

# The Implications of Spying and Torture on Human Freedom from a Sartrean Point of View

Martine Berenpas<sup>1</sup>

*Leiden University*

## ABSTRACT.

### **1. Introduction**

In 2002, the media began to carry stories that Americans were engaging in torturing a large number of prisoners at the Guantánamo Bay naval base. At first the American government denied that torture methods were being used on prisoners, but soon they had to admit that some torture was used as “enhanced interrogation techniques” to obtain information from terrorists and other prisoners (Fletcher, 2008, p.4). The Justice Department advised the White House that torturing “may be justified” for interrogations conducted in the war on terrorism (Washington Post, 2002).

In this paper, I unravel the nature of torture and show its close relation to spying. By using the phenomenology of Jean-Paul Sartre, I argue that torture is a reaction to the look of the other who reveals my bodily existence. Sartre unfolds his account of the recognition of the other as a sort of voyeurism which is motivated by the mere possibility of the other to look at me.

Sartre argues in *L’Etre et le Néant* (1943) that humans are ontologically inclined to use strategies such as torture and sadism in reaction to the gaze of the other. However, Sartre argues that these attitudes are all “acts of bad faith” because they have their origin in man’s refusal to take up his existence as *for-itself* (*pour-soi*). In this paper, I will argue that spying at the other and torture are rooted in man’s denial of his nature as *for-itself* and his desire to be a *for-itself-in-itself*.

. The human cogito is inclined to mask its nature as absolute freedom which results in a violation of the other’s freedom as well as one’s own. Torture does not only harm the victims’ freedom, but prevents as well the torturer from exercising his absolute freedom.

The key to understanding bad faith as a threat to human freedom is the tendency of the human cogito to take up his nothingness as a loss of being. Man tries to overcome his nothingness by trying to *be*. Man’s desire to be prevents him to be what he *is*; a nothingness that cannot be but is always a *becoming-to-be*.

To Sartre, the human cogito is synonym with absolute freedom. Existential fear however prevents man from exercising this absolute freedom and makes man prone to acts of bad faith. Bad faith has its origin in man’s refusal to take up his own existence as *for-itself* or by man’s denial to assume his facticity as his own.

Sartre’s ontology of bad faith which he outlines in *l’Etre et le Néant*, shapes his theory of the recognition of another human freedom. Sartre describes the encounter of the other as the objectifying event in which the look (or gaze) of the other alienates man from his absolute freedom and makes him dependent on the other for his self-awareness.

Sartre distinguishes two attitudes in reaction to the gaze of the other which are of direct interest to this paper. Man can either appropriate that what the other reveals of him or he can deny that the other has the possibility to look at him and reveal his bodily existence. Because of the focus

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<sup>1</sup> Email: m.berenpas@umail.leidenuniv.nl

on torture, I will concentrate on the second attitude in reaction to the gaze. Sartre argues that the denial of the capacity of the other to reveal something of man, leads to “distinct acts of hate, sadism and indifference” (Sartre, 1943, p. 420).

Sartre shows us that torture has its origin in the gaze of the other. Spying and voyeurism are innate to the relation to the other as another subjectivity. Interesting is that torture is related to the gaze of the other and to spying as such. It is the capability of the other to look at us which causes unease and may result in violent acts such as sadism and torture.

The ontological relation to the other shows us as well that these acts of torture and violence all seem to fail because they limit the absolute freedom of the victim as well as the offender. The culprit is man’s ontological tendency to mask his nature as *for-itself* which makes him prone to acts of bad faith. The torturer denies the victim’s subjectivity and treats him as a mere object. This attitude is bound to fail, because we can never escape from the look.

For Sartre, acts of bad faith such as torture are rooted in man’s fear of dealing with his own nature as *for-itself*. Sadism and torture stem from existential fear and are a reaction to the power of the look of the other. Torture is therefore more than a mere method for obtaining information; it reveals man’s nature and its existential *Dasein*.

## **2. The structure of the human cogito**

The relation to the other is a relation between to absolute freedoms, or cogito’s. For Sartre, there is no need to justify individuality, because each consciousness is embodied and as such is already individuated. To Sartre, no external cause for individuation is therefore needed.

Sartre’s ontology deals with the fundamental difference between the human cogito and a mere thing. Consciousness is different than a thing because of its intentionality; the human cogito is able to direct itself at phenomena and to become conscious of them. Sartre defines the human cogito as “the activity of directing itself at something which is different than it” (Sartre, 1943, p. 25).

Edmund Husserl made it possible to take the cogito as the starting point of philosophy without falling into the pitfall of idealism. Being conscious is being conscious of something. The cogito is intentional, which means that it can go beyond itself and direct itself tot that which is outwards.

For Sartre, consciousness is essentially a negating activity because it experiences that which it is conscious of as something-which-it-is-not. Even when consciousness is conscious of itself, it experiences itself as something that it is not. To Sartre, the distinctive characteristic of consciousness is that it is a nothingness; it is through the human cogito that nothingness is introduced in the world: “the being through which nothingness enters into the world needs to negate nothingness in its being.” (Sartre, 1943, p. 57).

The human cogito has the ability to transcend the phenomena by negating them (néantiser). Sartre defines consciousness as “the negating activity that is nothingness and as such is synonymous with absolute freedom” (Sartre, 1943, p. 61). The ontological account of the human cogito leads to a sharp distinction between human consciousness (defined as a *pour-soi*) and a mere thing (defined as an *en-soi*); consciousness is a nothingness which never coincides with what it is conscious of. The *en-soi* however totally coincides with itself because it cannot direct itself at anything and as such is full or ‘mere being’ (Sartre, 1943, p. 72).

Being-conscious is a non-identity or a transparency. Human consciousness has the capability to distance itself from what it is conscious of because the human cogito is in itself a nothingness. When consciousness is defined as a nothingness, it means that it has the ability to direct itself to whatever it wants and can fill itself with whatever it chooses. The human cogito is as a nothingness synonym to absolute freedom: “Human reality cannot receive it ends, as we have seen, either from outside or from so-called inner ‘nature’. It chooses them and by this very choice confers upon them a transcendent existence as the external limits of its projects. From this point of view, - and if it is understood that the existence of *Dasein* precedes and commands its essence-, human reality in and through it very upsurge decides to define its own being by its ends. It is therefore the positing of my

ultimate ends which characterizes my being and which is identical with the sudden thrust of freedom which is mine (Sartre, 1943, p. 443).

Consciousness experiences its nothingness as a loss or a lack of being. Man strives every time to be and tries to fill himself up with being. Sartre argues that due to his “desire to be”, man becomes a “useless passion” because man is anguished over his own absolute freedom and longs for the stability of the non-conscious en-soi (Sartre, 1943, p. 65). Anguish captures the nature of mankind who is condemned to be free and knows he must decide and that his choices are his and his alone.

Sartre presents man in *l'Être et le Néant*, but also in his novels, as the creature who is doomed to be free. Doomed because he cannot escape from the endless task of giving himself significance and direction. Man is absolute freedom and is responsible for every choice he makes and everything he was or becomes. Sartre even argues that man needs to take up his own thrownness in the world (facticity) as his own choice. This means accepting one's body, gender and situation in which one finds himself as part of his project. What Sartre argues is that man is on his own in giving himself significance and direction. In this sense; man is doomed to be free; he cannot rely on anything outside himself for giving him guidance.

Man's absolute freedom and his responsibility for the situation in which he finds himself is something that he will try to mask. Man will often pretend that he is not able to transcend the situation (and thus denies that he is absolutely free) or he pretends that he does not have to deal with his facticity. Sartre argues that man is ontologically inclined to fall into acts of bad faith (*la mauvaise foi*).

Bad faith appears when I for example pretend that the situation in which I find myself makes it impossible for me to make a free choice. The “*homme sérieux*”, as Sartre calls him, acts like he is a determined thing that cannot give itself direction.

Man also acts out of bad faith when he pretends that his facticity doesn't affect him. In *l'Être et le Néant*, Sartre gives the example of the young woman who has a romantic dinner with a man. The man lies his hand on the woman's hand, but the woman refuses to respond to this gesture. She pretends that the man's hand touching her hand doesn't affect her. The woman acts out of bad faith because she refuses to take responsibility for her own facticity.

Sartre thus takes the facticity of human life into account as something which man needs to accept as his own choice. Humans are born as male or female and are born into a body they did not freely choose. All these ‘fixed’ things, as well as the characteristics of the environment in which man finds himself, constitute man's facticity. Sartre's conception of self-determination is in this sense unique and original because it embodies the “necessity of contingency” (Sartre, 1943, p. 327). It is necessary that man determines himself but in Sartre's ontology any determination is contingent and has no ultimate meaning.

The man who acts out of bad faith acts from an impossibility to choose or to take responsibility for his facticity. Man masks in his bad faith his existence as a free individual who has to take up his facticity as his own choice. Bad faith not only affects the way man sees himself, but also affects the way he encounters another consciousness. Sartre argues that it is the other who reveals my objectivity and confronts me with my facticity.

### 3. The look and the nature of spying (1500 words, 3500 in total)

For Sartre, the original project of man dictates that each act has a meaning in relation to a consciousness. Man has to Sartre no fixed meaning or characteristics but rather is a series of acts which can be defined as “me” (Sartre, 1943, p. 44). The human cogito defines itself in the face of other consciousness. It is the look (or gaze) of the Other which reveals man's being-for-others.

Sartre takes the look of the other as the origin of the relation to the other. The other is first and foremost recognized as other because he can see me. Sartre claims that man can experience the subjectivity of the other directly by becoming an object for the others. Sartre's main concern is not

with the other's existence as such, but rather with the role that the other plays in acquainting me with my own objectivity.

For Sartre, the only possible refutation of solipsism is the conception of the ego. The fundamental problem in philosophy of other minds seems to arise because of a fundamental disparity between my own conscious mind and that of others. I have a special access to the content of my mind in a way I do not have to anyone else's. But to Sartre, I don't have this special "privileged knowledge" to my own me that I lack to yours. For Sartre, consciousness is nothingness; there is thus no closed off "me". Rather, Sartre constructs personality and that which constitutes a "me" as something objective; something which is an object for consciousness. In Sartre's ontological account, the self is nothing more than a sequence of acts and these acts are both accessible to me as to the other. For Sartre, all ego's are tentative objects which are fallible and open to discussion. My own self is no more certain to me than it is to you.

In *l'Être et le Néant*, Sartre devotes a long chapter to the "look" or "gaze" of the other. For Sartre, the other-as-other-consciousness is not a subject known through oneself, but is revealed as a disruption of oneself. For Sartre, human reality is the absolute power of forming projects and goals and in the encounter with the other that other disrupts this absolute power. Man encounters the other in a space that is both one's own. Man apprehends the other as subject by becoming an object for that other (Sartre, 1943, p. 259).

When man encounters another human being, he experiences this other as a consciousness that is not his consciousness. Sartre argues that the relation to the other is defined by the ability to be seen by the other (the gaze, *le regard*). The other can reflect on his being and reveals his embodied existence. For Sartre, it is the other who confronts him with his facticity.

Through the gaze of the other, one not only becomes aware of the subjectivity of the other, but is also confronted with the fact that his consciousness is not only a perspective, but also an object within the world. The gaze is the first step towards apprehending the other and thereby the self. Sartre argues that: "I see myself because somebody sees me" and "it is shame or pride which makes me live" (Sartre, 1943, p. 671). Sartre's account shows us that it is enough to have been seen by another human freedom. The gaze makes us aware of what we are at that moment in our facticity and become self-aware.

The gaze of the other alienates him from his absolute freedom, because it forces him to take responsibility for the being that the other reveals of him. One must accept that the being that the other sees is his being. In looking at me, the other objectifies me and is threatening the freedom of my consciousness. In my desire to maintain my absolute freedom, I will try to integrate that which is revealed by the other.

The confrontation with one's embodied existence is hard for man, because he must take up that which he cannot change, such as gender or body appearance, as part of his situation. Sartre argues that man has to take up his facticity as if it was his own choice. If he fails to do this, he will fall into acts of bad faith.

Sartre describes the process of voyeurism through the example of a voyeur caught looking through the keyhole. Before being caught, the viewer is a pure, acting consciousness unselfconsciously experiencing the emotions. Once seen, he is turned into something else. Colored by a new emotion (shame). It is human freedom itself which is undermined by the gaze of the other.

Sartre argues that voyeurism or spying is "a pure process of relating to the instrument (the keyhole) to the end to be attained (the spectacle to be seen), a pure mode of losing myself in the world, of causing myself to be drunk in by things as ink is by a blotter." (Sartre, 1943, p. 433).

Sartre's gaze does not need to be an actual eye, but has broader applications. For Sartre, it could be also the believed presence of the other or the possibility that there is somebody who is spying on me. Lacan was particularly interested in this aspect of Sartre's gaze that is: "not a seen gaze, but a gaze imagined by me in the field of the other" as well as the fact that "the other surprises him, the subject, as entirely hidden gaze".

#### 4. The Objectification of the Other: Torture and Sadism (1500 words, 5000)

To Sartre, man will approach the other as an object by giving the other meaning and content. In gazing at the other, man can only reveal the other's bodily existence and can only assume that the other is another freedom because the other is just as capable at gazing at me.

"The lesson of *L'Être et le Néant* would seem to be that personal relations are usually warfare, and at best represent a precarious equilibrium, buttressed as often as not by bad faith" (Murdoch, p. 59).

"L'essence des rapports entre consciences ce n'est pas le Mit-sein, c'est le conflit." (Sartre, 1943, p. 433).

Sartre's main concern in the encounter with the other is not the experience of the other's subjectivity, but the role the other plays in revealing his objectivity. The gaze reveals his being-for-the-other.

Sartre distinguishes different attitudes to respond to this being-for-the-other. The concrete ontological relations to the other are love, language, masochism, indifference, desire, hate and sadism. Love, language and masochism are attitudes that have their origin in the desire to that which the other reveals of man. Indifference, desire, hate and sadism are attitudes that deny the subjectivity of the other by denying that the other reveals man's facticity. I pretend that the other is a mere object that does not reflect on one's being. Sartre argues that the concrete relations all result in violence and oppression.

In love for example, we try to be that which the other reveals of us. We try to live up to our lover's expectations in order to gain their love. The assumption that we can be what the other sees in us is, however, an illusion. As absolute freedom, we never are, but are always a becoming-to-be. We can never possess the quality that the other ascribes to us. In love, we are not only fooling ourselves by pretending that we can possess fixed qualities, but we also treat the other as an object by forcing him to love us:

Ainsi l'amant demande le serment et s'irrite du serment. Il veut être aimé par une liberté et réclame que cette liberté comme liberté ne soit plus libre. Il veut à la fois que la liberté de l'autre se détermine elle-même à devenir amour – et cela, non point seulement au commencement de l'aventure mais à chaque instant – et, à la fois, que cette liberté soit captivée par elle-même, qu'elle se retourne sur elle-même, comme dans la folie, comme dans le rêve, pour vouloir sa captivité.

In love, man has made himself dependent on the other and masks the fact that he needs to give himself significance and direction. The loving relationship Sartre depicts here is essentially an act of bad faith; man tries to be something he is not. Man needs to give himself significance and cannot rely on the other in order to escape from this task.

Sartre argues that "language" is the attitude in which I appropriate the other one's point of view. In this attitude, man has turned himself to "the language of objectivity." In this attitude, one tries to adopt the significance the other gives to phenomena in order to gain his love. Language, just as love, is doomed to fail; the more one tries to adopt the significance the other gives to phenomena in order to make him love, the more one will lose himself and the more the other will slip away.

Masochism is the torturing effort to be against all odds. In masochism, one gives up his freedom in order to gain the other one's love and make himself — in every aspect of his existence — dependent on the other.

Love, language and masochism are attitudes that result from the desire to appropriate the being the other reveals of him. In these relations, we try to assume the other's subjectivity by making ourselves dependent on him. These relations result in a total alienation of our consciousness as for-itself. For Sartre, man is of bad faith when he pretends that he can escape his task of giving

himself significance by relying on something outside of him. The gaze of the other alienates him from his freedom and keeps him hostage.

Indifference, desire, hate and sadism result from the second reaction to the gaze, which Sartre distinguishes. These attitudes refuse to acknowledge that the other is another consciousness that reveals one's facticity. Sartre argues that these attitudes are essentially the refusal to take responsibility for man's facticity.

Indifference is the denial that the other has the capability of revealing one's objectivity. For example, I treat the other as a thing that cannot reflect on my being. In relation to terrorism, indifference can be related to the colonist who occupies a certain territory and denies the special way of living of the natives who have their own tradition and history.

The second attitude that characterizes the denial of the other one's subjectivity is desire. Desire has a sexual connotation; it is an attempt to possess the other's body in order to ignore his subjectivity. Sartre argues that desire is the "original attempt to possess the free subjectivity of the other by using his objectivity-for-me." Desire is directed at using the other one's facticity, but at the same time emphasizes man's own embodied existence. In desire, one tries to possess the other one's body by using his own body. An example of desire is war rape. War rapes and rape by soldiers are attitudes of desire; they have a sexual connotation and are directed at gaining power of the other one's subjectivity. The other one's subjectivity is mastered by using one's own body.

Desire is frequently combined with hate.

Hate is despising the way the other is. Despising the other for what he is or for what he looks like is denying the fact that the other is not a thing with determined qualities but absolute freedom. Sartre argues that hate — which is for example the underlying feeling of racism — is fundamentally a masking of one's own failure. Hate is directed at the way the other one is, but is driven by the failing attempt to incorporate the other in one's own projects. An example of hate is the religious terrorist who kills people because the world does not seem to acknowledge the truth of his religious conviction. Hate is masking the fact that one must take responsibility for the whole situation, including the acknowledgement that his projects are not being realized.

Sadism is the last attitude Sartre distinguishes. It is the effort to annihilate the other's subjectivity by inflicting pain on his body. The sadist is exhilarated by controlling the subject as an object. The torture at Guantanamo Bay is an example of sadism. Torture is inflicting bodily pain in order to master the other's freedom. Just like hate, sadism has its origin in the confrontation with the fact that life is permeated with failure and that one's projects are sometimes frustrated. Sadism is masking one responsibility for this fact of human life.

The concrete relations of love, language, masochism, indifference, desire, hate and sadism are all paradoxical in their nature. In love, language and masochism one tries to gain the love of a free consciousness by forcing him to love and by forcing dependence on the other. For example, I give up my freedom and keep the other hostage by tricking him into loving me. Indifference, desire, hate and sadism are directed at denying the other's subjectivity by using his body. In these attitudes man treats the other as nothing more than a body by using his own body. These attitudes have their origin in the refusal to take responsibility for one's own facticity.

The concrete relations to the other result in conflict and oppression. The concrete relations are either directed at giving up one's own freedom in order to gain the love of the other as freedom, or are directed at destroying the other's freedom by abusing one's own freedom. Both reactions result in undermining one's own nature as consciousness that must take up its facticity as its own choice. Sartre argues that there is no other way of approaching the other in the ontological sphere; they all result in objectification and alienation.

In Sartre's analysis, the concrete attitudes are all acts of bad faith. In the concrete attitudes towards the other, man masks the nature of consciousness as for-itself that has to take responsibility for his embodied existence. The reactions to the gaze of the other are fundamentally perverted because they are all grounded in either denying the transcendental nature of consciousness or a refusal to take responsibility for man's facticity.

Based on Sartre's analysis of the gaze and the concrete relations to the other, we can define what Sartre means by oppression. Oppression is objectifying the other by not taking into account that the other is another consciousness that can reflect on one's own being. Oppression can also be the result of denying one's absolute freedom by making one dependent on the other. For example, I pretend in this latter case that the other can give me guidance and significance. Oppression has its origin in the anxiety for man's infinite task to give himself direction and significance and taking up his facticity as his own choice.

For Sartre, an oppressor acts always out of bad faith. An oppressor tries to mask the fundamental nature of human existence. Because oppression has its origin in masking the nature of human existence, it is destructive. Sartre argues in *Situations V* that oppression such as colonialism, is always doomed to fail:

We, the people of mainland France, have only one lesson to draw from these facts: colonialism is in the process of destroying itself. But it still fouls the atmosphere. It is our shame; it mocks our laws or caricatures them. It infects us with its racism; as the Montpellier episode proved the other day, it obliges our young men to fight despite themselves and die for the Nazi principles that we fought against ten years ago; it attempts to defend itself by arousing fascism even here in France. Our role is to help it to die. Not only in Algeria but wherever it exists.

In the introduction to Frantz Fanon's book, Sartre argues that the only choice an Algerian has left to overcome the French oppression is to kill the Europeans. This statement can be understood from the ontological relation to the other.

An oppressor denies that the other has the power to reveal one's own objectivity and treats the other as a thing. In order to fight oppression, the other sees only two options: either he may adopt the being-for-the-other and become the oppressor's slave, or he may deny the subjectivity of the oppressor by reducing him to a mere thing. These two options however do not result in regaining one's own freedom; as long as the oppressor denies seeing one as another consciousness, he can never be truly free. I believe that it is in this sense that Sartre argues that killing is the only option available to the Algerians.

Sartre argues that it is our role as the oppressors to overcome this act of bad faith. We must give up trying to objectify the other and must take up our own facticity in an authentic way. The question is how we can escape from acts of bad faith if Sartre does not give us any alternative in approaching the other. It seems to be impossible to respect the other as free consciousness without alienating ourselves or objectifying the other.

## 5. The questionable Nature of the Look (1000 words, 6000)

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