Symposium: Torture and the Stoic Warrior

Torturers and the Tortured

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Abstract

Patrick Lenta and Jessica Wolfendale have written two very thoughtful discussions on torture. A central question that arises in responding to these essays in terms of my recent book, *Stoic Warriors*, is whether ancient Stoicism affords any insights into both the propensity to inflict torture as well as the capacity to endure it. Wolfendale suggests that the learned capacity to endure torture, and in particular, becoming desensitised to pain, may be part of the psychological background that informs a willingness to inflict torture. Training in resisting torture, such as that which special operations troops typically go through, involves not only learning *technique*s, which can then be reverse engineered in applying torture (what some argue has happened in Guantanamo Bay), but also learning the kind of stress inoculation that makes one *willing to use* those techniques. In short, military training that involves torture resistance hardens one's soul and makes one indifferent to the suffering that torture involves. This indifference, Wolfendale claims, is not unlike Stoic apathy. I want to argue, on the contrary, that Stoic apathy is substantively different. However, before making the case, I take up a number of other preliminary points raised in both papers. I conclude with some remarks about interrogation in general.

1. Preliminary Remarks

Both Lenta and Wolfendale are right to point out that torture is not always paradigmatically motivated by sadistic forms of entertainment, although in *Stoic Warriors (2005)*, I suggested that this form might characterize some of the cases of prison abuse at Abu Ghraib. Lenta, following the work of Henry Shue (1978) and Christopher Tindale (1996), classifies torture into various types, according to function. He distinguishes deterrent or terroristic torture (for the purpose of intimidating people other than the victim); interrogational torture (for the purpose of extracting information); sadistic torture (for the purpose of entertaining and gratifying the torturers); and dehumanising torture (for the purpose of breaking the resistance of the victim). To this foursome, Lenta adds, significantly, Foucault's notion of “public” or “spectacular” torture, in the sense of a public act of vengeance that is extra-legal and which has the purpose of showing a state's sovereign power over prisoners. It is the spectacle of torture, Lenta speculates following Judith Butler (Butler 2004), that might be part of the motivation of alleged acts of torture at Guantanamo Bay Detention Camp. So writes Lenta:

> On this interpretation of what has occurred at Guantanamo Bay, one of the purposes of the torture is to offer a spectacle in which the sovereign state, injured by the September 11 attacks, brings into play the dissymmetry in power between itself and those who have dared to attack it (which has nothing to do with any actual participation in terrorism on the part of the prisoners). In this interpretation, the United States's power, challenged by the attacks, is reconstituted through an act of “vengeance.”

Lenta rightly suggests that neither this type of torture, nor the others, typically occur in pure form. Motivations here (as in life in general), are often mixed, even if those who authorise and defend torture practices seek out the least morally offensive justifications.

Lenta's hunch may be right – spectacular torture may indeed be part of the motivational strain, individually and institutionally, that characterised the early treatment of detainees at Gitmo under Major General Geoffrey Miller. I cannot go into the specific evidence here, though certainly few would deny the general atmosphere of revenge that led many soldiers to enlist post 9-11, and the pervasive sense of punishing Al Qaeda that characterised the Bush Administration's formal language at that time.

What is perhaps less speculative, is the historical background of notions of revenge that take the form of public torture. Indeed, the idea of vengeful punishment as a show of dominant power is certainly a familiar enough theme in the Stoic accounts of the period. So Seneca routinely warns the lords and nobility of Rome, including, notably, Nero, of the abuses of power in punishment, particularly toward slaves. “To bite back is the mark of a wretched little man: mice and ants, if you put your hand near them, turn their jaws toward you; anything weak thinks itself hurt, if touched” (*On Anger*, 2.34.1). As examples of the spectacle of cruelty, Seneca rehearses in several places the invidiousness of one Vedius Pollio, who in punishing his slave at a banquet, “ordered him to be seized and executed in an unusual way–he was to be thrown to the giant lampreys which were kept in a pool” (ibid. 3.40.2) so that “the lampreys could be fattened with human blood” (*On Mercy*, 1.19.2). In *On Mercy,* a work devoted to the chastening of Nero for his penchant for unbridled, public revenge, Seneca appeals to an allegory of the bees: Worker bees leave their sting behind in the wound, whereas a king bee himself has no sting: “Not wishing him to be savage or to exact a costly revenge, Nature took away his weapon and left his anger unarmed. A mighty example for great kings!” (*On Mercy*, 1.19.3). As an admonition to an emperor with absolute power, Seneca's warning may not be about extra-legal punishment, but it is about punishment that is clearly excessive and spectacular.

In other places, Seneca, though ever eager to downplay many varieties of fear as idle, nonetheless insists that torture, and in particular its “visuals”–the “spectacle” and “paraphernalia” of “the violence of the stronger”–are effective methods for engendering dread, even in those practiced to resist:

> Picture to yourself under this head the prison, the cross, the rack, the hook, and the stake which they drive straight through a man until it protrudes from his

> throat. Think of human limbs torn apart by chariots driven in opposite directions, of the terrible shirt smeared and interwoven with inflammable materials, and of all the other contrivances devised by cruelty... It is not surprising, then, if our greatest terror is of such a fate; for it comes in many shapes and its paraphernalia are terrifying... Other troubles are not less serious...they are, however, secret; they have no bluster and no heralding, but these, like huge arrays of war, prevail by virtue of their display and their equipment. (*Epistles*, 14.3-6)

Seneca's remarks are, in part, a salvo to his countrymen on the “cruel contrivances” to which Rome has grown accustomed for sport entertainment, notably gladiator games that draw the rich and poor alike to the Colosseum. But his observations are also prescient in understanding *why* the spectacle of torture can psychologically traumatise its victims, independent of whether the spectacle is meant to constitute a public act of political revenge. Certain threats and encounters with violence are traumatic, Judith Herman instructs in her landmark 1992 book, *Trauma and Recovery,* “because they overwhelm the ordinary human adaptations to life” (Herman, 1992:33). Here, Seneca anticipates this general point. “Displays” of imminent and intimate brutality “coerce and master the mind,” leaving us powerless. They overwhelm the human capacity for coping. The brute and violent images – “the disembowelled entrails of men,” “human limbs torn apart by chariots,” “the cross,” “the rack,” “the hook,” “the stake,”–all are meant to convey that human sensory and reactive capacities can absorb only so much before shutting down in terror. A public spectacle of torture, whether in its Roman or contemporary versions, can be a show of revenge, however, the instruments of torture come to be specified by culture or unbridled imagination.

2. Stoic Equanimity

With this said, it is time to take up the issue of Stoic apathy (*apatheia*), or better put, Stoic equanimity. Is Stoic equanimity a form of desensitisation that might be learned in torture resistance training and then reused in inflicting torture?

There is little question that tactics of torture used in resistance school at the SERE (Survive, Evade, Resist, Escape) course were later imported for inflicting torture at Gitmo.[1] This should not surprise us. Plato argued long ago that many skills (*technai)* are neutral, and can be used for good or ill. So the skill or science of trauma is a medical skill that can harm or heal. How it is to be used rests in the character of the practitioner. Perhaps not surprisingly, health officials, military psychiatrists and psychologists, have been involved in coercive interrogation at Gitmo.[2] In these cases, presumably, virtue has failed to guide the proper use of their skills.

But this brings us to the point of Stoic equanimity. Is it a neutral kind of indifference? Indeed, what kind of desensitisation is it? The answer is somewhat complex and takes us some distance from a popular notion of “stoic hardness,” or innuredness.

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[1] On this, see Jane Mayer's important article in the *New Yorker,* “The Experiment,” July 11 and 18, 2005. (Of related interest are her “A Deadly Interrogation, Nov. 14, 2005 and “Outsourcing Torture,” Feb. 14 and 21, 2005.) For further documentation, see the op-ed of Gregg Bloche and Jonathan Marks in the *New York Times,* “Doing Unto Others as They Did Unto Us,” Nov. 14, 2005.

[2] See Sherman op-ed in LA Times, Dec. 12, 2005: “Mind Games at Gitmo,” written after a visit I made to Gitmo, at the invitation of the U.S. Assistant Secretary of Defense for Health Affairs in Oct. 2005. Also, Gregg Bloche and Jonathan Marks, “Doctors and Interrogators at Guantanamo Bay,” *New England Journal of Medicine,* July 7, 2005; Bloche and Marks, “When Doctors Go To War,” *New England Journal of Medicine,* Jan. 6, 20025; Jonathan Marks, “Doctors of Interrogation,” *Hastings Center Report* 35:4, (2005): 17-22 and “The Silence of Doctors,” *The Nation*, Dec. 26, 2005.

The ancient Stoics view proper Stoic apathy, or equanimity, as the achievement of a sage. As such, it is a state that can never be divorced from full virtue. It just is the manifestation of full virtue, or practical wisdom. Moreover, in the hands of the sage, all goods and skills become conditioned and regulated by virtue. So the problem of a neutral skill that can be used for good or ill simply does not arise for a sage. The proper regulation of neutral or indifferent skills is just what it is to be virtuous.

Now full virtue, on their view, involves emotional equanimity in that it is free of ordinary emotions and their characteristic perturbations. Such emotions are constituted by judgments that are false. That is, the Stoics hold that ordinary emotions involve beliefs that systematically mistake conventional goods and evil for genuine good and evil. In the background is the Stoics' cognitivist description of emotion: All emotions are judgments. Ordinary emotions are *wrong* judgment. Thus to fear is to have a mistaken conception of a conventional evil, such as one's own death or disease, as in fact threatening to one's genuine happiness or well-being (*eudaimonia)*; to desire is to be attracted to and reach out for a conventional good, such as reputation or wealth, again, as part of one's genuine happiness; to grieve is to have a mistaken view that the loss of a conventional good is in fact a true loss, and so on. The sage no longer makes these mistakes. Wisdom is knowing that the only true good is one's virtue and the only true vice, the absence of that virtue. In the sage, knowledge is reflected in a recalibrated sense of value and of happiness constituted by virtue, and virtue alone.

Significantly, conventional goods will have their place, but they are relegated to “indifferents” with respect to happiness. Indifferents may be more or less preferred, as natural things toward which we veer or shy away from, but they do not add to or take away from happiness. In this sense, the sage is free of the ordinary perturbations and disturbances that are part and parcel of a life with the emotions. Thus, the sage has equanimity.

Now the Stoics are quick to add that the absence of ordinary emotion in the sage's life does not mean that the sage is devoid of *all* emotion. The sage will experience “good” emotions (*eupatheiai)*, that is, equable or fine emotions that reflect the revised axiology. In place of ordinary fear will be rational caution, in place of ordinary desire, rational desire, and in place of ordinary pleasure, rational pleasure or joy. In this sense the sage is not insensible or invulnerable to emotion. He just experiences emotions that are different from what the non-sage knows and is capable of feeling. The Stoics qualify their account further. They concede that the sage will still on occasion experience the involuntary starts and startles that often signal the onset of an ordinary emotion. But these pre-emotions will not turn into full-blown emotions. For the sage will not “assent” to the impressions that inform these pre-emotional phenomena, and so will nip ordinary emotion in the bud.

In both the cases of “good” emotions and pre-emotions, one might argue, as many have, that the Stoics are engaged in no more than convenient neologisms. But I do not actually think this is the whole story. Emotions have enormous variety and depth. As neurobiologists of the emotions now argue, emotions engage our critical capacities and physiologies at all sorts of levels. There are high-road and low-road emotions, Joseph Le Doux[3] will argue, and also emotions that are gut responses, while others are highly socially constructed and morally cultivated. The Stoics may be pointing out that a sage does not give up emotions wholesale, but rather experiences them in a way that is, by and large, significantly different from the non-sage. In particular, the sage will experience emotions that record and express a thoroughly recalibrated sense of value.

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[3] See Le Doux (1996) and Damasio (1994).

The general point is that a properly trained Stoic is not indifferent or hardened to emotion. Moreover, his own keen attachment to virtue will entail that harming others in ways that violate human dignity, what the Stoics, following the Cynics, call the "cosmopolitan" nature of human beings based on shared reason, is morally offensive. It is hard to imagine that someone "properly" trained in the mould of Stoic sage could fit the description Wolfendale gives of the professionalised torturer. As I emphasize in Chapter 7 of *Stoic Warriors*, part of that cosmopolitanism involves a thorough training in respect and empathy.

In that chapter I suggest that Seneca's *Epistle 4* is key in understanding that notion of respect. There we are told that our divine-like capacity for reason, the "god within us," to use Seneca's metaphor, inspires a feeling of reverence. Our reason is what is most peculiarly our own. Like a wild lion whose spirit is unbroken, this is what we "marvel" at, what we "glory" in, what inspires a special feeling of "reverence" (*veneratio*) and "fear" (none can look upon it *sine timore*) (*Epistle*, 41.4-7). Cicero reports similar Stoic views. In the light of our shared humanity, we owe a duty of respect to all humans, good or otherwise. "We must exercise a respectfulness (*reverential adversus homines*) toward men, both towards the best of them and also towards the rest" (*On Duties*, 1.99). And he adds to this later, whether they be young or old, and citizens or foreigners: "In short, ... we ought to revere, to guard and to preserve (*colere, teueri, servare*) the common affection and fellowship of the whole of humankind"[4] (ibid., 149).

The language of respect is potent in the Stoic doctrine, and it is of little surprise that Kant exploits these texts in his Enlightenment writing. As the Stoics will put it, in virtue of my rational nature, I am worthy of a kind of divine reverence. And my regard for others, all others, whether they are good or evil persons, whether they are friends and acquaintances or outside my immediate communities and nation states, whether they are allies or enemies, must be one of respect. Respect becomes the cement of the cosmopolitan community. To a large degree, it replaces sentiments of kinship and mutual affection and attachment, so ubiquitous in Aristotelian ethics.

But exactly how do we galvanise this attitude of respect, especially toward those of whom we have little understanding or who are our sworn enemies? In his *Meditations,* Marcus Aurelius suggests that we must regularly engage in exercises in imagination and memory: We are to remember the bond of humanity and practice reversing roles – "enter into the governing self of every man and allow every other to enter into your own" (*Meditations*, 8.61). Hierocles, a Stoic writing a little earlier than Marcus, during the time of Hadrian (117-38 CE), offers more detailed instructions for this exercise in empathic identification. In an adaptation of a well-known Stoic motif, he urges that we think of ourselves as standing in a series of concentric circles. Our task is to imagine those in the farthest orbits of our lives as connected to us in ways that make them more like those closest to the center, namely ourselves, family, and friends.

The outermost and largest circle, which encompasses all the rest, is that of the whole human race. Once these have all been surveyed, it is the task of a well-tempered man,

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[4] In Kant's hands, the notion of respect (*Achtung*) becomes a complex rational emotion that preserves both poles of reverence and fear: On the one hand, we are awestruck at the majesty of our autonomous rational natures; on the other, we fear the authority of its moral law and are burdened by the yoke of its constraints. Kant's Stoic legacy, here, is clear.

> in his proper treatment of each group, to draw circles from the enclosing circles in the enclosed ones... It is incumbent on us to respect people from the third circle as if they were those from the second, and again to respect our other relatives as if they were those from the third circle. For although the greater distance in blood will remove some affection, we must still try hard to assimilate them. The right point will be reached if, through our own initiative, we reduce the distance of the relationship with each person. (Long and Sedley, 1987:57G)

Hierocles's (and Marcus's) point is that the capacity for respect often depends upon deliberate acts of imagination. As Adam Smith will put it, “sympathy” (his term for what in the 19th Century comes to be dubbed “empathy”) is an epistemic capacity that allows us to “trade places in fancy,” “to beat time” with others' hearts, to bring the case home “to one's bosom” (Smith, 1759 [2000]: 140-2, 146, 167).[5] The earlier Stoic point is that this capacity for empathy undergirds respect.

Now Wolfendale suggests that a training in empathy and respect cannot mitigate the nefarious effects of military professionalisation. Here she cites Herbert Kelman's well-known sociological studies on the role of professionalisation, routinisation, and role division of labor in the normalisation of the practice of evil, and in particular, torture. Undoubtedly, these are background factors. And so too, are top down pressures that, for example, in the case of Gitmo, characterised day-to-day life. (I have in mind here the urgent pressure to get information from detainees, a permissive attitude with respect to Geneva Accords by the Commander-in-Chief and the Office of Legal Council,[6] and a generalised public fear regarding national security; all these can be seen as institutional pressures to permit harsh interrogation).

But this said, ideal Stoic training stands as a rejection of this kind of pressure and socialisation. The message of Stoicism is, to put it bluntly, “don't compromise your virtue.” It is a philosophy of high aspiration and self-reliance. The detachment that is to result is not about being indifferent to the infliction of evil. Rather, it is about being indifferent to a *false* sense of evil – e.g. monetary wealth, comfort, and status. Now, granted, taken to an extreme, a Stoic sage might become indifferent to materialism, including the state of one's body. And so the Stoic does learn to suffer the harm others inflict, as well as the debilitation that comes with natural disease, accident, and age, as something outside one's proper good. But that is quite a different matter from intentionally bringing about that harm in oneself or others. So I do not see that proper Stoic training amounts to collusion in the kind of rote professionalisation that normalises evil. Nor do I see it as amounting to a kind of emotional detachment that again allows evil to take place without flinching. (In the sage's own case, the seduction into evil is long gone, and so there is no point at which distress or anger arises in reaction to it. Indeed, there is no form of “good or equable distress,” they say, since the genuine evil to which it would be a response, namely vice, is not present in the sage.) Still, this should leave an open space for the emotion of distress a sage would feel when witnessing evil at the hands of others, whether inflicted on oneself or others. In Chapter 4 and 5 of the book, I argue for how such an account of moral outrage might go.

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[5] See also Sherman 1998a, 1998b, 1998c.

[6] I have in mind here the August 1, 2002 Office of Legal Counsel memorandum for Alberto R. Gonzales from Jay S. Bybee, Re: Stand of Conduct for Interrogation under 18 USC 2340-2340A, collected in Greenberg and Dratel 2005.

3. Enduring Torture as a Stoic

But a question remains. If Stoic training does not make one morally or psychologically impassive to the commission of evil, then just how is it supposed to toughen one should one become the hapless victim of others' wrongdoing? This is part of its promise, and part of why some fairly reflective military men and women have turned to actual Stoic teachings for inspiration. They do so not in order to inflict evil dispassionately, but rather to endure it, if they must, especially as POW's. The pivotal Stoic doctrine here is that what is of value and import for one's happiness; what is within one's control, or rational agency. So Epictetus will write:

> Some things are up to us and some are not up to us. Our opinions are up to us, and our impulses, desires, aversions–in short, whatever is our own doing. Our bodies are not up to us, nor are our possessions, our reputations, or our public offices, or that is whatever is not our own doing... And if it is about one of the things that is not up to us, be ready to say, "You are nothing in relation to me."[7]

This view is, of course, diametrically opposed to Aristotle's. In the *Nicomachean Ethics,* Aristotle insists that one's happiness includes virtuous activities as well as those sorts of external goods, such as good children and friends, the absence of which would "mar" one's happiness and take away its "luster." Moreover, great and frequent misfortunes can reverse one's happiness, even if the good person does not become depraved in the face of life's worst vicissitudes.[8] Stoic training is meant to be an antidote to this fragility by reducing dependency on what extends beyond the limits of one's agency. It is not a recipe for constricting agency. Quite to the contrary, the Stoics routinely insist that one should be resourceful in pushing the boundaries of one's will. But one should also learn a certain equanimity in the face of absolutely immutable obstacles.

Within the military, Adm. Jim Stockdale represents something of an experiment for Stoicism.[9] In a remarkably prescient moment, James B. Stockdale, then a senior Navy pilot shot down over Vietnam, muttered to himself as he parachuted into enemy hands, "Five years down there, at least. I'm leaving behind the world of technology and entering the world of Epictetus" (Stockdale, 1994). Epictetus's famous handbook, the *Enchiridion*, had become Stockdale's bedtime reading in the many carrier wardrooms he occupied as he cruised the waters off Vietnam in the mid-60's. Stoic philosophy resonated with Stockdale's temperament and profession, and he committed much of Epictetus's pithy remarks to memory. Little did he know on that shoot-down day of Sept. 9, 1965, that Stoic tonics would hold the key to his survival for seven and a half years of POW life. They would also form the backbone of his leadership style as the senior officer in the POW chain of command.

As the senior ranking officer in the POW chain of command, Stockdale needed to answer the "young turks," as he affectionately referred to them, who demanded to know what they could take torture for and still maintain their sense of self respect and group solidarity. He vividly recalls their request:

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[7] *Handbook of Epictetus*, trans. by Nicholas White. Indianapolis, In: Hackett, 1983.

[8] See *Nichomachean Ethics*, 1.8 and10.

[9] The discussion of Jim Stockdale that follows is excerpted from *Stoic Warriors* and is based on interviews I conducted in October 2001 as well as on a short paper Stockdale delivered, "Stockdale on Stoicism II: Master of My Fate." Center for the Study of Professional Military Ethics, U.S. Naval Academy, 2001. Stockdale died in July of 2005.

> We are in a spot like we've never been in before. But we deserve to maintain our self-respect, to have the feeling we are fighting back. We can't refuse to do every degrading thing they demand of us, but it's up to you, boss, to pick out things we must all refuse to do, unless and until they put us through the ropes again (Stockdale, 2001).

"Taking the ropes" became the euphemism for the sustained and methodical torture they were to endure. Forty years later, sitting at his dining room table in Coronado Beach, California, Stockdale described to me the ordeal, calmly but vividly: "They would start by clanging a big heavy iron bar down [about eighty or ninety pounds in weight], and then tie your feet to it so that you couldn't lift it. Then they'd sit you up and jackknife you over and tighten the ropes around your arms. Next, they'd put you through extortions to the point that they would be pulling the rope so hard that the blood circulation in your upper chest would shut off." At this point, he continued, the guard would dig his heels into the back of your head and push your nose into the cement. With panic and claustrophobia setting in, the prisoners could be made to blurt out information, some of which would be false, but other bits of which would be true. The confession was followed by a "cold soak" – six or eight weeks of total isolation "to contemplate one's crimes." This was standard treatment.

As commander of the prison resistance, Stockdale came to view himself as something of a sovereign head of an American expatriate colony. No one back home knew the details of their subsistence like they did. They were on their own, an isolated colony, in need of its own governance and rules of engagement in fighting the enemy. He described to me his strategy:

> I put a lot of thought into what those first orders should be. They would be orders that could be obeyed, not a "cover your ass" move of reiterating some US government policy like "name, rank, serial number, and date of birth," which had no chance of standing up in the torture room. My mind-set was, "We here under the gun are the experts, we are the masters of our fate. Ignore guilt-inducing echoes of hollow edicts, throw out the book, and write your own." My orders came out as easy-to-remember acronyms. The principal one was "BACK US". Don't Bow in public; stay off the Air; admit no Crimes; never Kiss them good-bye. US could be interpreted as United States, but really it meant, "Unity over Self!" It's always "we," not "alone."

In all this, Epictetus was Stockdale's implicit guide. Stoic harm came to mean not a broken back or leg, but the guilt and shame of self- and group-betrayal. Harm was underestimating the agent in self who could still have authority. Harm was mistaking the taste of a cigarette or a night out of leg irons for real autonomy.

Even so, Stockdale's Epictetus was never overtly preached, except once, when tapped out in code to a prison mate whose spirits he was trying to raise. The response through the cell wall was a deadening silence; a boundary had been crossed. Camaraderie had passed into didactic philosophising. After that, "I never tapped or mentioned Stoicism once. You soon learned that if the guy next door was doing OK, that meant that he had all his philosophical ducks lined up in his own way."

Still, Epictetus had become internalised into Stockdale's own command, however tacit the doctrine. It governed what he was to call the mindset of a "slow-moving, cagey prisoner," adapting Ivan Denisovich's language. It became Stockdale's way of staying aloof, of not being desperate for what those in power have to give, of not compromising himself, however dependent his existence. He recalls:

> I took those core thoughts into prison. I also remembered a lot of attitude-shaping remarks. Here's Epictetus on how to stay off the hook: "A man's master is who is able to confer or remove whatever that man seeks or shuns. Whoever then would be free, let him wish nothing, let him decline nothing, which depends on others; else he must necessarily be a slave" (Stockdale, 2001).

For Stockdale, prison was an unabashed laboratory in which to test Stoic postulates. It was there that even the most brute external forces – such as repeated, severe torture— still demanded something of the will and mind, something that could be parlayed into the Stoic category "what belongs to oneself" and "what is within one's power." On his telling, it was his Epictetan Stoicism that enabled him to regain his dignity, if and when he broke in torture.

I have argued that Stoicism, understood properly, is not a neutral skill of detachment that can be used for good or ill. A Stoic attitude may well involve what we would call psychological defenses of dissociation. But these, again, on a proper Stoic account, are never divorced from the wisdom that discerns genuine good from evil. Learning how to endure torture, as a Stoic, is not an education in learning how to inflict it. And this is precisely because the Stoic never views his virtue as a mere skill. That is exactly what distinguishes virtue as a genuine good from indifferents as conventional goods. Virtue, in contrast to indifferents, is unconditionally good. Indifferents depend upon virtue for regulation and constraint, and in this sense, are always only conditionally good.

4. The Morality of Interrogation

The discussion, thus far, has been about torture–inflicting and enduring it. And in particular, I have considered certain Stoic implications. But what is the moral status of interrogation (of enemy POW's (EPW's) or detainees) that does not involve torture or cruel, inhumane, and degrading treatment? Is it still morally problematic, and on what grounds? The subject merits its own extensive discussion, independent of a discussion of torture. I cannot take on that task here. But I can make a few remarks.

It would be hard to morally appraise the activities of military interrogators without the notion that there are legitimate moral role duties that often sit uneasily with the intuitions we bring to bear from common morality. Interrogation involves at its core modes of deception, manipulation, coercion, and threat that clearly violate general deontological constraints. Outside highly qualified contexts, these practices would not be morally tolerated. Of course soldiering, in general, involves its own fair amount of fakery and pretense, from ruses against the enemy to a subordinate's deferential respect to a superior that is often only as deep as her salute to a uniform. Moreover, the very use of violence in war depends upon a notion of just conduct that itself does not readily translate into more general notions of self-defense in civilian morality.[10] Granted, Montaigne clearly overstates the moral distance between common sense and specialised roles when he says, "The mayor and Montaigne have always been two people, clearly separated."[11] To hermetically seal a professional role from the general concerns of conscience is a recipe for moral nihilism. Still, Montaigne points to the more limited truth that there are morally permissible role activities that are not easily reconcilable with ordinary morality. Techniques of deception within the context of military interrogation may be one such group of activities.

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[10] On this subject, see Rodin 2002.

[11] As quoted in Postema 1983.

To focus our discussion, consider interrogation tactics authorised in the U.S. Army manual 34-52 (1992), widely cited in Army circles as the standard guidebook for military human intelligence collection and intended for use, as its preface makes explicit, within the constraints set by the Uniform Code of Military Justice (UCMJ) and Geneva Conventions on the treatment of wounded and sick, prisoners of war, and civilian persons in time of war.[12] According to the handbook, interrogation commences by establishing the proper "approach," that is, settling on the kinds of attitudes and techniques believed to be most effective with a given EPW or detainee. But "regardless of the type of EPW or detainee and his outward personality," common to all approaches is the assumption that the victim "possess[es] weaknesses which ... can be exploited." (3-11). This "exploitation of the source's emotion can be harsh or gentle in application." The aim is to "manipulate the source's emotions and weaknesses to gain his willing cooperation." (3-11). The interrogation process is most effective, according to the manual, if rapport is established early on. This requires that the interrogator simulate empathy – "feign experiences similar to those of the source," "help the source rationalize his guilt," "flatter the source," "exonerate the source from guilt"(3-12). What is critical is that the interrogator "be convincing" and "appear sincere" (3-13), i.e. establish a false sense of trust.

At this point, more specific approaches may be introduced, such as the "emotional" approach, whereby "the interrogator employs verbal and emotional ruses" that exploit the EPW or detainee's "dominant emotions," e.g. greed, love, hate, or revenge (3-14, 15), or the "fear-up" approach that exploits pre-existing fears, by using a "loud and threatening" voice or throwing objects across a room. The manual warns that these techniques "have the greatest potential to violate the laws of war," (3-16) and not surprisingly, applications of harsh fear-up tactics have been part of reported torture techniques at Gitmo and Abu Ghraib.[13] Other recommended techniques include the "pride and ego" approach – a strategy "to trick the source ... by goading or flattering him" or the converse, "attacking the source's sense of personal worth" by using a "caustic tone of voice with appropriate expressions of distaste or disgust" (3-17, 18). The "futility" approach seeks "to convince the source that resistance is futile," that for example, "other sources have cooperated." In all these approaches, the overall aim is to "exploit psychological and moral weaknesses" of the victim, or degrade the victim by pointing out "weaknesses inherent in his society" (3-18).

I have reported in some detail these particular strategies not because they are surprising or particularly revealing (FM 34-52 is unclassified and approved for public release), but because they underscore just how central exploitation and the denigration of personal worth are within forms of interrogation that neither violate international treaties and military regulations, nor carry the same burden of justification that the physical and psychological violence of torture or cruel, inhuman, and degrading treatment (CID) do. Even so, it is easy to see how the "imaginative" and prolonged application of these "approved" methods could easily slide into more aggressive forms that could have grave and lasting deleterious psychological consequences on detainees. A four-year long "pride and ego-down" strategy combined with an ongoing fear-up approach could ebb away at the most resilient personality. A similarly prolonged period in which religious traditions and rituals are routinely denigrated and psychological vulnerabilities exploited, such as fear of the dark or longing for a loved one, could upend personality in substantive ways. Seneca in *On Anger*, warns that abusive attitudes and behaviour, once unleashed, are difficult to rein in. Even if harsh ego-down strategies have as their nominal goal the extraction of intelligence, in circumstances like Gitmo, where few detainees are in fact high-value sources and the term limits of detention are non-existent, the possibilities for open-ended abuse by frustrated interrogators abound.

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[12] See FM 34-52: Intelligence Interrogation. Headquarters, Department of the Army, Washington, DC, 28 September 1992.

[13] See Neil Lewis, "Interrogators cite Doctors' Aid at Guantanamo, *New York Times* June 24, 2005. Also, Neil Lewis," Psychologists Warned on Role in Detention, *New York Times,* July 5, 2005.

A further point worth noting is that the general strategy to discover and then exploit emotional, moral, and psychological vulnerabilities is a task for which military psychologists and psychiatrists have often been recruited. In the case of Gitmo, the use of psychiatrists in this role has led to breaches of confidential medical records.[14] The Army has attempted to address this problem by recommending in a top report the separation of mental health workers in charge of the medical and mental health of detainees from those in consultation roles with interrogation teams. That same report recommends that psychiatrists and physicians stop aiding interrogators.[15] But even psychologists who are not in clinical relationships with detainees must still ask themselves whether or not they ought to participate in the general exploitation of detainees' emotional vulnerabilities and phobias in conditions such as Gitmo, where the goals of interrogation are far from unambiguous, the termination of detention and interrogation not readily in sight, and the overall legal status of detention unclear. All this is to say that the roles of interrogators and medical personnel in advisory capacities to interrogators, are not isolated. Moreover, military professionals carry out their duties in the context of institutional pressures and in normative environments typically shaped by those pressures. This is all the more reason why the professional must never leave behind moral conscience or virtue in discharging roles, whether in the end that virtue is properly conceived of as Stoic or not.

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[14] See Neil Lewis's *New York Times* articles cited above.

[15] See the Army report of Major General Lester Martinez-Lopez and the Army Surgeon General, Kevin Kiley's refusal to endorse the recommendation, as reported in "U.S. is Found Lacking in Detainee Care Plans," by Josh White, *Washington Post,* July 9, 2005.

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