by constantly indicating how debatable the questions surrounding the use of torture really are. To try to criticize and regulate torture by means of editorials and opinion polling is to allow regimes to point to the fact that there are always some “experts” or some percentage of the population who support what they are doing. At the same time, to view torturers as nothing more than monsters only helps to amplify the dehumanization process and with it the demand for “the negation of the negation.” This vilification therefore removes the torturer even further from the rest of society, which can only strengthen his bond to the regime and make him more willing to obey. Yet this does not mean that we must absolve the torturer and only blame the regime, but rather that we must stop focusing so much on trying to place blame and instead try to understand what it means for someone to even be a torturer.