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Venus in Furs: Why False Confessions are True

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Abstract: The author discusses the nature of truth and false confessions in the context of confession and interrogation.

It’s been years since the actor Jack Nicholson in the film A Few Good Men (1992) launched “You Can’t Handle the Truth” as metaphor, aphorism, and vacuous commodity of popular culture. It’s still with us, but why? In an era of truth as subverted construct—as false consciousness, as multicultural and relativist as perspectivist and constructivist, as neo-pragmatic and linguistic means to an end, as an end without ontological viability—why is truth even something to handle? If truth is a nothing that is only linguistically something, why Nicholson’s tirade and why is murder as the truth something to hide?

Maybe there’s a truth to be had regardless of philosophical and semantic problematics. Are not believers, skeptics, non-believers, and non-skeptics alike enmeshed within skeins of truth? Daoists, Dostoeyskyists, Deadheads, and Derrideans respectively act and write as if truth is a robust denizen of thought, feeling, and motive. This seems especially the case when passing through the twilight zone of interrogation.

Truth, its existence and essence, is the sine qua non of interrogation. The conflict within interrogation is over essence, because the truth is assumed to exist as the actor Laurence Olivier demonstrates in the film Marathon Man (1976). His “Is It Safe?”—another gem of popular culture—becomes a discriminative stimulus for pain and pleasure as fellow actor Dustin Hoffman parries with only versions of the truth not questions about its existence. This puts real teeth via the film’s dental torture into the search for truth that rivals the most avid philosopher’s.

And it does seem true that individuals under interrogation at least infrequently seem to tell a falsehood that hurts not helps their situation and that becomes proof of guilt for a proof of life leading to conviction and punishment. Examples include confessing to rape, murder, treason, apostasy, and sacrilege. A recent article by John Schwartz in The New York Times alludes to several such cases and focuses on the suggestibility of individuals being interrogated and the willful or unwitting leakage of crime details from the interrogator as causal culprits of false confession. The common sense explanations of saying whatever will avoid or terminate physical or psychological pain of interrogation. The concurrent contradiction of avoiding the pain of interrogation and torture for the pain of punishment—induced by others or by oneself—leaves this last explanation unsatisfactory.

The professional literature on false confessions also assumes the false confession is of...yes, falsehood. For example, Swanner & Beike (2010) argue that in some situations increasing incentives to tell the truth actually increases the telling of falsehoods. Gudjonsson (2010) identifies the rate of delinquency, the number of delinquent friends, personality, mental state, and multiple exposures to unpleasant life events as variables associated with false confession. And Leo (2009) identifies three sequential processes associated with the elicitation of false confessions—misclassification of information, coercion, and contamination—and three distinct types of false confession—voluntary, compliant, and persuaded.
An alternative is that individuals falsely confessing are merely confessing other truths. Some victims of the Communist show trials of the 1930s falsely confessed to assassination plots and treason, because they believed that the fate of the Party and the Movement and an idyllic communist endpoint took precedence over aberrations wherein the revolution ate its own, wherein eggs must be broken to make omelets (in political lore attributed to Robespierre and Lenin).

More often than embracing the truth of the Political Cause, individuals who falsely confess are voicing truths based on social psychological conditioning. They may believe that they are nothing and nobody, and that copsing to a crime or other social violation makes them something and somebody even if for Andy Warhol’s 15 minutes of fame. They may believe that acquiescing to authority and authority’s suggestions makes one good and not bad, that traditional social conditioning has worked. In coping to being bad one is professing one’s goodness. They may be taking fantasies, dreams, and urges as equally worthy of guilt as external acts associated with them. In this version of the truth, doing the crime occurs in one’s mind even if observed by no other human—as voiced by former United States President Jimmy Carter lustng after wumens in his heart and a current Republican Senate candidate from Delaware who believes masturbation is adultery because of the accompanying fantasies. (She does not entertain that masturbation may be sans fantasy or involve seemingly non-sexual fantasies.) And what human is beyond good and evil and has never thought of much of the evil that has already been done in the world and of the good that has been prevented or eradicated?

Another truth, of sadomasochism. Individuals willingly and unwillingly give out and take pain. When they give out pain, in truth they are in control of those who take it. When they take pain, in truth they are in control of those who give it out. (Without a target for pain, the prospective giver of pain is stymied). With false confession one hurts the seeker of the truth with the truth of giving out pain to the seeker by communicating falsehood. With false confession, one also lives the truth of taking self-induced pain much as a cornered hostage taker might provoke suicide by cop or as an anorexic or self-mutilative individual might experience pain as the pleasure of control.

We are all false confessors in truth, because we cannot escape the truth whether true or false. As the star of our own lives, we are both the morning star and the evening, that is, we are Venus. A Venus in Furs who disciplines in truth even as falsehood. And this cannot be beaten nor cajoled out of anyone.