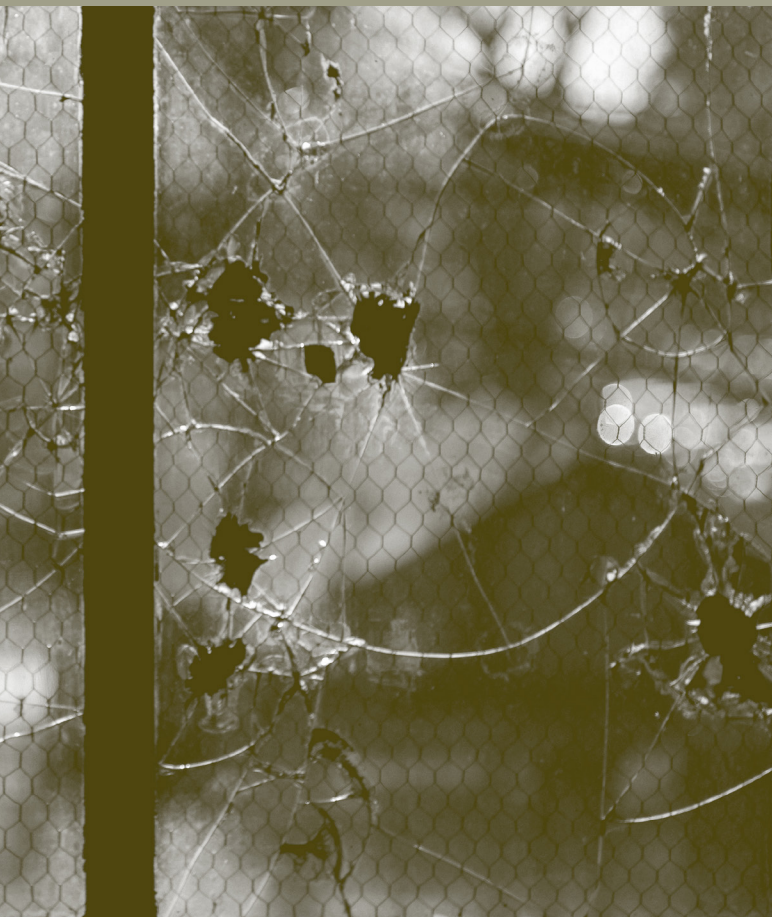




Hague Domestic Violence Expert Paper #11

Non-State Torturers: Their Intentional Infliction of Severe Physical or Mental Pain or Suffering

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Biographies

Jeanne Sarson and Linda MacDonald are relational feminists, human rights activists, and scholars. They share 33 years of grassroots science with knowledge gained in their relationships supporting women heal from non-State torture (NST), human trafficking, and sexualized exploitation into prostitution and pornography, organized within family and non-family relationships, and within local, national, and international criminal informal networks. Their research on non-State torture is supported by many respondents, predominately women, which provides undeniable evidence that non-State torture victimizations are global human rights torture crimes perpetrated by non-State actors. They have organized and presented on panels at United Nations Commissions in New York, Geneva, and Vienna, and at international conferences, have dozens of published journal articles and book chapters plus two books, [Women Unsilenced Our Refusal to Let Torturer-Traffickers Win](#), and [Healing ~ Lynn's Story ~ Getting My-Self Back The Woman's Revolution](#). In Canada, their activism focuses on efforts to have the Criminal Code of Canada amended by including non-State torture as a torture crime.

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A woman's revolution began in 1948. Women's involvement and influence created the transformative language of equality in the non-legally binding [Universal Declaration of Human Rights](#) (UDHR) (United Nations, 2018). As women, as feminists, as nurses, it was easy to fall in love with the Declaration's principles that proclaimed women are persons entitled to human and legal equality, dignity, and the freedom to just be. However, these principles became directly challenged when Sara, her pseudonym, contacted our independent nursing practice. She was in a life-threatening crisis, describing how she had been born into a family that tortured and trafficked her from the time she was a baby (Sarson & MacDonald, 2021). We immediately searched for knowledgeable others in our Canadian province who could assist Sara to recover and heal from non-State torture victimization, but none were found. That year was 1993.

Instead, seeking further support, we learned that legally binding United Nations human rights treaties had sunk women and girls tortured by non-State actors into a destructive patriarchal black hole. It is a *de facto* and *de jure* discriminatory quagmire of oppression and human inequality that silences and shames women's and girls' truth-telling efforts—victim-blaming them for being liars, labelling them crazy, or disordered and mentally ill. For instance, creators of the 1979 legally binding United Nations [Convention on the Elimination of All Forms of Discrimination Against Women](#) (CEDAW) had claimed that violence against women was [too taboo of a reality](#) to address. The 1984 legally binding United Nations [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) (UN CAT) discriminatorily established that only torture committed by State actors, such as police or military staff, was a human rights crime of torture. So, no help from these human rights legally binding treaty systems, even though the preambles of both made reference to the Universal Declaration of Human Rights which includes Article 5: it says that no one shall be subjected to torture.

Consequently, helping Sara truth-tell became dangerous for us and for her. If we spoke out without providing science-based evidence that non-State torture victimizations were committed, we risked being professionally discredited. If we were discredited, this too would be a risk for Sara and other women so victimized. These threats meant our healing support of Sara went underground. We realized we needed to develop our nursing grassroots science about how to define non-State torturers' behaviours, plus gather collective evidence that validated women's truth-telling. We did this so the women would no longer be in danger of being discredited and being further revictimized by the destructive black hole of the patriarchal discriminatory human rights quagmire. So began the gruelling nights of building nursing-based scientific evidence, while drawing on the work of Capra and his description of the benefits of model-making (1988). We followed these steps:

Step One: Defining the Non-State Torturers' Criminal Behaviours

Researching, we gathered a list of the acts of torture that globally defined the behaviours of State torturers. These were often referred to as acts of classic torture. Then we made a list of women's descriptive acts of torture perpetrated by non-State torturers. This created our Patriarchal Divide Model (Figure 1). It showed that State and non-State torturers commit the same or similar acts of torture. It exposed the patriarchal discriminatory quagmire of oppressing the human rights of women and girls.

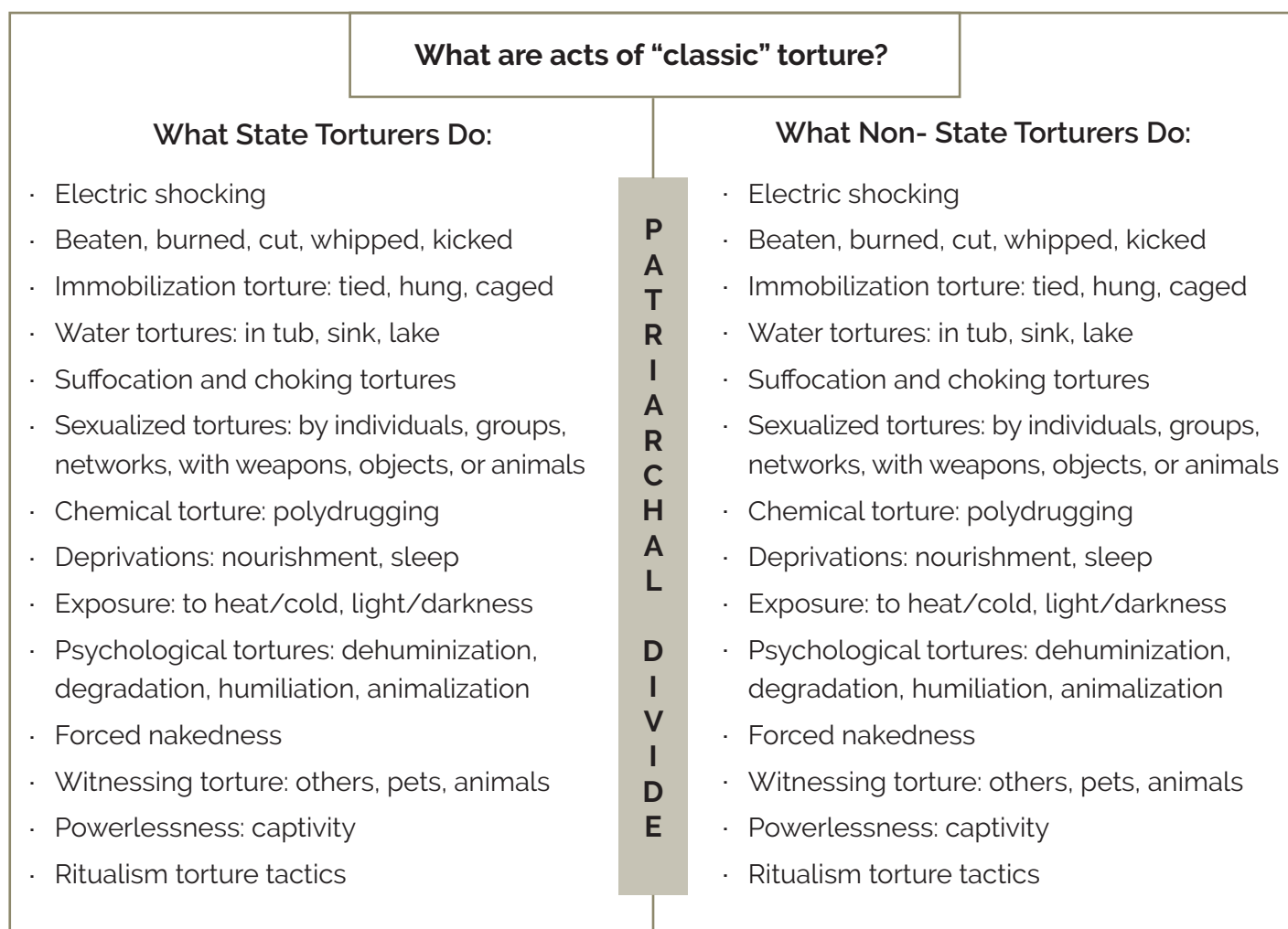


Fig. 1: Patriarchal Divide Model

Step Two: Collective Research Evidence

To further define the non-State torture victimizations from a person/victim-centered perspective, we developed participatory research questionnaires that are on our website (<https://nonstatetorture.org/research/participate>). Included in most questionnaires is a question listing 48 acts of non-State torture, as shown in Figure 2. This listing utilizes women's descriptive language that exposes the acts non-State torturers intentionally committed against them. Examining this list reveals the many forms of classic torture such as electric shocking and water torture, described in Nos. 19 and 32 that women were subjected to. Women verbalized descriptions of the categories of classic physical, sexualized, and mental torture initially included in the Patriarchal Divide Model (Figure 1). For example, women may have suffered falanga (No.9) as a form of physical non-State torture. They identified that forced drugging could occur in various ways as shown in Nos. 33-36. And for some women and girls, sexualized non-State torture victimizations included being forcibly impregnated and aborted (Nos. 20-21). And under No. 49, women often added additional acts perpetrated by non-State torturers that were not on the list.

This is where we now dive back into the discriminatory human rights quagmire, reaching into Article 1 of the UN CAT. Although State-centric, it is the only legally binding United Nations human rights treaty that defines torturing another human being as *intentionally* and *purposefully* done to cause *severe pain or suffering, physical or mental*. We have shared insights into the behaviours that non-State torturers intentionally inflict to cause severe physical and sexualized pain and suffering; the following discussion explores *the meaning of severe non-State torture mental pain and suffering*.

QUESTIONNAIRE: Harms inflicted in NST			
1.	food/drink withheld ____	26.	raped with a weapon (gun or knife) or other objects ____
2.	chained or handcuffed to a stationery object ____	27.	raped with animals ____
3.	savagely and repeatedly beaten ____	28.	prevented from using toilet ____
4.	savagely and repeatedly kicked ____	29.	smeared with urine, feces, or blood ____
5.	hung by your limbs ____	30.	forced under cold or burning hot water ____
6.	burnt ____	31.	placed in a freezer ____
7.	cut ____	32.	near drowned when held under water in the tub, toilet, bucket, stream ____
8.	whipped ____	33.	drugged with alcohol ____
9.	soles of feet beaten (falanga) ____	34.	drugged with pills ____
10.	fingers, toes, and limbs twisted ____	35.	drugged with injections ____
11.	fingers, toes, and limbs broken ____	36.	drugged with mask ____
12.	fingers, toes, and limbs dislocated ____	37.	choked ____
13.	tied down naked for prolonged periods of time ____	38.	suffocated by object placed over one's face ____
14.	sat on making breathing difficult ____	39.	pornography pictures taken ____
15.	forced to lie naked on the floor/ground without bedding/warmth ____	40.	pornography or snuff films made/used ____
16.	confined to a dark enclised space ____	41.	forced to harm others ____
17.	placed in a crate/box ____	42.	forced to watch others being harmed ____
18.	caged ____	43.	forced to watch pets being harmed or killed ____
19.	electric shocked ____	44.	forced to harm or kills pets or animals ____
20.	forcibly impregnated ____	45.	threatened to be killed ____
21.	forcibly aborted ____	46.	called derogatory names ____
22.	forced to eat one's vomitus (throw-up) ____	47.	put down ____
23.	forced to eat one's bowel movements ____	48.	treated as non-human ____
24.	raped by one person ____	49.	Comments
25.	raped by a family/group ____		

Fig. 2: Acts of torture intentionally committed by non-State torturers

Step Three: Defining Severe Mental Non-State Torture Pain and Suffering

Although centered on State-inflicted torture, the Danish Institute Against Torture, in its [Dignity Fact Sheet Collection Legal No 1 – Defining Torture](#), says that "Mental pain can constitute torture on its own, and need not be coupled with physical pain." And [Model 2 by REDRESS](#), also State-centric, explains that sleep deprivation, verbal threats of further harm, threats that others will be harmed, the fear of being subjected to sexualized victimization, being forced to witness the torture of others, and being placed into positions of complete helplessness that produce emotional responses of guilt and powerlessness are acts that cause severe mental pain and suffering. Attention is also given to the long-lasting severe mental pain and suffering experienced by a person held in a state of enforced disappearance. It also explains that this causes the person's non-perpetrating family or loved ones severe mental pain and suffering.

Although the discriminatory human rights quagmire attempts to invisibilize non-State torture of women and girls as a human rights crime of torture, this has not deterred us or them from truth-telling. Comparable to the Danish Institute Against Torture statement, non-State torture severe mental pain and

suffering is intentionally inflicted against a woman or girl when she is not actually suffering physical or sexualized torture. Examples are listed in our Figure 2, such as being:

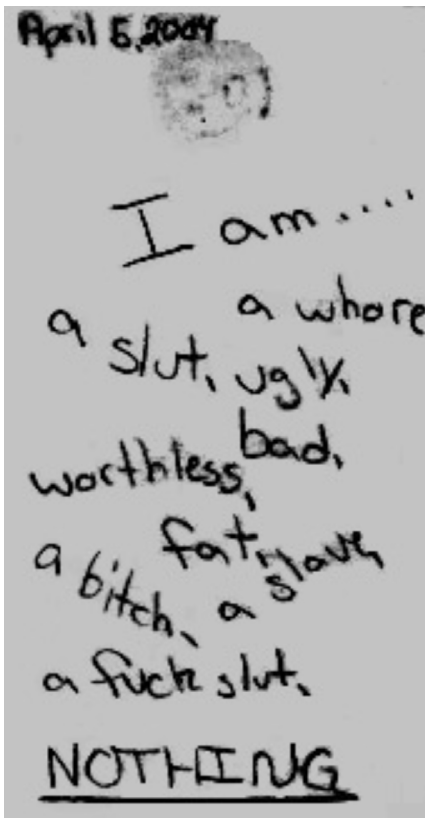


Fig. 3: Sophie's Storytelling

- Forced to watch others being harmed (No. 42)
- Forced to watch pets being harmed or killed (No. 43)
- Threatened to be killed (No. 45)
- Called derogatory names (No. 46)
- Put down (No. 47)
- Treated as non-human (No. 48)

Sometimes the women we support can only begin to tell of the acts non-State torturers committed against them, whether mental, physical, or sexualized, by drawing these memories. Once drawn, they then begin developing their language skills and their understandings of the non-State torture victimization committed against them. Such is Sophie's storytelling drawing in Figure 3. She explained that the non-State torturers' intentional infliction of derogatory name-calling and put downs (Nos. 46-47 in Figure 2), contributed to her mental non-State torture pain and suffering because she consequently considered her-Self to be a "NOTHING". This is an expression of being treated as a non-person—a non-human. Based on our experience, women can and do lose their relationship with their sense of Self, with their sense of existing as a human person.

Model 2 by REDRESS also includes some of the non-State torturers' behaviours just listed in the previous paragraph. Although not listed in Figure 2, women have added that they suffer sleep deprivation under No. 49. As to the infliction of helplessness, Sara, for instance, attempted to overcome being placed in this position by a non-State torturer by telling us how she would say, "take me, take me" in her effort to prevent the witnessing of the victimization of other children (Sarson & MacDonald, 2021). Non-State torturers do inflict enforced disappearances. Lynn, a woman whose healing we supported, disappeared when held in captivity by her husband and his criminal informal network. She expressed suffering severe mental pain of her state of aloneness and isolation, plus concerns that her mother would be shocked by the inhumanity she was struggling to survive in (Sarson & MacDonald, 2025). Some women and girls will be killed or die (National Council of Women of Canada, 2025; Sarson & MacDonald, 2021). As to being forced to watch pets being harmed or killed, Alexandra Lane shared that when she was six, her father, who non-State tortured and trafficked her, took her (Lane & Holodak, 2016):

To a farm that had baby rabbits. I picked up the cutest one and hugged it. My dad took the rabbit from me and broke its neck. . . . The look he gave me was clear – this could happen to me as well. I felt tremendous guilt that I showed I cared for something and that I had caused the rabbit's death (p. 4).

It is essential to understand that the severity of the non-State torturers' intentional infliction of severe mental pain and suffering is also based on a situational analysis. Considerations must include that they may inflict the mental pain and suffering once or for prolonged periods, even for years. The age, health, sex, and the relationship between the non-State torturer and the person they torture make a difference. Additionally, because many of the women we have supported were born into families that were non-

State torturer-traffickers, their criminal activities often depended on what day of the week it was. Meaning that women explained that non-State torturers utilized weekends, holidays, or vacation times to perpetrate non-State torture crimes, whereas, during other days of the week such victimizations most often did not occur. However, emotional mental terrorism was ever present.

Non-State Torturers' Infliction of Brain Pain

A persistent nursing observation has been that non-State torturers' mental manipulation tactics can hurt and harm women's brains. Women frequently express being emotionally fearful that something is wrong with their brain. Sara was initially adamant that something was wrong with the left side of her brain. Given that the left side of the brain controls, for instance, sensory input, this may be why Sara's survival responses included her ability not to perceive severe physical torture pain for example.



Fig. 4: Sara's drawing of a Black Box in her head

This may also explain why she and other women have said they only saw in black and white. Another way that Sara expressed suffering mental anguish was a result of the impact of the non-State torturers' manipulation tactics that forced her to believe she had a black box in her head as shown in Figure 4. This created the consequence of what Sara called brain pain if she tried to tell or thought about what the non-State torturers had done to her. Such non-State torturers' manipulation tactics were intentionally inflicted to cause very complex belief distortions. These could cause a woman to re-enact Self-harming behaviours such as Self-cutting even when the non-State torturer was not present. There was also the risk that she could die by suicide as a consequence of such fatal manipulative conditioning (Sarson & MacDonald, 2021). The practice of care for healing that we developed is non-State torture victimization-traumatization informed care. During women's healing process, many, most, or all of their mental pain and suffering responses gradually resolved. For example, they no longer felt there was something wrong with their brain.

In Closing

We have shared our grassroots science and its models that define the behaviours or actions that constitute a non-State torture crime and gathered collective research evidence to validate women's descriptive ordeals of non-State torture. These are essential interventions needed to safely expose *de facto* and *de jure* discrimination, and to transform systemic decision-making legislation, policies, and practices. Otherwise, the destructive patriarchal system's black hole—a discriminatory quagmire of *de facto* and *de jure* oppression, silencing, shaming, and victim-blaming—persistently wins. Because it fails to acknowledge that non-State torture is both a human rights violation and a crime of torture. Therefore, in closing this paper and supporting the work of 'Hague Mothers,' we must assert that they too may hold undisclosed ordeals of torture or the witnessing of such a crime perpetrated by non-State actors, as well as enduring systemic *de facto* and *de jure* suffering.

Having focused our professional attention for the past 33 years on exposing the intentional brutal modus operandi of non-State torturers, committed with subjective and objective discriminatory purposes, especially against women and girls (children), even of babies, the truth is that non-State torture victimizations are globally massive. We conclude this paper with our present-day definition:

Non-State torture (NST) is committed intentionally by non-State actors, in public or private, in relationships, perpetrated within families, in human trafficking, in prostitution, in pornographic exploitation, by violent individuals, groups, and gangs, dismissed as socio-cultural, traditional, or religious acts or norms, and can be committed during migration, displacement, and in humanitarian and civil unrest, for example.

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