

# “Torture Lite”: A Response

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In “The Myth of ‘Torture Lite,’” Jessica Wolfendale effectively demolishes the distinction between “torture lite” and “full-blown” torture, at least in so far as this distinction is understood in terms of the severity of pain or the permanence of injury inflicted on a subject. According to the way this distinction is usually drawn, full-blown torture causes great physical pain through the infliction of grievous bodily harm. By contrast, torture lite supposedly attacks only (or, at least, primarily) the victim’s psychological life through such techniques as sleep and sensory deprivation, stress positions, sexual humiliations, forced nakedness, and exposure to extreme shifts of temperature.<sup>1</sup> It is not clear where water-boarding and rape would fall on this divide, in as much as both involve force applied directly to the victim’s body, but it might be argued that neither need inflict the sort of physical pain associated with torture. Although force is applied directly to the body, the assault here seems primarily psychological, being largely dependent on the victim’s understanding of what is being done to him or her by someone else in a particular context.

As Wolfendale argues, much of the way that the distinction between full and lite torture is drawn depends on manifestly false claims about the actual character and effects of the techniques involved. While torture lite does not involve dramatic moments of violence (such as a blow being struck or an electrical charge being applied), it often does involve the infliction of intense physical pain, as well as profound and often irreversible physical and psychological injury. Being forced to assume and maintain stress positions can cause pain as unambiguously physical as that resulting from a blow or a burn, sometimes leading to permanent bodily injury. Extreme sleep deprivation is an excruciating experience that can cause death in a few days. Admittedly, torturers do not have to apply force to someone’s body to keep them from sleeping, but neither do they have to use force to keep someone from eating or drinking. Sleep deprivation seems to be no more a marginal case of torture than is starvation or allowing someone to die of thirst.

Wolfendale recognizes that the suffering involved in torture lite can vary in intensity, but then so too can the pain caused by beatings, electric shock, or mutilation. While degree of harm and intensity of pain are morally relevant distinctions between forms of torture, these distinctions seem largely independent of whether the techniques used are “lite” or not. Thus, it is tempting to conclude with Wolfendale that there is no interesting distinction between full-blown and lite torture: there is simply torture, which may be made more or less objectionable in specific instances by nature of the particular pains and injuries inflicted.

For Wolfendale, one of the few real distinctions between full and lite torture is the ease with which torturers (both the individuals and their sponsoring states) can deceive themselves about the true nature of their actions. Full-blown torture involves intimate and dramatic acts of force of undeniable violence and cruelty. Torture lite, in contrast, produces injury and suffering that is less obvious and harder to assign to a particular act or a particular moment in time. Unlike full torture, torture lite can seem continuous with familiar parts of our lives. For example, whereas a person undergoing a beating or mutilation presents a spectacle alien to our normal civilized life, a sleep-deprived or profoundly disoriented person may seem to suffer from a condition that is little different from that of the insomniac or the drunk. Another distinction is that full-blown torture typically leaves marks that anyone would recognize as evidence of great violence; by contrast, the trauma of torture lite is harder to reveal in a courtroom, and easier to minimize or mock. Think of the sublime fatuousness of Rudy Giuliani likening sleep deprivation to the fatigue of campaigning, Rush Limbaugh characterizing Abu Ghraib as just a “frat-house prank,” or Dick Cheney dismissing waterboarding as a mere “dunking,” as if we might find children enjoying it at a county fair.

I agree with Wolfendale that much of what is called torture lite involves substantial physical pain and injury, much as do more brutal forms of torture. I also agree that while some forms of torture are purely psychological (such as a mock execution), there is no significant moral distinction between such torture and that which depends on purely physical trauma.<sup>2</sup> However, I do not think that the category of torture lite is merely a dodge that allows torturers with liberal scruples to deceive themselves and others about the true nature of what they are doing, however readily it is so used. Rather, we can recognize a morally significant distinction between full torture and torture lite if we attend not just to the kind

of pain or injury inflicted on a victim but also to the role that *fear* and *hope* are made to play in the experience. My suggestion is that we should understand full torture as treatment that aims to make its victim feel absolutely vulnerable, and in a position of utter powerlessness and exposure to a will that seems to recognize almost no moral, physical, or epistemic limits. This sort of torture often relies on physical violence because such violence and the pain it causes are very effective ways of making a person feel so exposed. On this view, however, it is not just the violent and painful acts that are torture, but the periods between such assaults in which a victim is left to wrestle with his own mounting fears and dwindling hopes.

Fear itself involves a certain element of hope, insofar as the practical urgency of fear holds out the suggestion that there must be something the subject can do to improve the situation, even as the torturer creates a world that systematically rules out any such possibilities. Essential to full torture is the experience not just of pain but of *desperation*—the sense that one must do something (and that there must be something that one *can* do), even when it is clear that there can be no hope of fighting, evading, or negotiating with the torturer. In contrast, by torture “lite” I understand a treatment that is not designed to exploit the agent’s general capacity for hope and fear in this way, but rather to undermine their agency in general, and with this any confidence a victim may have that he or she can cope with their world in any way.

When this primitive confidence is completely destroyed, there can be neither hope nor fear, but simply acquiescence. Such torture aims at producing in its victims what has been called the “dependence-debility” syndrome. Something like this syndrome has been caused in animals by means of repeated electric shocks on a grid that they cannot escape. Supposedly, the animals first futilely try to evade and fight the shocks. After a while, however, they simply lie on the grid and suffer, offering no resistance of any kind. The human analogue of this state is a complete passivity in which the victim’s will seems to become absorbed into the will of the torturer, without fear, hatred, or shame.

So understood, torture lite does not need to inflict pain, and generally proceeds more effectively if it does not. Torture lite instead depends on forms of profound disorientation that are meant to defeat our normal ways of coping with our world, and our normal sense of being minimally up to that task. On this view, the category of torture lite would include the use of sensory deprivation techniques (including hooding and loud “white noise”), random and

extreme variation of temperature (often combined with nakedness), disorientation in terms of time and place (by making it impossible to keep track of time and by moving the victim around unexpectedly and randomly), solitary confinement, and moderate sleep deprivation (enough to disorient without becoming agonizing).

As I have drawn it, the full/lite distinction does not correspond to the distinction between physical and psychological harm. In my view, some forms of primarily psychological torment count as full torture, such as mock execution, threats of torture to oneself or one's family, and having to witness the torture of others. Rape and other humiliations would also fall under the heading of full torture, as would water-boarding, regardless of the amount of physical pain or injury involved. On the other hand, some overtly physical forms of torment (such as extreme variation in temperatures, the use of bright lights and loud sounds, and moderate sleep deprivation), while physically painful and capable of causing bodily injury, could still be regarded as torture lite.

It is generally thought that torture that aims to induce a profound sense of dependence and impotence is more effective at securing information than torture that seeks to terrorize. Whether or not this is so, there is an important moral distinction between the two categories that is independent of their relative effectiveness. At the end of her paper, Wolfendale observes that what makes torture especially objectionable is the sort of self-betrayal it forces upon the victim, whereby the victim is made to have the experience of having his or her body and emotions colluding with the torturer against the self.<sup>3</sup> If this is so, then there should be a moral difference between full and lite torture as I have distinguished them.

In full torture, victims experience such central emotions as fear and hope turned against themselves as they succumb to the will of their tormentors. Aristotle represents such emotions as a part of the soul that, while not itself rational, nevertheless listens to reason as a child listens to his father.<sup>4</sup> Torture lite, in contrast, does not marshal the victim's emotions against himself or herself in this way. The spirited part of the soul is not set in opposition to the rational as the child against a parent. Instead, victims are made unable to gain any sort of practical purchase on their world at all.

Such profound disorientation and defeat undermine that minimal degree of self-possession needed to be a subject of either emotion or rational volition. This is a condition that does not allow for there to be enough of a self to even qualify

as self-betrayal. When full torture is successful, it makes its victim into the tormentor's accomplice and his thrall. When torture lite is successful, it makes its victim into something more like an extension of the torturer's body. Full-blown torture involves a perversion of the basic moral relations between people, in which the victim is left with just enough agency to feel betrayed by a very intimate and essential part of himself. In torture lite, there is instead a complete dissolution of the basic powers that make the victim a distinct agent in the first place. Full-blown torture resembles enslaving someone through a crushing and on-going humiliation. Torture lite is closer to simply killing and assimilating the victim: something more like cannibalism than slavery.

On this reading, the distinction between torture lite and full-blown torture may be of some moral significance. Of course, both ways of treating someone are profoundly objectionable, but they are objectionable for different reasons, and this might have some bearing on whether and when such action might ever be justified.

#### NOTES

<sup>1</sup> Wolfendale also includes mock execution among the forms of torture lite, although I believe it is usually taken to be an unambiguous instance of full-blown torture.

<sup>2</sup> Although we do seem to mark such a distinction in our intuitions about punishment. With the possible exception of the death penalty, we seem to consider corporal and mutilative punishment beyond the pale while allowing people to be imprisoned for decades, even though a reasonable person might well choose the former over the latter. It is not clear how we might redeem this intuition if physical assaults are not as such more morally objectionable than psychological ones.

<sup>3</sup> I have discussed this consideration at greater length in "What's Wrong with Torture?" *Philosophy & Public Affairs* 33, no. 1 (2005), pp. 1–34.

<sup>4</sup> Aristotle, *Nicomachean Ethics* 1102a1–5.