

Tortured logic

Original sin crops up in the most unexpected places. You can never be sure which of your intelligent friends harbors this superstition. In the middle of an otherwise mundane conversation, in the turn of a phrase, there it is – the belief in the inborn propensity of human beings to do evil. Humans are not bad for a reason, the belief goes – they are just bad.

Clive James, for instance – one of the most highly regarded critics of our time, deeply admired both for his thought and his style, master of the thumbnail portrait of his fellow writers (*all* of whose books he appears to have read) – begins a brief essay on the English director Terry Gilliam by praising him and treating his surrealistic movie *Brazil* as a masterpiece; but suddenly he steers his encomium onto a single alleged dereliction in the film's presentation of the torturer played by Michael Palin, and so arrives at his real topic:

The way [Tom] Stoppard wrote the part, Michael Palin would have had the opportunity to play against type: He would have embodied evil. Palin is a very accomplished actor and could undoubtedly have done it. But Gilliam insisted on Palin's full, natural, nonacting measure of bland benevolence.

Gilliam's decision serves a very specific point of view: it gives us, in James's words,

"the *ne plus ultra* of torture as an everyday activity." Palin's character Jack Lint dotes on his adorable children, keeps regular hours at the office, and wears the colorless suit of the typical bureaucratic functionary when he commutes to work. But from time to time, he slips a white lab coat over his clothes before he repairs to the torture chamber, the better to prevent the blood of his victims from spattering onto his shirt. Coming back from a session with the evidence of these recent activities still staining the coat, Jack is surprised to find his uncomprehending friend Sam Lowry, the movie's protagonist, waiting for him. Jack maintains his composure and exchanges pleasantries with Sam, who, working as a drudge for the Ministry of Information in the "Department of Records," has naively assumed that Jack's job in "Information Retrieval" is as desk-bound and boring as his own. James sees the sure hand of the director in establishing this picture of the torturer as 9-to-5 family man: Gilliam knows what he wants and gets it. But James thinks that this is Gilliam's mistake:

The suggestion seems to be that a torturer need be no more sinister than your doctor. That's the picture we take away. But how true is the picture?

. . . .

In modern history, there is plenty of evidence that torturers are people who actually enjoy hurting people. What was true in medieval Munich was true again in the cellars of the Gestapo HQ in the Prinz-Albrecht Strasse, and what was true under Ivan the Terrible was true again in the Lubyanka and the Lefortovo.

. . . .

In the long run, the Banality of Evil interpretation of human frightfulness is not quite as useful as it looks. . . . It tends to shield us from the intractable facts about human propensities.

White settlers of America were horrified to discover that the Apaches would torture their prisoners slowly to death on the assumption

that the captor would gain spiritual stature as the captive lost it. The student would prefer not to think that a primitive people was thus showing us what was once universally true, and came from instinct. It would help if mankind were the only animal that tortured its prey: We could persuade ourselves that only a social history could produce such an aberration. Unfortunately, cats torment mice until the mouse turns cold, and killer whales play half an hour of water polo with a baby seal before they finally put it out of its misery by eating it.

Lesser minds have given us this thesis in cruder terms. Because James is articulate to a fault, we have no doubt about what he is saying, and consequently he has nowhere to hide. When a master chef serves up something this half-baked, it will quickly offend palates that his own art has made more discriminating. These *obiter dicta* are unworthy of such a normally careful writer.

To start with the last, a more serious acquaintance with ethological studies, or even a bit of imagination, might have alerted James to the obvious fact that the cat does not know that the mouse is suffering. In the wild, unless a mother cat is teaching her kittens how to hunt, a cat will dispatch its prey with a quick bite to the back of the neck, taking no chance that it might get away. But a domesticated cat, fed to satiety by other hands, can afford to "play." As a creature of instinct, it is likely to have its pouncing behavior triggered even though it isn't hungry. The killer whale, too, lacks the one thing needful to be a designated torturer: it does not relish the cruelty that it inflicts. It is having fun. The fun is not enhanced by any contemplation of the pain felt by the baby seal.

James's hypothesis that the cruelty displayed by the Apaches is instinctual and was once universal among all *Homo sapiens* is unsupported by any paleontological studies. It is difficult to fathom how it could be proven; but again, a moment's thought

might persuade the reader that the Cro-Magnon hunter-gatherer bands simply had no motivation for inventing a behavior that had never existed in any other species – here I mean torture voluptuously enjoyed – and little leisure for indulging this non-utilitarian sport. Since the Apache way is in bad odor today, James also implies that our species has improved a bit over time, which is another risky proposition – indeed, in the paragraphs I have quoted, he has argued the opposite, that we are today no better than we have ever been.

His arguments are wrong. The trajectory from our hominid forebears to civilized man – by which latter term I mean the heirs of the agrarian revolution which began only 12,000 years ago – has been the conversion of instinctual and near-universal tolerance or indifference toward our fellow humans into consciously adopted programs of righteous slaughter, sometimes on a genocidal scale. Morally, we have deteriorated markedly from the ways of the Cro-Magnon hunter-gatherers. They, like all other mammalian species, must have avoided intra-species killing where possible. On the other hand, we *have* come to condemn the behavior of the Apaches, at least rhetorically, which is something. So there is some incremental forward movement when we take the long view. The 20th century, that arena of horrors, saw at its end two extraordinary developments. The government of Spain ordered the detention of Chilean dictator-emeritus Augusto Pinochet in England pending extradition to Spain to stand trial precisely for authorizing a torture regime. This was unprecedented in world history – a nation demanding the arrest of another nation's former head of state, still honored in his own country as a great patriot, to face charges of having committed crimes against humanity. Equally unprecedented was the intervention of NATO

countries in the internal affairs of Serbia solely to prevent a crime against humanity from happening. The interventionist countries took no land and grabbed no wealth from Serbia – merely performed in a disinterested manner a virtuous deed for its own sake.

As I have already indicated, because James is normally a precisionist, any ambiguity stands out starkly, and betrays an emotional component in his reflections. "Torturers are people who actually enjoy hurting people." Would that be *all* torturers? I don't see how we can think otherwise when we are dealing with such a careful writer. If he meant "some torturers," he would have said so. "The Banality of Evil interpretation of human frightfulness tends to shield us from the intractable facts about human propensities." Are these the propensities of *some* of us? The wording suggests that these are the propensities of *all* of us. They are *human* propensities. And they are "intractable." Cruelty "was once universally true, and came from instinct." Hard to miss the meaning of "universally true." We can't fob a universal propensity off on social malformation: since our fellow mammals engage in torture – two of them, anyway, cats and killer whales – we must *all* carry the bad gene in our DNA. These statements are, to say the least, sweeping.

James walks this back, however, before the end of his essay:

We can do better than the cats and the killer whales, but it might be a help to admit that the same propensity is widespread and could even be there within ourselves.

This is a little more circumspect. But if the propensity is merely widespread and no longer universal, then we have to ask why some of us harbor the bad gene, but others

of us not. Best to drop the gene altogether, and the "propensity" as well, which is rather a nebulous word to use in a scientific context. James is making very little headway with his topic. So we have a "propensity" to torture – that is to say, a potential. But in that case, everything depends upon what activates it.

James touts Stoppard's original intention: that Jack Lint should have "embodied evil." Now this is interesting: Gilliam gives us the torturer in full. We even see scenes, uncomfortable for the viewer to watch, where he is plying his trade. So how is Lint *not* the embodiment of evil? Is he not the more repellent, and a great deal scarier, for his being able to doff his blood-stained lab coat and engage with unruffled aplomb in social chit-chat? Can James be suggesting that a believable embodiment of evil should have blood dripping from his fangs? Does a psychopathic killer radiate more evil than a blandly professional Nazi doctor at Auschwitz? Why is Palin's pleasant functionary less the embodiment of evil than a sadist would be? In the case of the sadist, we might suspect a mental aberration that he is incapable of mastering. What is Jack's excuse?

Gilliam goes to some lengths to make explicit his commitment to the interpretation that James deprecates. The essay opens arrestingly:

No no no no no no no no. . . .
– TERRY GILLIAM, *BRAZIL*

The text means exactly what it says, but it needs a lot of decoding. A meek, distinctly non-glamorous secretary is taking dictation through earphones. She types up everything she hears in the next room. In the course of time, the viewer of the film deduces that she is compiling an endless transcript of what a victim is saying in a torture chamber. Even if he screams it, she types it up as if he has merely said it. She herself says nothing, and her face betrays no emotion as the words quietly take form.

I cannot follow James's reasoning when he complains that this portrayal of torture obscures its obscenity. It seems rather to heighten it. If there are psychopaths out there, and I unluckily fall into the hands of one of them, well, I have had a piece of very bad luck, but life is still worth living. But if torture can be rendered so ordinary and expected that the most nondescript person in the world can be recruited to participate in it and find nothing objectionable about transcribing an exact record of a victim's cries of pain, then is doomsday near.

James muddies his own waters by admitting that the architect of a torture regime may in fact *not* "actually enjoy hurting people." He contrasts the personal predilections of Stalin's torturer-in-chief with those of Hitler's:

Beria obviously enjoyed conducting the occasional interrogation personally, but Himmler would have fainted dead away, as he did on his sole visit to a massacre.

To really break our brains, James tells us this about Hitler himself:

It is doubtful if, in his mind, he ever reached the point where he enjoyed the idea of inflicting pain for its own sake. Mad enough to think himself sane, he was under the impression that the sufferings he sanctioned had their justification as condign punishment. In 1937, when a child molester was convicted in the courts and given a long sentence, Hitler personally intervened to ensure that the prisoner would be tortured first, but that was a rare instance.

We get a double dose of discombobulation here. First, James acquits Hitler of the very quality that he has heretofore put forward as the *sine qua non* of the torturer, which is precisely the enjoyment of the idea of inflicting pain for its own sake. But even more disorienting, in this rare instance where Hitler ordered torture, he did so out of moral

indignation – the victim being a child and the crime being so heinous, he felt that the infliction of some degree of pain on the perpetrator was demanded by justice.

Here we begin to edge toward what is motivating torture in close to 100% of the cases, irrespective of whether the individual who happens to be administering it is taking sadistic pleasure in it or simply performing the task assigned to him by a superior officer: it is the belief, which no other mammal ever has, that the victim deserves it.

Torture is rarely gratuitous; state-sanctioned torture, never. It is done for a reason; and that reason is the baseness of the person to whom the torture is applied. When the "interrogators" reluctantly reported to Stalin that some of the traitors had still not confessed, and were continuing to insist upon their innocence, Stalin said to keep beating them – the truth would come out eventually. As James has already said of Hitler, Stalin was mad enough to think himself sane. He started with the conclusion: the guilt of the arrested individual. Why was the suspect taken into custody if he had not committed the crime? Stalin demanded confessions: otherwise a conviction might be fallible, based on insufficient or perjured evidence; or it might appear to be so. Failure of the accused to confess was evidence of obduracy; failure to obtain a confession was evidence of the interrogator's dereliction of duty. If the prisoner refused to tell the truth unless he was tortured, what was an interrogator to do? – in Stalin's mind, double down on the torture. After all, it would end the moment the malefactor confessed his guilt, which was manifest. Truth is sacred; mercy to the guilty is an affront to the innocent.

James sees the madness but he is incurious about the exact nature of it. He

misses the phenomenology:

Another Khmer Rouge regulation is almost charming: "Don't try to hide the facts by making pretexts this and that. You are strictly prohibited to contest me." The charm is in the waste of effort: the prisoner can give only one answer, so why didn't the interrogator just write it down and sign it with a mark, especially since the prisoner's eventual signature wouldn't make much sense anyway? Unfortunately for our hopes of innate human goodness, all the evidence suggests that the torturers were keen to get on with the job even if it was meaningless. All the evidence was still there afterward, including photographs taken at every stage of the torment.

I can sympathize with James to a point. I found this "waste of effort" baffling when, long ago and still wet behind the ears when it came to evil, I read Arthur Koestler's *Darkness at Noon*. Why go through the charade of interrogating the prisoner? Execute the wretch immediately, write up his confession yourself, and publish it in *Pravda*. Why pay all those unnecessary salaries? Streamline the process. But the opening of Soviet archives has revealed the existence of millions of pages of testimony carefully typed and filed. The interrogators took their work seriously. They believed in the veracity or at least in the utility of the confessions that they extorted by torture. The Khmer Rouge interrogators were no different: they preserved the evidence. They were not only unashamed of doing so – they felt the rightness of it. The torture was not a grim joke to them. The careful documentation of the sessions testified to the magnitude of the crimes against the state that the prisoners had perpetrated, and to the justice that was meted out to them. *Brazil* is on point.

James mixes up his phenomenology with that of the torturers: *he* sees that their compunctions are "meaningless"; *they* certainly do not. He despairs of "our hopes of innate human goodness," because he thinks that had there been so much as a drop of

it, the Khmer Rouge interrogators would have eased the suffering of those poor souls who were in any case on their way to the scaffold. But the interrogators felt that they would have betrayed the human goodness of Angkar ("The Organization," in the parlance of Pol Pot) if they had failed to obtain confessions from the vermin who had opposed it. Humans pity other humans; they do not pity vermin. The opponents of Angkar were scorpions, rats, poisonous snakes in human form.

"Saint" Thomas Aquinas stipulated that one of the benisons of Heaven would be the privilege of the blessed to watch the torments suffered by the damned in Hell.

"Good" people want to see evil people suffer, and deserve to see it.

Back in the late 1950s, on the sleeve of the *Beyond the Fringe* record album, Jonathan Miller made a dark joke about his worst fear: being tortured for information he did not possess. The assumption behind the joke was that if he had something to reveal, the agony would stop. He was looking back to a world of polite British fiction, not to a world of brute European fact. In the Nazi and Soviet cellars and camps, people were regularly tortured for information they did not possess: i.e., they were tortured just for the hell of it. Kafka guessed it would happen, as he guessed everything that would happen. In his *Strafkolonie*, the tormented prisoner has to work out for himself what crime he has committed and is finally told that it is being written on his body by the instrument of torture into which he has been inescapably locked. Kafka was there first, but he wasn't alone for long, and now we must all live in a modern world where the words "No no no no no no no no" can be recorded with perfect fidelity for their sound, yet go unheeded for what they mean.

Among today's intellectuals, Kafka can never be applauded too loudly. His nightmare world – it is literally nightmarish, always proceeding with the bizarre logic of a dream – does uncannily anticipate certain derangements of the rising totalitarian states; but when he is made to be the prophet of the Stalinist show trials and of the judicial process that begins with the guilt of the accused and works backward toward the crime,

he is credited with too much prescience. What is Kafkaesque in his fiction is derived entirely from his take on his tormented self and his relation to his all-powerful father, with the added element of answering in a straight-faced farcical way the general question, "What is it like to be a Czech Jew speaking German working for the state bureaucracy of a decrepit multinational empire in a virulently anti-Semitic backwater?"

James should be proof against so shallow a reading of "In the Penal Colony." While the diabolical cruelty of the "apparatus" is described in great detail by the Officer, Kafka is more interested in the Officer's character and psychology. The point for the Officer is the opposite of what James thinks Kafka "guessed." It is not that the victims are tortured "just for the hell of it." Rather, the old man's devotion to the apparatus is precisely that it is the instrument of the most exquisite justice: by inscribing on the condemned man's body the law that he has broken, the machine executes a perfect punishment. While the condemned man may be ignorant of the judicial process by which his guilt is established, during the course of his execution he will learn with excruciating exactitude what his actual crime was. The prisoner in Kafka's story, unlike Josef K. in *The Trial*, knows why he was taken into custody – he refused to obey an order and even assaulted his superior. In the value-world of the old Officer, there could hardly be a more terrible crime. The Officer, too, knows the crime for which he punishes himself at the end – having failed to convince the Traveler of the justice of the procedure, and thereby incurring by implication the Traveler's indictment for cruelty, he will have the words "Be just" inscribed on his own dying body.

What Kafka gives us, then, is the one truth even more distressing than our belief that torture and cruelty are done for the fun of it – it is that these things are done in the

name of and for the sake of morality.

Once we acknowledge that torturers come in a variety of flavors, we can acknowledge that the field will be naturally attractive to bad sorts of people, and that James is right about some of the worst:

The maniacs who do the work seem mainly to come from the unfortunately plentiful supply of those who do enjoy inflicting pain for its own sake. "In what pubs are they welcome?" Auden asked rhetorically. "What girls marry them?" It is a nice question how large the supply would be if circumstances did not create it. Alas, the circumstances seem often to be there. Many of the Nazi torturers enjoyed their omnipotence on the strict understanding that without their place in the regime they would have been nothing: hence the tendency to go on tormenting their prisoners even after Himmler called a halt. They faced going back to where they started, which was nowhere.

Similarly, in the Soviet Union, the security "organs," under whatever set of initials they flaunted at the time, were always, at the brute force level, staffed by otherwise unemployable dimwits. The opportunity to inflict torment gives absolute power to the otherwise powerless, and must be a heady compensation for those with a history of being the family dolt.

But this is a social constructionist understanding – it owes little or nothing to James's earlier careless floating of the hardwiring hypothesis. And this much must be said on behalf of the dolts – *no* one is so depraved that he will torture anyone at all with pleasure. The dolt's category of who deserves to be tortured may be extravagantly inclusive, but it is not all-encompassing. There is some person, or perhaps only a dog or a parrot, that he will not torture.

What the cat and the killer whale lack is the actual *sine qua non* of the torturer: moral satisfaction, such as the Officer had felt over every execution in the penal colony.

While the suffering of the victim may feed a pathological sadism in the interrogator, even so the torturer also enjoys the feeling of moral superiority, be it ever so grossly defined. The Apache, like the Homeric warrior boasting over the corpse of the man he has just killed, feels this superiority, if only in the sense of "I won and you lost." In the primitive mind, this means "I am the better man." It means this even if he is not stronger and more intelligent, but only more fortunate: for after all, the gods helped him and not his opponent – and who does not feel the moral superiority of having God on his side? The sociopath laughs at this, because he believes he has an even more reliable ally than God – his shrewdness and moxie. But to be wiler than your opponent – is that not the sociopathic version of moral superiority?

When a writer collects stories of human atrocities and emphasizes the morbid side of the historical record, he is coyly praising himself – the reader knows very well that the writer would be incapable of participating in most of the cruelties that he is describing. I am confident that James could not be induced to follow the career of Jack Lint or of the Moors murderers. When he seems to include himself among the accused by attributing to our species as a whole a predilection for horrific acts, he can afford to augment the self-commendation because he knows that his readers will grant waivers not only to him but to themselves as well. Few of us sincerely believe that we could commit the full litany of heinous crimes on display, for good reason – we couldn't.

There is a slightly more nuanced version of this argument – that if life had dealt me the same unlucky hand that the torturer held, I might well have done all that he did. There but for the grace of God go I. The problem with this argument is its tautologous vacuity. It says that if I were him, I would *be* him – if I had exactly his mind and his

experiences, I would be doing exactly what he does instead of what I do. But in that case, "I" have disappeared from the formulation, so no light is shed on what *I* might do. This pious pronouncement, intended to sound so nobly aware of the vicissitudes of life and so ostensibly self-reflective, is yet another fling at self-congratulation. I am *not* him; and if I *were* to humbly give the credit to God's grace for that, then I would be calling attention to God's paternal favor toward the best of his sons.

Simone Weil said, "Imaginary evil is romantic and varied; real evil is gloomy, monotonous, barren, boring." James wanted Michael Palin to perform a colorful cartoon of evil, and was disconcerted to see instead the grainy black-and-white ugly fact of it.