

# Article

## ***Institutionalized Violence in the History of Mind/Body Dualism and the Contemporary Reality of Slavery and Torture: Reflections on Elaine Scarry and The Body in Pain***

Wendy Lynne Lee\*

*Wendy Lynne Lee argues that the dualistic impulse Bibi Bakare-Yusef identifies in Elaine Scarry's analysis of the experience of pain has its roots at least as far back as Aristotle's hylomorphism, and that a clear view of contemporary structural inequality requires a grasp of how "mind" and "body" continue to inform even anti-dualist social theory. Lee argues that insofar as this impulse informs Scarry's *The Body in Pain*, it distorts Scarry's analysis of the experience of pain in ways that elide important aspects of that experience. Understanding the nature of this distortion, however, sheds light on some forms of violence that Scarry doesn't discuss, namely, the vital role institutionalized violence plays in the maintenance of the social order. Lee's analysis thus offers insight towards analyses of the experience of pain that avoid the pitfalls of mind/body dualism and make better conceptual and historical sense of institutions like slavery and sex-trafficking.*

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\*Wendy Lynne Lee is professor of philosophy at Bloomsburg University of Pennsylvania where she has taught for 26 years. Her areas of specialization include feminist theory, environmental philosophy, philosophy of mind/brain, Marxism, critical theory, nonhuman animal studies. Her latest book is *Eco-Nihilism: The Philosophical Geopolitics of the Climate Change Apocalypse* (Rowman and Littlefield, 2016), and her forthcoming book is *This is Philosophy: Environmental Ethics* (Blackwell, 2019). She is currently working under contract for Rowman and Littlefield for a new work tentatively titled, *The Commodification of Sentience: Nonhuman Animals, Climate Change, and Nihilism in the Kleptocene*

### CARTESIAN “IMPULSES”

In “On the (Im)Materiality of Violence” Wendy Lynne Lee argues that despite the mammoth effort feminist theorists have put into the critique of the mind/body dualism that threads its way through much of the Western tradition in philosophy, it still haunts our work, often in subtle but perilous ways (Lee 2005: 3). “Perilous,” Lee argues, because the tacit reinforcement of what’s come to be called “Cartesian” dualism undermines our analyses of the ways heteropatriarchal institutions privilege not only mind over body, men over women, masculinity over femininity, but also whatever is coded as “white” over “black” or “brown” bodies, straight over queer, global “North” over global “South,” “West” over “East.” As Bibi Bakare-Yusef (1999) makes the point, coming to a clearer understanding of this “impulse” in work intended to be free of it (or that explicitly eschews it) is at least as important as the critique of mind/body dualism itself precisely because of the ways dualism is institutionalized or naturalized in the name of the social order or “civilization,” that is, precisely because “civilization” remains defined in the terms of heteropatriarchal and racist prerogative. To whatever extent that Cartesian dualism continues to “legitimate” the subjugation of women and the exploitation of those identified as “other” in virtue of race, culture, geography, and economic class status, it becomes that much more important to root out the ways in which its critique in the work of feminist, anti-racist, queer, post-structuralist, post-colonial theorists may unwittingly contribute to insuring its endurance (Lee 2005: 3).

Projects of self-reflection like the one Lee recommends are not, of course, ever easy. But this one matters now more than ever both to theory and to emancipatory activism for at least three reasons. First, because undertaking it might help us to understand the recent resurgence of some highly toxic forms of masculinity defended by public intellectuals like Jordan Peterson (Sanneh 2018) and Michael Rectenwald (Rectenwald 2019), as well as by popular Internet trolls like Mike Cernovich (Marantz 2016) and the Proud Boy’s Gavin McInnes (Daly 2018). Second, analyses of how Cartesian dualism remains a sometimes subtle but powerful force in arguments that aim to interrogate the divorce of “mind” from “body” can offer valuable insight into how institutionalized oppression survives, even thrives, despite the feminist, LGBTQ, and anti-racist movements. Lastly, I’ll argue this insight can shed light on why otherwise valuable analyses of specific institutions like slavery, torture, and human-trafficking—*institutions through which the use of violence functions as key to their maintenance*—can sometimes

miss clues that might lead to more decisive arguments against the guardians of “civilization.” In short, if among our aims is not merely to understand why it is that the structural inequalities of heteropatriarchal and racist institutions survive, or even grow, but to build a resistance that is effective, our first task must be the careful examination of how some of the arguments we’ve made or adopted as our own actually reproduce aspects of the dualisms that help to preserve these institutions. This paper tries to take that step back in order to help us take more clear-sighted steps forward. One of these highly valuable analyses is offered by Elaine Scarry in her seminal work, *The Body in Pain* (1987); it’s also, however, an example of how the Cartesian “impulse” unwittingly reproduced can have disastrous consequences.

### **RETURNING TO ELAINE SCARRY’S *THE BODY IN PAIN***

Bakare-Yusef argues that insofar as Cartesian dualism is at the root of structural inequality, it’s important to identify it even in arguments that purport to critique traditional notions of “mind” and “body.” Elaine Scarry’s seminal work, *The Body in Pain*, offers an example important not merely because her arguments evidence a Cartesian impulse, but because their principle focus is an experience critical to the formation of human identity: *pain*. Scarry’s analysis of the experience of pain, argues Bakare-Yusef, is rooted in Western philosophy reaching back at least to Aristotle’s *hylomorphic* conception of the subject, but its significance isn’t merely historical, a point that Lee seeks to expand in the interest of exposing its deeply-rooted persistence. Lee argues that Bakare-Yusef’s recognition of the Cartesian impulse in Scarry’s work can shed light not only on the history of mind/body dualism, but on some incarnations of the institutionalized violence at which Scarry hints, but never really develops in her discussion of the body in pain. My aim is to take this latter point—keeping its history in full view—a bit further still, and show that Lee’s argument points towards:

- A clearer view of the violence that functions as vital to the maintenance of a heteropatriarchal and intrinsically racist social order, and how Cartesian dualism helps to sustain and justify these forms of violence.
- Contextualized analyses of the experience of pain that, as Bakare-Yusef suggests, are more compelling because they avoid the pitfalls of mind/body dualism that ultimately compromise Scarry’s work.

- The possibility of articulating more effective strategies of resistance against resurgent forms of institutionalized violence masquerading as a reclamation of entitled masculinity.

Lee begins with Aristotle. Central to her argument is that for Aristotle, the *hylomorphic* “soul” (*psyche*) acts as the *principle of animation* of a living thing—not as a separable entity (*De Anima*, hereafter *DA* 414a 26–28). Rather, “*hylomorphism*... comprehends ‘mind’ not as something external to ‘body,’ but as a defining ontological and existential algorithm which differentiates species according to the unique characteristics of their form” (*DA* 412a 19–21, 412a 27–8, 412b 5–6, 412b 15–17). The trouble with *hylomorphism*, at least for Aristotle, is that it fails to differentiate *within* species, or at least within the human species, in the manner necessary to legitimate a hierarchical social order anchored in subjugation according to race, sex, and class. It’s thus not surprising that he retreats to dualism in order to posit intellect as the un-enmattered potential for the activity of knowing (a pure becoming of the object known) available exclusively to those whose leisure of mind is guaranteed through the laboring bodies of others. While scholars debate the best way to interpret these passages, it seems clear that for Aristotle the subject of the intellectual “soul” is *essentially* dualist, reasserting the authority not only of mind over body, but of all those identified with mind over those identified with body in Aristotle’s psychic hierarchy.

Aiming to reserve knowing to a knower “unpolluted” by embodied experience (*DA* 429a 10–13, 429a 21–28), Aristotle’s turn to dualism naturalizes a social order within which race, sex and class determine social status for the hierarchies of household and state, themselves analogues of his psychic hierarchy—and the contortions it undertakes to exempt its privileged knower. That aristocratic Greek men occupy the Zenith of this hierarchy isn’t surprising; in the end, the ethnocentric and masculinist social order of the *Politics* triumphs over *De Anima*’s fleeting intimation of epistemic, moral, and civic equality. Or perhaps closer to the truth: the need for slaves (war booty or wives) to perform the labor that liberates the patrician class to its philosophical pursuits wins out over the integrity of such pursuits themselves. In any case, what in Aristotle is legitimation of a regime rooted in race, sex, and class is for many to follow, Scarry included, a missed opportunity to theorize a “subject” in whose identity these factors play a formative role. This is not to say that Scarry fails to recognize *that* institutions play key roles as causal agents in the somatic, perceptual, cognitive, affective, and epistemic experience of slaves,

torture victims, rape victims, prisoners of war, refugees, asylum seekers, and others. She clearly recognizes this, if somewhat obliquely, when she observes of slaves that

the slave still authorizes the movement of his body as he each day wakes up, walks to the pyramid, puts his hand to the stone, and begins to lift and carry. Perhaps he believes that the very beautiful artifact to which he contributes his embodied labor implicitly includes him in its civilizing embrace, that he is its partial author. Perhaps instead he perceives himself as excluded, but chooses ... to devote his lifetime to this aimless project rather than to the shorter life's project of rebellion. (Scarry, 1987: 156–57)

Although Scarry situates her example in the Egypt of the pyramid builders, it feels as if it could have hailed from anytime, anywhere. Indeed, she reinforces this sentiment when she later remarks that “[s]lavery, whether occurring in ancient Egypt or in the nineteenth century American South, was an arrangement in which physical work was demanded of a population whose membership were themselves cut off from the ownership, control, and enjoyment of the products they produced” (ibid., 170).

The trouble with this approach, however, is that while it's true that varieties of subjugation like slavery share similar practical characteristics across time and geography, these facts cannot speak to the specific ways in which the institutions responsible for enslavement affect and actuate the identity of the slave. Speculation about what slaves might believe, in what they might be invested, what they fear isn't the same thing as investigating how pyramid building as an artifact of ancient Egyptian civilization, its cultural practices, its structures of government, agriculture, arts, its military conquests, its language, and its specific forms of institutionalized violence—*the ways in which “the slave” instantiates “the laboring body”*—inform not merely the slave's beliefs, but the experience of the stone under his hands, the feel of his “lift and carry,” the attenuation of his hope by the end of the day. Recognizing in ancient Egypt, nineteenth century America, or twenty-first century Malaysia causal agents responsible for the production of “the body in pain” qua slavery isn't the same thing as probing the specific conditions under which subjugation imbues identity—how the “civilization” of such regimes is made manifest in the very ways in which the subjugated experience and conceive themselves, their lives, and their labor.

Consider a very different example, this time from Kathryn Yusoff's vitriatic critique of an institution we're unlikely to associate, at least obviously, with oppression, much less with slavery, namely, the science of geology. In her introduction to *A Billion Black Anthropocenes or None*, Yusoff argues that what she calls "White Geology," that is, a scientific discipline governed not only by the pursuit of knowledge of the planet's geologic composition and history, but by the lucrative hydrocarbon and mineral extractivism that geology makes possible, cannot be rightly understood without appreciating the use of slavery *and the dualisms deployed to justify it*:

The division between the figures of the human and inhuman and its manifestations in subjective life exhibits one of the most terrible consequences of the division of materiality organized and practiced as a biopolitical tool of governance. The division of matter into nonlife and life pertains not only to the matter but to the racial organization of life as foundational to New World geographies. The biopolitical category of nonbeing was established through slaves being exchanged for and as gold. Slavery was a geologic axiom of the inhuman in which nonbeing was made, reproduced, and circulated as flesh ... The rendering of nonbeings in colonial extractive practices...its exchange and circulation, demonstrates what Christina Sharp ... calls the "monstrous" intimacy of the subjective powers of geology, where gold shows up as bodies and bodies are the surplus of mineralogical extraction. (Yusoff 2018: 4–5)

Human and inhuman, living and non-living, being and nonbeing, white and nonwhite, master and colonized, owner and slave—each of these dualisms inscribes a feature of the structural inequality upon which the extractivist practice of gold mining depends. In the geography of the New World, of course, it could just as well be silver mining in the Andes (Robins 2011), uranium mining in the American West (Churchill 1992), or diamond mining in Sierra Leone (Barry 2017). While Yusoff's focus isn't the experience of being subjugated to slavery as a "geologic axiom" *per se*, we can well imagine the "monstrous intimacies" experienced day in and day out in the layering of minerals as human bodies dehumanized, as racialized bodies imbricated in and as exchange value in the "biopolitical," that is, in power instantiated in and over organisms whose labor derives from living, but who, "rendered as nonbeing" defines colonialism as emblematic of civilization.

Yet, White Geology isn't (exactly) slavery to Egyptian pyramid building, though both deal in stones, and injury, and pain. White Geology isn't (exactly) slavery on the cotton plantations of the pre-Civil War American South, though both require labor on one's knees. White Geology isn't child sex-trafficking, although the prospect of being on one's knees scabbling for survival may be an apt description for both. What makes White Geology different, and thus an example of how easy it is to overlook the Cartesian dualism authorizing the institutionalized violence upon which these extractivist practices depend, is that Egyptian pyramid building, cotton plantation slavery, and sex-trafficking are without the legitimating narrative provided by science. That is, geology as *white geology* offers an even more troubling example of the sheer reach of Cartesian dualism into the justificatory narratives that produce, in addition to blood diamonds, petrochemicals, silver coins, the bodies in pain of Scarry's analysis. Context matters: as Yusoff argues, white geology is *geology*—even though it's also “a mode of accumulation, on the one hand, and of dispossession, on the other, depending on which side of the geologic color line you end up on” (Yusoff 2018: 3). The ways in which pyramid building becomes inscribed on the Egyptian's arms and legs may resemble the scars of the slaver's whip on the back of the nineteenth century African's or the bruises disfiguring the face of a twenty-first century sex-trafficked child, or the mercury poisoned body of the Andean silver miner (Robins 2011: 7). But recognizing family resemblances among enslaved “bodies in pain” is no substitute for interrogating how “civilization,” or perhaps better, racist economies of entitlement, comes to be inscribed on the identities of those whose laboring bodies form the brick and mortar of its achievements. Some forms of subjugation are obvious, but others are just as deeply institutionalized as forms of violence, just as vibrant to the experience of pain, but so fully concealed, legitimated, imbricated, and naturalized in the narratives of science, or “nature” or “economic trade” or “exchange value” that the subjugated identities actuated in their performance as labor and/or resource remains largely invisible despite the reinforcement of the structural inequalities that define sex, gender, and race.

### **VOCABULARIES OF TORTURE/ “SPECTACLES OF POWER”**

Building on—but also moving decidedly away from—her discussion of slavery, Scarry argues that the language used in acts of torture “goes on to deny, to falsify, the reality of the very thing it has objectified by a perceptual shift which converts the vision of suffering

into the wholly illusory but, to the torturers and the regime they represent, wholly convincing spectacle of power” (Scarry 1987: 27). The context of this perceptual shift, however, matters greatly. As in slavery, the laboring body of the tortured is instrumentalized in the service of preserving a “spectacle of power,” a regime always potentially jeopardized by those voices that would seek to disrupt it. In this case, however, the labor solicited is not the mining of diamonds, the laying of brick, or the harvesting of cotton, but rather *speech*, or specifically “actionable information,” and the laborer is coded not as subjugate, but rather as a different kind of “other,” namely, “enemy,” “suicide bomber,” “terrorist.” Following in the tradition mirrored by the work of, for example, Michel Foucault (Lee 2005: 20–21) Scarry shows how specifically tailored vocabularies are used to create a perceptual shift in the context of torture in order to insure the “body in pain” functions toward the preservation of state regimes, but her primary focus is on how this shift objectifies the identity of the tortured subject. Insofar, however, as vocabulary reflects specific aspects of the contexts in which it is useful, it’s vitally important to articulate, for example, what aspects may be relevant to the history, geopolitics, and geographies of that context. How else can we distinguish the ways in which “the body in pain” may reflect and affect this very different “spectacle of power”? As in her analysis of slavery, Scarry misses an opportunity to situate torture in at least one of the contexts crucial to understanding it as an *epistemic* as well as a racialized and gendered geopolitical instrument: terrorism.

In *Genealogies of Terrorism*, Verena Erlenbusch-Anderson provides precisely this crucial context and thus an opportunity to correct and substantively expand on Scarry’s original work. Arguing that “if we want to understand what terrorism is, we must first determine what the term means, how it functions in a given context, and how it is operationalized as an element in different discursive and nondiscursive practices” (Erlenbusch-Anderson 2018: 4), Erlenbusch-Anderson shows that the meaning of “terrorism” cannot be neatly reduced to an act of political violence regardless its origin, but instead involves an indefinite and evolving range of other terms and practices, (*ibid.*, 30–31). Evolving definitions of terrorism, she argues, bear in important ways on how we understand the subject as a citizen, worker, dissident, or outlaw (*ibid.*, 121–22). In short, both Scarry and Erlenbusch-Anderson show that operationalizing concepts like “terrorism” and “torture” can become crucial to the state’s pursuit of power, however much that power is more than “spectacle” or theater than reality. But Erlenbusch-Anderson goes much



further in showing how “interlopers” who challenge the state by defying its geographic and geopolitical borders both define the state and are themselves defined by the state *as terrorists* (and not as slaves, citizens, patriarchs, etc.) in virtue not only of the threat they pose to the stability of the state, but because the state needs risks against which to erect itself not merely as spectacle but as a *powerful*—authoritative—regime (ibid., 31).

State regimes, argues Erlenbusch-Anderson, legitimate themselves through the institutionalizing of various commercial (ibid., 136), policing (ibid., 47), colonialist (ibid., 124), and military ventures (ibid., 151–53). It’s thus not surprising that among the state’s “mechanisms of social defense” (ibid., 11) are included methods of interrogation deployed to protect the state against those whose actions threaten its legitimating institutions. Torture, of course, needn’t be included in interrogation, but as Erlenbusch-Anderson shows (ibid., 121–22), it can come to be so depending upon the context, for instance, that of militarized colonialist expansion and the resultant necessity of policing entire, often resistant as well as subjugated peoples (in Algiers or Russia, for example). Narrowing her focus to the effects of torture for the particular subject, Scarry argues that torture doesn’t merely subjugate, but *de-subjectifies* its subject, converting the subject into, for example, the “terrorist” or “suicide bomber,” converting the tortured not “merely” into the enslaved, but into a specific kind of object, one that can produce “actionable information.”<sup>1</sup> It’s only, however, a specific context, one wherein information could be actuated, that such a conversion is meaningful. After all, torture can have other purposes such as punishment, entertainment or retaliation, none of which restrict themselves to “terrorist” or “suicide bomber” because none are necessarily *for* the production of information. The use of torture cannot therefore be defined merely by its capacity to inflict pain; torture, in other words, isn’t *about* one instantiation of “the body in pain.” Rather, “torture” names an *extractive* procedure through which a particular object—the tortured—can be “rendered,” “excavated,” or “transformed” into a site of information (into a “stand in” for the information itself) available, if not to the public, to public imagination in the form of pronouncements, “findings,” “raids,” the “neutralizing” of explosives or their sponsors, and the like.

As a representative of some authorizing body, presumably the state, the torturer walks a precariously thin line: denying *and* affirming that torture induces suffering. Any other objective beyond the extraction of information—entertainment, punishment, and/or retaliation—is liable to incite universal moral condemnation. Yet, the terrorist only

constitutes “terrorist” through the resistance imputed to him, resistance that justifies using pain to extract information deemed essential to the preservation of the state. Put differently: “terrorist,” “infidel,” “suicide bomber,” or, more recently, “ISIS-Fighter” or “al Qaida operative” supply the linguistically orchestrated *permission* to create an incarnation of the “body in pain” as a “body” of information not because state authority is secure, but precisely because it is illusory. It’s not merely that if the state’s “spectacle of power” were more convincing it wouldn’t need to resort to such extreme measures; it’s that the spectacle of power itself—and thus the closest approximation of its reality—is created through the propagandized threat (even if not the actual practice) of torture. At the same time, however, the state must legitimate itself through a façade of reason, itself accomplished through eliding the practice of torture as extractive—as a form of institutionalized violence—via the justificatory and euphemistic language of, for example, “enhanced interrogation” or through staging a largely disingenuous public punditry around whether water-boarding is really torture, whether the Geneva Conventions apply to the pursuit of terrorists, or whether “extra-judicial” actions can be legitimated by high-casualty events like 9/11. But whether the use of torture will be effective in achieving a spectacle at once spectacular and rational, terrorizing and reassuring as a “mechanism of social defense” depends on the power of a contextually specific vocabulary, one that produces a body in pain coded as “terrorist,” “suicide bomber,” and the like, a body whose display of guilt empowers the state not merely to enslave, but to demonize as enemy.

The use of torture must thus be orchestrated in such a way as to produce a body that *can* be disposed to compel a subject to divulge useful information, a body that *can* incite an informative exchange by a subject otherwise resistant, but who must also be coded as outside civilization, and therefore bereft of its protections. In other words, torture can function as a spectacle of power, but it can only function as a spectacle of power *for the state*—as a mechanism of social defense—if the subject to which it’s applied is simultaneously able to be conceived as an object—as a “mind” capable of comprehending interrogation and providing information, and as a body that can be discarded by the state as a terrorist who subsists outside the bounds of civilized life. Such a subject must be coded such as to incite a shift of perception that permits “it” to be denied any right to be treated as other than an object. It’s thus precisely *because* what is revealed by the subject of torture is *information*, not incoherent drivel, because it’s *actionable*, not frivolous or dissipating, that what is vital to torture’s justification as a spectacle of state power is its rootedness in

a Cartesian dualism implicit but decisive: *mind may speak the language of the body's experience of suffering, but it's only because the body can function as a tool for others that the subject can be made to utter truth*, or at least evince the appearance of truth. Calibrating the torture according to the content, to the spectacle of truth imputed to it, is thus critical, and a heavy theatrical burden borne by the torturer-interrogator. Insofar, moreover, as legitimating the state hangs on whether its content is “actionable,” a way must be found to claim that *whatever* is divulged *is* true, is divulged by a suspect whose “guilt” “justifies” the use of torture *whatever else* is discharged during “interrogation,” including tears, excrement, vomit, or even death. Indeed, such “evidences” of suffering tend to lend themselves to the appearance of truth if only because they insinuate a suspect trying to avoid expelling what surely must be true (why otherwise would they try so hard?), but who fails to keep it, or anything else, in.

Consider the U.S. war on terror. It provides a context and a linguistic menu that can be used to normalize an incarnation of the body in pain that not only personifies in the suffering of its subject the power of the state, but does so because what is divulged is (or can be made to seem) true. The state must thus produce the “spectacle” not only of the “terrorist” who talks, but the “terrorist” who can signify the state’s “achievement” in the use of torture—the state itself—by speaking truth. But herein lies an additional problem for Scarry’s account of the body in pain, one that solicits the Cartesian impulse. Scarry argues that what the use of torture actually illustrates is not the stability and strength of the state, but rather its opposite: *instability*. It’s “precisely because,” she writes, “[the state’s] power is so highly contestable, the regime so unstable, that torture is being used” (ibid., 27). In other words, the state *resorts* to the use of torture in order to stabilize itself through the (re)assertion of its capacity for brutality on the bodies of its subjects. It effectively inscribes on these bodies its “achievement” as the state. But critical to this achievement is not merely use of the language of torture as a kind of performance, but a vocabulary that denotes success. The conversion of the subject tortured into a vehicle of information can only be successful, in other words, if the information *is information*—is actionable. The subject therefore cannot be dissolved into a suffering that risks the loss of the capacity to divulge what the state requires to secure itself as an achievement; the state depends on at least the appearance of the disclosure of truth. Otherwise the state appears not merely arbitrary as well as brutal but clamoring for a stability it does not have and cannot achieve.

Scarry is right that the use of torture plays a role in re-stabilizing the state (or at least the functional appearance). It's not, however, the torture itself that can produce this effect; it's the Cartesian dualism that underwrites the prospect of information. It's truth (or "truth") supplied by a subject whose capacity for language is not *epistemically compromised* by torture that functions to re-stabilize the state. Scarry is thus right too that language plays a critical role; but it's not the language itself as it's utilized by the state, it's the *capacity for language* defined in the Cartesian terms of information, *as the capacity for truth-telling* despite the objectification of the suffering body that authorizes the use of torture by the state as a mechanism for social-defense. Indeed, torture without the prospect of divulging actionable information threatens to destabilize the state in at least two ways: first, its production of the body in pain is unlikely to be able to be de-subjectified; we feel empathy, at least pity, for the subject tortured *arbitrarily*. This subject can only count as a "terrorist" on the morally repugnant grounds that retaliation, or worse, entertainment is a permissible activity of the state; but that is not a terrorist, and hence this resort to torture is itself destabilizing. Second, insofar as the prospect of being in possession of information is what defines the subject *despite* the torture to which the body is subjugated, any other state objective appears to deny (or defy) the Cartesian dualism that forms its foundation by denying the epistemic rift between the truth-telling mind and the suffering-reducible body. To deny the prospect of truth-telling is to deny "actionable" is to deny "mechanism of self-defense" is to deny the legitimacy of the state itself.

Put simply: the point of utilizing torture as a method of interrogation is to make the terrorist suspect speak—not choke, not vomit, not drift towards psychosis, or die: *speak*. But given that this epistemic production of the body in pain is not *about* pain, but rather the use of pain in order to extract speech, and given that, according to the vocabulary of what is necessary to insure the stability of the state, the speech extracted must be "actionable," "torture" is simply *whatever*, short of death, produces that end. To be clear, "actionable" is no more about truth than this production of "body" is about pain; but it is about a spectacle of power that produces the appearance of the state's commitment not merely to the exercise of power, but to an epistemically *authorized* exercise of power. Scarry's analysis of the ways in which torture signifies instability founders because it fails to account for the enormous task contained in the epistemic relationship between the tortured and the torturer in the service of "speak." She's right that were the state stable, it would not likely resort to torture. It wouldn't need to. Or: it might—as a mechanism of

social defense, as a reminder of the spectacle it can wield. Either way, she misses the extent to which the state's willingness to utilize torture as a form of interrogation reproduces the Cartesian impulse Bakare-Yusef identifies, and with it the likelihood of a regime that, should its power be challenged from within or without, will resort to ever-more violent and self-defeating measures for the sake of preserving the appearance that its power is founded in truth.

### **THE TRUTH ABOUT TORTURE/THE MYTH THAT TORTURE IS ABOUT TRUTH**

There's another problem, also rooted in the Cartesian impulse that haunts Scarry's account: her argument appears to assume that torture is effective (or is able to be made to appear so), that it does (or at least could) produce actionable information. Indeed, even on a highly charitable reading of *The Body in Pain*, Melanie Richter-Montpetit's, the prospect of "actionable" must remain available to the act of torture—even if only to veil more nefarious purposes (or precisely because it can do so):

Scarry argues similarly that "the fact that something is asked as if the content of the answers matters," noting that "while the content of the prisoner's answer is only sometimes important to the regime, the form of the answer, the fact of answering, is always crucial." (Richter-Montpetit 2014: 55)

In other words, while the torturer and the regime represented in the act of producing the body in pain may well know that the content of the prisoner's answer may not be actionable, that fact has little bearing on the performance of the torture because it's the appearance that matters, an appearance moored to a "fact of answering" that has as its purpose preserving the spectacle of the empowered state. "State-administered security practices like torture and detention," contends Richter-Montpetit, "do not simply constitute a display of authority and domination, but produce state sovereignty and subjection through the very exercise of terror" (ibid.). This too, however, is not quite right. State sovereignty is not produced through the sheer exercise of terror; it's produced through the "fact of answering," that is, through the linguistic performance of the de-subjectified tortured subject who, by answering, keeps fully alive the possibility of actionable, and thus personifies the critical hedge against a sovereignty on the edge of barbarism. Sovereignty is itself, in other words, a function of the prospect of a truth that can become content to the

“fact of answering.” Answering, after all, isn’t babble; it embodies the relationship between the tortured who answers, informatively or not, and the torturer who *asks*.

As Richter-Montpetit acknowledges, however, maintaining the appearance of “answering” is very difficult (*ibid.*, 55–56). In fact, as Michael Shermer argues, it may be impossible, reducing sovereignty to an “exercise of terror,” and thus the state to barbarism. The immense and uncompromising weight of history, argues Shermer, is not on the side of “actionable,” the effects of which can only be destabilizing. So the problem for Scarry is that she argues that the use of torture helps to sustain the illusion of the epistemically authorized state. But that authority doesn’t derive from the torture; it derives from the information that ostensibly justifies its use, and thus the Cartesian dualism that underwrites the claim that what the suffering subject speaks is informative, or at least could be. But torture has never been an effective method of interrogation, producing in fact, the legion of consequences Richter-Montpetit spells out. Whatever fiction the state promotes to preserve its veneer of stability, the jig is still up short of a Herculean effort to convince the public otherwise. The use of torture may preserve the state’s spectacle of power, but it cannot preserve the epistemic justification for this projection of stability because it cannot guarantee “actionable.”

But, as Richter-Montpetit and Erlenbusch-Anderson both intimate, what the historical and geopolitical context of the uses of torture actually shows is that the spectacle of the powerful state *as sheer spectacle* is strengthened precisely *because* the state appears unstable. It’s the tangible appearance of the state’s effort to re-stabilize that actually empowers it. “Stability,” after all, is the difference between legitimate sovereign and terrorizing barbarism, and it’s the state that appears to be striving for the former that can command authority (and can thus utilize whatever means are at its disposal for maintain order). The state cannot jettison the myth that torture can produce actionable information because that would be to concede that its spectacle of power just is thinly veiled barbarism. But it also cannot relinquish the appearance of being threatened by “terrorism” because that is precisely what allows the state to practice barbarism in the name of achieving truth.

Because torture doesn’t work it can’t be the stability of the state that becomes inscribed on the body of the tortured, but rather instability seeking its level in the “fact of answering.” This epitomizes the relationship of the tortured to the torturer, but by example also the subject to the state. As Melanie Richter-Montpetit makes this point: “the effects of extreme pain and suffering on the body are complex and difficult to predict, and hence it’s

impossible to administer extreme suffering in a controlled way” (ibid., 45). But control isn’t the point, the appearance of interrogation under circumstances that make the state appear not barbaric but heroic—that is the point. In fact, Richter-Montpetit continues, “[d]espite the enormous efforts and resources invested, the USA’s post-9/11 global torture regime yielded not a single documented case of actionable data. If anything, the use of torture has led to blowbacks due to false intelligence and disrupted relationships with prisoners who cooperated” (ibid.).

Among the ways in which this relationship is disrupted is that torture demolishes, Scarry argues, the use of language for its victims; the very speech which is its vital product can be suffocated right along with the faulty divorce of mind from body. This may happen in several ways, each of which effectively deconstructs the particular iteration of Cartesian dualism that the myth of “actionable” depends on. Richter-Montpetit observes, for example, that “more injury does not necessarily produce more pain but can lead to desensitization,” and that “the administration of pain may also strengthen prisoners’ resistance and typically results in even cooperative prisoners being unable to recall even simple information of the past ... or may cause the ‘illusion of knowing’ due to sleep loss, exhaustion, or brain trauma” (ibid.). Scarry argues that “[a] fifth dimension of physical pain is its ability to destroy language,” and that among the achievements of torture is the damage it does to the capacity for speech (Scarry 1987: 54). But consider: Scarry tacitly acknowledges the extent to which the formulation of words is embodied in the tongue, mouth, and vocal chords, and that this ability is vital to the identity and integrity of the tortured. Cutting out the tongue, for example, does not merely produce the body in pain, it signifies a critical form of subjugation—the erasure of a distinctively human capacity. The tortured cannot be deprived of knowing words (short of death) but can be made unable to utter words. Yet, as Jacques Ranciere argues in “Ten Theses on Politics” (2001), the right to speak defines at least in part what it is to be a terrorist suspect since, first, an act of terror is a kind of speech, and second because “actionable” depends utterly on speech.

Let’s take a step back: the subjugated aren’t deprived of words *per se*; it’s that the right to speak is itself *preemptively precluded* for any utterance other than that elicited by the torturer. It’s not, in other words, language that’s destroyed, but the right to use language—truth-telling or otherwise. Ranciere argues in Thesis 7.20 that the right to speak (or be heard) forms an essential aspect of the relationship between the political and the function of the police in that what can be said acts, in effect, as that which can be policed.

As Ranciere puts it: “[t]he police is not a social function but a symbolic constitution of the social. The essence of the police is neither repression nor even control over the living. Its essence is a certain manner of partitioning the sensible” (Ranciere 2001: 8). Such “partitioning” must then include the right to the linguistic since it’s through language that the “symbolic constitution of the social” is not only performed but constitutive of the sensible—the experiential “world.”

Given a partitioning whose first and foremost objective is social order, it’s hardly surprising that, for Ranciere, although politics stands opposed to the police (ibid.), it nonetheless performs the function of acting as a first intervention upon the “visible and the sayable.” So too for Scarry in that it is the social order, the “spectacle,” which is preserved in the relationship of the torturer to the tortured. What is preemptively precluded are thus those words that would “disrupt” the functionality of that relationship, words that might endanger the “principle function” of politics, namely, “the configuration of its proper space” (ibid., 5). What such preemption shows then is that the interrogator isn’t just a worker hired to do a grisly job; indeed, as torturer “he” is situated epistemically, kinesthetically, psychologically, socially in that larger context as a candidate for a position elevated and concealed by its title: “interrogator.” He’ll have a suitable disposition for achieving the presumptive goals of torture, and he’ll likely be a male beneficiary of the regime. Yet without an analysis of that larger context, including how language comes to be appropriated by the regime that empowers the torturer, the picture—the spectacle—that emerges is bound to omit precisely the factors that make the *institution* of torture possible.

### **FROM TORTURE TO SEX-TRAFFICKING: SUBJECTIFICATION/DE-SUBJECTIFICATION**

To sum up, Scarry’s missed opportunities are at least threefold:

- First, even an insightful *description* of the effects of the uses of violence—such as silencing the subject—isn’t the same thing as an *analysis* of the institutions that incorporate violence as a naturalized part of their claims to power and depend on elided notions of “truth” contained in the demand for “actionable.” What Erlenbusch-Anderson, Richter-Montpetit, and Ranciere each show, albeit in differing ways, is that the power of the state cannot come to be the “spectacle” Scarry references save for the larger context within which it can create an epistemically convincing vocabulary of its enforcement.



- Second, omitting to examine how such “spectacles” come to be institutionalized itself exemplifies the dualist impulse Bakare-Yusef identifies in Scarry’s view of suffering, particularly with respect to how that impulse seduces us to believe that we can turn to “the body in pain” without undertaking an investigation into subjugated subject’s identity as enslaved, tortured, raped, imprisoned, evicted, etc.
- Third, however otherwise insightful is Scarry’s discussion of language and torture, references to the “body in pain” as if these could be made sense of in abeyance of that dualist impulse reinforces not only the role that language plays in subjugation, but the ways in which language can be distorted through elision, euphemism, etc., in the interest of preserving the authority of an empowered regime, and thus its prerogative to define “rights” and to whom they belong.

Abstracting “the body in pain” as an object dissociable from the specific contexts within which its subjects are likely already positioned as vulnerable to subjugation reiterates a gendered, racialized, and psychic hierarchy within which language functions to insure the segregation of laboring bodies and the regimes who subjugate them. Hence, giving examples from, say, Greece, Chile, the Philippines, or South Vietnam—but treating “the body in pain” as if its experiential characteristics are largely the same for each—functions not only to elide the many ways in which violence is utilized to specific objectives, it effectively erases it *as* institutionalized, yielding a distorted—essentially dualist—picture of a subject embodied in and by that violence, yet without moorings in the very material institutions responsible for it.

Other than as points of reference or departure, the bodies of Scarry’s ruminations seem to float free of any facts that might get in the way of turning to the pain. Yet it’s precisely the historical, cultural, political, and religious facts of these institutions and the complex ways in which they intersect with each other that inform and normalize the processes through which a subject comprehends and affects herself *as* a subject, that is, as a *subject of experience*. Let’s call such processes “*subjectification*.” The subject whose identity is affected as an instrument for maintaining institutions that rely on the threat of violence, we’ll call the *subjugated subject*. Consider then the relationship between sex-traffickers in Malaysia, the Transpacific Partnership global trade pact, and the United States’ decision to upgrade Malaysia’s status as a human right’s violator:

The United States is upgrading Malaysia from the lowest tier on its list of worst human trafficking centres, US sources said on Wednesday, a

move that could smooth the way for an ambitious US-led free-trade deal with the south-east Asian nation and 11 other countries. The upgrade to so-called “tier two watch list” status removes a potential barrier to President Barack Obama’s signature global trade deal. The upgrade follows international scrutiny and outcry over Malaysian efforts to combat human trafficking after the discovery this year of scores of graves in people-smuggling camps near its northern border with Thailand. (Reuters/Guardian, July 2015)

It’s not hard to imagine in what ways this “constitution of the social,” a highly charged intersection of political, economic, and cultural forces subjectifies and subjugates a very specific “subject,” namely, she who is affected as an instrument of both twenty-first century slavery and a commodified object of trade in the international market of public appearances. That the upgrade in status follows no substantive improvement in respect for human rights only makes the central point more cynically: positing a “body in pain” abstracted from its specific contextual conditions distracts us from the very institutions, in this case slavery condoned via the demands of multinational capitalism, responsible for not only pain but subjectification in/as pain: subjugation.

Such subjects experience pain not only in the body, but in *expectation* itself formed within regimes whose oppressive “spectacle” pervades every aspect of experience, emotion and perception; institutionalized violence is that violence which saturates every facet of a subject’s epistemic situation, making a mockery of the notion of human rights beyond the context we identify as responsible for suffering. Put differently: did we take Aristotle’s *hylomorphic* account of living things seriously all the way up the psychic hierarchy, we’d see that human identity *consists* at least in crucial part in our relationship to and within the institutions that *affect* or *actuate* us *as* subjects; so too as subjugated subjects. The key difference is that in a society not only stratified on the basis of race, sex, and class, but segregated into privileged minds and laboring bodies, many institutions (if not all) must sustain themselves via whatever forms of repression are necessary to preserve that status quo. That language is such a regime’s primary epistemic weapon and its effective self-preserving use the first casualty for the body in pain is hardly surprising, though it seems symptomatic of Scarry’s dualist impulse to align words with a still composed subject and inarticulate wailing with the body in pain, as if minds speak but bodies wail.

Mind/body dualism must thus be understood to function as an *institutionalized algorithm* to naturalize authority, affect the subjugation of bodies for the performance of labor, and justify whatever means are necessary to maintain those institutions for their beneficiaries. It facilitates the elision of the destructive effects of that subjugation, and it contains admission of its bodily and psychic damage to specific instances of violence, effacing the roles that race, sex, and class play in the larger context. Mind/body dualism also functions to institutionalize violence as both immediate spectacle and enduring imprimatur of regimes that reserve rights associated with specific linguistic practices to themselves as knowers. To ignore these dynamics is to effectively re-inscribe them by omission. To invoke the body in pain as if it can be dissociated from the histories within which violence has become as ordinary as a language that swaps words like “Muslim” for “Nigger,” “Democrat” for “Commie,” or “migrant” for “alien” is to effectively muzzle its subject long before pain becomes the warp and woof of her/his reality. Such bodies can generate empathy—but *they cannot assert themselves as subjects, much less foment resistance.*

The sex-trafficked Malaysian girl instantiates her subjugated status as, for example, a member of an inferiorized minority, the Rohingya, an oppressed sex, female, and as an involuntary embodiment of Thailand’s porous borders, themselves “policed” via a social order invested not, and Ranciere might put it (Thesis 4), in the validation of citizenry, but in the preservation of the status of nation states and trading partners in the global social order (Ranciere 2001: 5). Her pain is thus not silenced; it is preemptively elided as an inadmissible disruption of the logic constitutive of the international order (ibid.). This order can be nothing other than reinforced, moreover, by her violent death. And that will and must remain true despite the cathartic release of outrage by humanitarian organizations, or even countries like United States who keep lists of violators whom they “downgrade” and “upgrade” depending upon their own social and economic interests. But that is the irony of the relationship between subjectification and subjugation. It would, for example, be folly to believe that the outcry against human trafficking resulting from the discovery of twenty-four mass graves at the Malay/Thai border as recently as August 2015 counts as “fomenting resistance” (Reuters/The Guardian, August 2015). Such discoveries do affect renewed calls for human rights protections, and they do signal to offending countries the need to participate in the discourse of “democracy,” “human rights,” and

“freedom.” They do embolden a handful of intrepid human rights celebrities, for example, Angelina Jolie, Bono, or Ricky Martin (Human Trafficking Exists, 2011).

But insofar as all such lofty ideas are preemptively subsumed by an order which posits its subjects first and foremost as subjugates and commodities (whether they’re sex-trafficked children or Hollywood superstars), insofar, that is, as “the body in pain” can be treated as an abstraction dissociated from the particularities of ethnicity, sex, class, and geography, the only “consensus” at which it can arrive with respect to the examples like that of human trafficking is merely the “annulment of dissensus,” that is, the anticipatory termination of *dissent* redressed in the language of “peaceful discussion and reasonable agreement.” Appeals to mind/body dualism, in other words, *make bodies available* to the very institutions that simultaneously rely on their labor and are empowered to ignore the pain experienced by their subjugates. As Ranciere puts it (Thesis 10),

The essence of consensus is not peaceful discussion and reasonable agreement as opposed to conflict or violence. Its essence is the annulment of dissensus as the separation of the sensible from itself, the annulment of surplus subjects, the reduction of the people to the sum of the parts of the social body, and of the political community to the relationship of interests and aspirations of these different parts. Consensus is the reduction of politics to the police. In other words, it is the “end of politics” and not the accomplishment of its ends but, simply, the return of the “normal” state of things which is that of politics' non-existence. (Ranciere 2001: 14)

Sex-trafficked Malaysian children incarnate the separation of the sensible from itself in the very “upgrade” of their country’s status; it’s only through the effective denial of the sensible (and the denial of this denial—its elision), the “annulment of surplus subjects,” that the consensus represented by the upgrade is made possible. But this “consensus” is, in fact, not more than the annulment of dissensus, that is, the deposit of “bodies in pain” in mass graves. These “parts of the social body” represent merely expired utility; they epitomize the “reduction of politics to the police” precisely because their grim discovery offers policing something to do which reinforces even as it acknowledges the utter failure of the social order to protect its most vulnerable “parts.” Institutionalized violence like human trafficking is thus certainly not the end of politics; rather, as Walter Benjamin foretold long ago in his “Critique of Violence,” it simply demonstrates the extent

to which violence forms a constitutive feature of the “normal” state of the things of “politics.”

### **THE FUNCTION OF ERASURE, ELISION, AND EFFACEMENT**

Scarry recognizes that the preemptive erasure of the possible effects of institutionalized violence is crucial to legitimating a social order whose beneficiaries, like its casualties, are defined by race, sex, class, culture, and geography. Of torture, she argues that “[t]he most radical act of distancing resides in [the torturer’s] disclaiming of the other’s hurt. Within the strategies of power based on denial there is “... a hierarchy of achievement, successive intensifications based on increasing distance from ... the body” (Scarry 1987: 57). By attributing to the torturer as achievement the capacity to distance himself from the body of the tortured, however, Scarry not only re-inscribes mind/body dualism to the purposes of the torturer, she *describes* one of the ways in which the subject becomes the subjugated through the torturer’s “achievement.” The logic is simple: mind/body dualism is re-inscribed by the *epistemic* distance from the body required by “achievement.” Subjugation describes this achievement because it describes the “as what” by which the subject is temporarily constituted, but ultimately effaced and erased.

The American businessman travelling in Thailand who purchases an evening with a sex-trafficked Malaysian child must distance himself from the fact that she may resemble his own preteen daughters. The epistemic achievement represented in the cash exchange with her handlers describes not only his achievement (and that of the pimp), but that of an entire system dependent on the dualism that transforms bodies into labor, reserving “mind” to its handful of authorized beneficiaries. The subject is thus subjectified *as* subjugated not only in the torture (or the rape), but through the torturer’s disclaimer with respect to the subject’s pain (as ancillary, for example, to acquiring information or achieving sexual satisfaction, etc.). And while, of course, there exist important differences between the actions of a paid interrogator whose goal is to elicit information and the businessman who purchases a child for the purposes of sexual gratification, the crucial role of mind/body dualism is essentially the same in both insofar as each must preclude as a matter of course the *subjectivity* of their charge; each must *perform* his “achievement” under similarly distancing epistemic conditions. Indeed, where the tortured is a man larger and stronger than the torturer, the latter’s achievement is that much greater; the tortured is not only subjugated, but feminized. Ironically, from the point of view of mind/body dualism, the

torturer, the pimp, the businessman are all as substitutable as is the tortured, the child (the refugee, the battered homemaker, the prisoner of war, the terrorist). What produces “achievement” in the *performance* of torture or rape isn’t the reinforcement of the system or regime that defines its authorized “minds” and its laboring “bodies, *per se*; it’s the subjugation that instantiates the regime in the first place, and thus *for* that instance.

While the torturer, for example, is likely paid for his services, the tortured subjugate can never in fact be recognized, much less humanized, *as* a subject. The achievement of the torturer is to distance himself from the *body* in pain; the subject never enters this equation; he/she is simply a conduit for information (or the fiction of information), a public iteration of repression understood by that public as such. Put differently: the infliction of pain legitimated through the institutionalization of violence can be applied only to bodies, and only to particular bodies, and in that context torture forms a specific *commission* or service of the actionable. The torturer’s job is to actuate “the body in pain” and what this requires is ignoring the fact that the wails emitted from the mouths of the tortured belong to a subject, and thus constitute atrocity. Ignoring inconvenient facts is part of the design not only of torture, but of terrorism, rape, and war, as it must be if their commissioned agents are to ascend in the hierarchy of achievement. That design comes to form what is expected not only by the subjugated, but by the body politic. The social hierarchy is itself, after all, racially and sexually dependent upon eliding the subject *as* subjugated in that “subjugated” implies some form of repressive action undertaken to enforce otherwise unjust *convention*, a human-made artifice. But the goal of violence *institutionalized* is to *naturalize* subjugation within the very processes through which subjects comprehend themselves as, say, black, or female, laborer, or refugee, terrorist or insurgent.

Naturalized subjugation, in other words, can admit empathy *and* repress resistance. After all, we can feel sorrowful for a state of affairs that feels unjust yet, as the way of nature, is inalterable. From this perspective, the torturer (like the terrorist, the sex-trafficker, the sweatshop capitalist, the slaver, the rapist, the war-monger) stands merely as a metaphor for an achievement of much greater magnitude, namely, ensuring that the subjugated conceive themselves not as subjugated but simply as victims of particular events, horrific to be sure, but not necessarily an indictment of civilization itself conceived as a natural reflection of human being. Such is the “spectacle” of power that is the state.

A perverse metaphor for Aristotle's psychic hierarchy imposed on the body politic, acts of torture, sex-trafficking, terrorism, rape, slavery, and war signify "civilization" insofar, as Scarry puts it, "[e]very act of civilization is an act of transcending the body in a way consonant with the body's needs" (ibid.). No doubt, Scarry would find this formulation of "civilization" anathema to any transcendence "consonant with the body's needs." But insofar as the laboring body is a projection of the dualist algorithm, its only needs are to sub-serve civilization's transcendence—and these can surely be met more effectively through torture, terrorism, rape, slavery, and war than through art, music, philosophy and literature. Transcendence, in other words, is itself a euphemism. It serves to elide the objectives of institutionalized violence; it tamps down the possibility of revolt against an unstable regime by offering cursory acknowledgement to the body as a locus of need. But it nonetheless accords to acts of violence a legitimate and natural vehicle for transcending, or better: walking over, the bodies of labor that form the stepping-stones of that hierarchy.

"Torture," writes Scarry, "is a condensation of the act of "overcoming" the body present in benign forms of power" (ibid.). The trouble, however, is that her account doesn't entitle her to postulate "benign" unless she can show that the mind/body dualism that threads its ways throughout can have "benign" incarnations—and that is far from obvious. What Scarry fails to see is that the algorithm that informs her construal of bodies, subjects, and power precludes the benign in favor of a regime whose stratification of race, sex, and class into laboring bodies has less benevolent objectives. Mind/body dualism advantages not only the torturer but the pimp, the businessman, the patriarch, the dictator at the expense of the tortured, the sex-trafficked, the battered, the oppressed. That is the naturalized, sexualized, racialized social regime. Put differently: because Scarry fails to undertake a more specific account of the circumstances of subjectification *as* subjugation, she effectively precludes more benign possibilities of overcoming. It may be that no such account is possible given the ways in which mind/body dualism is imbricated and institutionalized in the uses of violence. It may be that "overcoming" is already overdetermined by its own hierarchical positing of "mind" and "body." But without attention paid to the role of race, sex, class, and geography in determining subjectification *as* subjugated, there's no obvious avenue via which to explore exceptions or exemptions.

Scarry turns to the body in pain, but away from the "civilization" through which the subject is *affected*, a social order whose survival depends upon the *elision* of

subjugation *as* subjugation. Hence her account can offer empathy to the torture victim, the sex-trafficked girl—but no path to resistance. “Elision” thus elicits two meanings in this context: first, and most obvious, as the dissociation of the “body in pain” from the epistemic situation of the experiencing subject from the point of view of transcendence, and second as a metaphor for a subject preemptively silenced, a subjugate whose voice is elided, silenced by the terror which inscribes her epistemic situation as, for example, enslaved, tortured, raped, sold. Turning to the “body in pain,” Scarry forecloses the side of affect; she leaves out of consideration violence institutionalized as a strategy to sustain the regime, legitimating its effacement as the cause of suffering, and thereby helping to elide, *in both senses*, the subjugated subject. There is, moreover, no additional account or supplement to remedy Scarry’s turn since, insofar as her account of the “body in pain” *depends* on turning away from the institutionalized forces underpinning it, she has no ground upon which to stake an account on the side of affect, no *body* to supplement.

#### **THE ALGORITHM OF THE REGIME:**

##### **“BODY IN PAIN” AND “READER OF THE BODY IN PAIN”**

Scarry is not alone in what constitutes a kind of existential myopia. As reader/listeners we too turn to the body in pain, and away from the violent dynamics responsible not merely for suffering itself, but for the subject who suffers. Perhaps we do so because, confronted with suffering our first reaction is empathy or compassion. Perhaps we value opportunities to be modest heroes. Where suffering is compounded by injustice, we’re indignant and incredulous. We respond with an all-encompassing compassion; we’re outraged by the Islamic State bombings in Paris; we demand a higher minimum wage; we condemn Malaysian sex-traffickers; we bomb chemical weapons depots in Syria; we weep for sick children in detention in American border camps. Still, insofar as we attend solely to “the body in pain,” we’re as liable as any for silencing the subjugated subject—regardless how loudly we may evince incredulity. Indeed, we may even delude ourselves into thinking that calling out the injustice of suffering counts as calling attention to the institutions responsible for it. But discharging anger is in no way the same thing as engaging in resistance, though the former often passes for the latter, thereby effacing even more effectively the subjugation of those whose bodies function both as laboring disposables and as opportunities for privileged others to discharge empathy.



Perhaps, however, it's an overly cynical reading of empathy to cast it as something merely discharged. Empathy, evinced through the ministrations of others, argues the reader/listener is what helps the subjugated subject to regain her voice. The trouble is that it doesn't; indeed, precisely the reverse may be true. Insofar as we as privileged others undertake no real risk in attending to the body in pain, insofar as our actions, even if voluble, remain well behind the safe walls of any substantive challenge to the social order, "discharge" is all that remains. Getting to be those who turn to the body in pain reminds us that we're good, that we're capable of empathy, and that we're not them—either the tortured or the torturer. Theorizing the body in pain helps to reinforce our exemption from whatever amalgam of race, sex, or class that might otherwise threaten us with subjugation. *In effect, we turn to the body in pain in order to turn away from the subjugated subject and the possibility that we stand on the side of the torturer's civilization*, legitimating subjugation not merely by turning away, but by reinforcing the mind/body dualism that underwrites it.

The turn itself is structured to reassure the reader/listener of *The Body in Pain* that it will not be interpreted as resistance to the institutions culpable for it; it's myopia makes it safe. Its discharge of anger sans any substantive demand for change reinforces the regime's spectacle of power by omission. However contrary to Scarry's intention, *The Body in Pain* invites just such a reading when she argues that pain is unlike other states of consciousness because, unlike love of, fear of, or hatred of, "physical pain has no referentiality." As Bakare-Yusef puts it,

its nonreferentiality, prevents and inhibits the transformation of the felt experiences of pain, leaving it to reside in the body, where the sufferer reverts back to a prelinguistic state of incomprehensible wailing, inaudible whisper, inarticulate screeching, primal whispering, which destroys language and all that is associated with language: subjectivity, civilization, culture, meaning, and understanding. (Bakare-Yusef 1999: 314)

In other words, according to Scarry, pain *de-subjectifies*; it deconstructs the subjective integrity of the subject by undermining the safety and self-possession of her body. Pain, for Scarry, "resides in the body" like the horrific infection depicted in *The Walking Dead*; it compels the "sufferer" to revert to a primal state, inarticulate and screaming, and in so doing its nonreferentiality posits the reader/listener of "the body in

pain” as “empathetic” precisely because we recognize and accept pain’s nonreferentiality. We’re neither required nor solicited to look further.

The trouble with this construal is that both the subject who’s reduced to inarticulate wailing and the reader who empathetically turns to her are in fact fictions supplied by the institutions in whose interest it is to create occasions for deflating the tension and anguish that foment resistance. On the side of the body in pain, that occasion consists either in resignation, dissimulation, even death, or in the promise that should any turn in its direction, it will be to the pain alone—that its nonreferentiality will be honored, that empathy will fill the vacuum where language has been abandoned. On the side of the reader/listener, it consists in getting to be the one who extends concern—so long as the rules that govern turning to the pain are strictly observed—that any further analysis of its responsible parties is strictly omitted. In other words, the relationship of the de-subjectified subject—the body in pain—and the empathetic reader are not merely contained by the institutionalized violence of “civilization,” they are an essential part of its algorithm, its legitimation and maintenance. Neither can be made sense of outside the dualistic impulse that governs turning to “the body in pain,” yet neither in fact exist or could exist outside the regime which deposits each in their respective places as “the sufferer” and “the angel of mercy.” Both are therefore subjugates.

It’s only, moreover, within the context of this perverse fiction that we can make sense of the reversion of the subject to a prelinguistic state: only *that* subject could be so destroyed since *only that subject would be unprepared to experience that pain*. If, in other words, the experience of pain has no causal reference, no origin not preemptively consigned to the merely incidental, the subject’s in no position to expect it. But this seems absurd since, however cursory is the acknowledgement of the reader/listener, it’s also because the causes are, for example, torture or slavery, that the reader turns to the body in pain at all. It will do no good to object that my critique of Scarry’s nonreferentiality downplays the experience of pain as a blocking out of all but the pain itself—that such is the phenomenal character of at least great pain. Pain is at least in part made great by being expected; yet expectation precludes nonreferentiality. Indeed, terror—*expecting a future infliction of pain*—forms a crucial feature of subjugation, insuring compliance not through pain itself, but through the terrorizing anticipation of suffering. We can make no sense of this anticipation save for the institutionalized violence that makes it real for the subjugated subject.

Pain cannot, therefore, be nonreferential. It can be overwhelming; it can crystallize the meaning of subjugation; it can render the subject temporarily speechless. But insofar as terrorizing expectation is an aspect of pain at least under the conditions Scarry discusses, pain always and necessarily refers—even if the subject doesn't know it, and even if the reader is destined to ignore the object of that reference. A subject subjectified via the terror intrinsic to institutionalized violence experiences pain as no less painful, but also as no less subjectifying since its systemic effect in undermining her bodily self-possession—*its capacity to affect subjugation*—is itself intrinsic to her identity. The experience of pain thus signifies the subject's status *both* as a laboring instantiation of "body" and, however epistemically opaque to her, as a subject capable of resistance if only to particular experiences of pain, if only to herself, and even if as an act of sheer survival.

#### **"CIVILIZATION"/SUBJUGATION/RETURNING TO TORTURE**

A final, perhaps maximally concrete, way of articulating the trouble with *The Body in Pain* is that Scarry has the relationship between particular experiences of subjugation and the regimes responsible for them backwards. While she insists pain de-subjectifies the subject by destroying the subject's linguistic tether to "civilization, culture, and meaning," thus reducing the capacity for resistance to inarticulate "whispers," she casts "civilization" as largely generic, eliding the constitutive role played by violence in the institutions within which "civilization" itself consists. To attribute the silencing of the subject to the experience of subjugation miscasts the silencing and the subjugation as effects when they're in fact essential preconditions of the social order. This isn't just because silence is a *constitutive* characteristic of the subjugated subject, it's because the infliction of pain cannot be understood as a threat to that constitution except under conditions where it's unexpected; *and it isn't unexpected*. It's formative.

Torture doesn't subjugate; it *signifies* subjugation. Torture doesn't threaten to unravel civilization; it instantiates it as the terror necessary to preserve its always unstable spectacle of power. The terrorist, for example, is well acquainted with the protocols of waterboarding; the slave comprehends whipping as a regular feature of life; the sex-trafficked child learns very quickly to associate sexuality and brutality. The meanings of words like "expectation" or "silence" are, as Wittgenstein might have it, in their uses; their acculturated meaning inseparable from the institutions within which language functions to naturalize power. Thus it cannot be the particular experience of pain that affects the silence,

but rather the expectation of its recurrence; silence is not an effect of suffering, but rather its precondition. It's not that the de-subjectified subject is reduced to pre-linguistic whispers; it's that the regime assigns voice only to its beneficiaries. The best description of a civilization that relies on institutionalized violence might, indeed, simply be "terror."

In his 2013 review of *The Body in Pain*, Samuel Moyn offers one way to conceive this form of terror. He argues that "between the nether pole of torture and the high summit of creation, a crucial piece of terrain is missing in Scarry's thought: the place where the real politics of workaday institutions—the very ones that both cause torture and can avert it—happen" (Moyn 2013). These "workaday" institutions turn out to be critical to understanding the extent to which Scarry's argument that the experience of pain (necessarily) agitates against the processes of subjectification is undermined by her failure to appreciate the role that even the most violent and oppressive of institutions play in it. The issue here is not, however, merely that she misses the possibility of conditions under which the experience of pain *contributes to subjectification*, but that because these are the conditions of institutionalized violence, she misses what's *essential* to subjectification in a world made and unmade by the beneficiaries of that violence, namely, the many varieties of resistance through which the subject can reclaim themselves against the relative safety of conformity to subjugation.

It's hard to imagine an example of either the material or the psychic space where such a reclamation might occur than along the unstable interstices which characterize the relationship between the terrorism of the Islamic State, calls in the United States and elsewhere to return to methods like water-boarding to extract information from ISIS suspects, and the current flight of Syrian refugees. But in light of our subversive reading of Scarry's "body in pain," I think we can say this much:

- The acts of terrorist organizations like the Islamic State are not departures from civilization, but realizations of it. However much terrorism is cast as a reaction to Western values, culture or consumption; however much ISIS represents itself as religious jihadism, its carefully orchestrated brutality instantiates "civilization" as one of its most unadorned "spectacles of power" to date. The Paris bombings illustrate the "workaday" politics of an organization that could not have come into being without the ideological and material infrastructure supplied by a militarized and fully capitalized planet that depends at a minimum on war, torture, and the subjugation of laboring bodies human and nonhuman. That this regime can trace

its roots to ancient efforts to justify a stratified social order based on race, sex, and class only restates the claim that “the body in pain” is best understood as a meme for the relationships upon which civilization is realized as terror, or perhaps a metaphor for the sheer intransigence of a dualist worldview instantiated not only in beheadings and bombings, but in sweat shops and factory farms, drug cartels and the Syrian, Mexican, or Aboriginal Australian flight from drought.

- Calls to bring back, say, waterboarding as a strategy to extract information from Islamic State terrorists is neither surprising nor inconsistent with “civilization.” Just as terrorism instantiates “civilization” as a challenge to the claims of the nation state to authority, so too torture legitimates the utility of violence in the “good” nation, that is, the regime that wages so-called war on terror. Republican presidential candidate Donald Trump, for example, recently said that he “would bring it [torture] back,” and that “waterboarding is peanuts compared to what they’d do to us ...” (Prior 2015).
- While there’s much to say here, what’s especially significant is that Trump has been treated to considerable applause for an argument that’s plainly retributive; it’s not in keeping with at least our more romantic notions of “civilization.” Consider too his speculation that Syrian migration might be a Trojan Horse for Islamic jihadists. Although (or perhaps because) no reliable evidence supports such claims, what allows him to make them and rewards him for doing so with rising poll numbers, is that *these are the claims we expect to hear because we identify the war on terrorism with what a civilized society is entitled if not morally required to do*. What’s remarkable about Trump is not that he’d “bring back” a torture strategy outlawed by the Geneva Conventions; it’s not that the evidence is abundantly clear that torture doesn’t work. It’s that the claim passes for unremarkable in a country that advertises itself as the epitome of Western civilization. The irony, of course, is that that may well be true.
- Lastly, were we to stick to Scarry’s view of how pain desubjectifies the subject, we’d not be able to adequately or accurately understand the actions—much less the lives—of, for example, Syrian refugees. Dehumanized in the mercenary rhetoric of privileged men like Donald Trump, forced from their homes by not merely civil war but the creeping effects of desertification, the plight of Syrian refugees—like nearly all refugees—indicts “civilization” as the abject failure of

power wielded as capitalist excess, military incursion, religious unreason, and government sponsored oppression. As we're now beginning to experience via anthropogenic climate change, violence institutionalized as multinational capitalism may foreshadow the most damning evidence to date of the consequences of "civilization."

Should our focus remain squarely on the "bodies in pain" of the Syrian refugees, we'll not only fail to comprehend the larger forces at work in their migration, we'll also not be able to see how these forces that subjugate simultaneously subjectify. But they do. From the young man or woman who becomes radicalized by Islamic State recruiters to the family who waits the 22 months to be approved to move to Indiana—only to be told they can't settle there—subjugation creates the subject of "civilization" as surely as its hierarchy of race, sex, and class creates its buildings, its machinery, its weapons, and its institutions. That such a subject is judged to be damaged can only be assessed from the point of view of some more ideal, even romanticized, notion of civilization. But while that may form the un-interrogated backdrop of Scarry's "body in pain," it does not describe the world that, even in Aristotle's flirtation with justice and equality, bears little more than a family resemblance to our own. Hence, we cannot judge the radicalized jihadist to be "damaged," at least not more so than the sweatshop laborer or the sex-trafficked teenager. Each mirrors the social order of the subjugated subject upon whose bodies are inscribed quite literally the body politic in pain.

Each, however, are also potential sites of resistance. The trouble is that what "resistance" can mean in this context is more than murky since it can as readily take the form of the Jihadist's explosive belt, the laborer's suicide from the factory roof, or the sex-trafficked girl's retreat into heroin. That is, insofar as institutionalized violence remains the hallmark of "civilization," insofar as it constitutes the primary ingredient in what subjectifies us all, affecting our dispositions and dispossessing us of the capacity for epistemic dispassion, we have no obviously stable ground upon which to stake a claim for humanity, and against which we can decide to condemn the jihadist, unionize the laborer, treat the child-addict, or resettle the Syrian refugees. Crucial, nonetheless, is that insofar as we can get even to this juncture, we can be sure of one thing: we are not reducible to bodies in pain, and while the silence of conformity may form the conditions of our workaday lives, we cannot be de-subjectified short of death.

#### NOTE

1. Scarry's narrowing of focus to the particular subject of interrogation is open to the same criticism leveled against her account of slavery, namely, that it risks distortion in virtue of an implicit ahistoricity. Although we're not pursuing that line of argument here, a reading of Erlenbusch-Anderson may provide a useful object of comparison on this point.

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