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School of Media

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Abuse of Iraqi Prisoners

Article three of the Geneva Convention in relation to the treatment of Prisoners of War is explicit and unequivocal. It prohibits 'violence to life, in particular murder of all kinds, mutilation, cruel treatment and torture'. It also outlaws 'outrages upon personal dignity, in particular, humiliating and degrading treatment'. Accordingly, photographs of bound and hooded Iraqi prisoners, recently published by the print and electronic media, if genuine, represent crime scenes.

Article four of the Geneva Convention defines in detail those categories of individuals who qualify as Prisoners of War including 'members of armed forces', 'members of organised resistance groups' and 'members of regular armed forces who profess allegiance to a government or an authority not recognised by the Detaining Power'. Many Iraqis detained in Abu Ghraib Prison would be categorised as such and would be protected by the Geneva Convention. Article Four of the Geneva Convention goes on to state that civilian detainees who fall outside these categories and who are interned by the Detaining Power are entitled to 'humane treatment'.

The growing numbers of images currently in circulation in the international media depicting the ritual abuse of Iraqi prisoners belie humane treatment and contain a disturbing sub-text. A significant proportion of the photographs include US female personnel deliberately posed to suggest the coercive and sexually loaded subordination of Iraqi male prisoners – all of whom are naked, hooded and bound. The connotations of sexual violence contained in these images along with themes of subordination and domination are calculated to cause maximum offence to Muslim sensibilities. Other disturbing images, of naked prisoners bound together and forced to engage in crude sex simulations further reinforce connotations of the objectification, humiliation and de-humanisation of Iraqi prisoners.

The objectification and de-humanisation of the enemy has long been employed in times of war in order to assist soldiers overcome an in-built resistance to killing other human beings. The brutalisation and de-sensitisation of soldiers deployed to zones of conflict are often cited as causal factors for the state of dis-inhibition that sometimes gives rise to the indiscriminate killing and mutilation of the enemy in the field. In the case of the current images however, it is clear that these abuses were not perpetrated in the heat of battle by front-line professional soldiers. Rather they would appear to be the work of sadistic amateurs engaged in the cold blooded and calculated abuse of prisoners to the rear.

It is significant to note that the majority of those troops alleged to have been involved in these incidents are US reserve forces – mostly military police of the 372nd Reserve Military Police Company – engaged in rear echelon duties. In military terms, the administration of a prison close to force headquarters would be considered a support role for non combat troops. Given that these troops are charged with protecting those prisoners under their care, the growing number of photographs purporting to represent the ritual humiliation of their charges – if their veracity is confirmed – may well constitute evidence of war crimes.

US troops including military intelligence officers charged with such crimes would be subject to military law and would face court-martial. CIA agents acting as interrogators and charged with engaging in the degradation, humiliation or torture of Iraqi detainees would be subject to US Federal Law. The legal status of US civilian 'security contractors' suspected of such crimes is unclear.

What is clear however is the responsibility of military commanders in such circumstances. Under military law, the force commander is responsible for all that occurs or fails to occur under his or her command. Military commanders may delegate authority to their subordinates in the field, but under no circumstances may they delegate responsibility. It is interesting to note that in relation to the allegations of the systematic abuse of Iraqi prisoners at Abu Ghraib Prison in Iraq, only a very small number of reserve personnel have been disciplined. One senior officer, Brigadier General Janis Karpinski, the reserve officer in command of the 800th MP Brigade has been relieved of her command. However, no member of the general staff at Centcom has been reprimanded, reassigned or forced to resign over what appears to be a glaring failure of command at force headquarters level.

Ironically, the non-combat reserve troops responsible for these criminal acts will most likely be repatriated to the safety of the United States in the coming days. In the meantime, US front-line troops engaged on check-point and patrolling duties throughout Iraq will be subject to the inevitable revenge attacks prompted by these images. Furthermore, Coalition soldiers, civilian contractors or aid workers captured in the field by Iraqi resistance groups in the coming months will face an uncertain fate. As the political implications of these abhorrent acts become clearer, members of the general staff at Centcom and perhaps senior members of George Bush's Whitehouse Staff may yet fall victim to this scandal.

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