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Abu Ghraib

by Truda Gray and Brian Martin

In April 2004, photos of torture and abuse at Abu Ghraib prison in Iraq were broadcast, causing revulsion and anger throughout the world. Abu Ghraib had been a notorious prison during the regime of Saddam Hussein, but the photos showed something different: this time it was U.S. soldiers who were the perpetrators. Their own photos revealed grotesque rituals in which prisoners were sexually humiliated, terrorized with dogs, and brutally restrained, accompanied by grinning and apparently shameless prison guards. The U.S. government had claimed the conquest of Iraq was a liberation from tyranny, but this graphic material suggested the new rulers were not living up to their espoused principles.

The revelations about Abu Ghraib seriously damaged the reputation of the United States. Polls in Arab countries showed that support for the U.S. occupation declined at a greater rate than usual, with most respondents believing Abu Ghraib was typical of a wider problem and that most U.S. people behaved like the prison guards.¹ In the United States, polls revealed an increase in opposition to the war generally.²

The Abu Ghraib story triggered a torrent of commentary as different groups tried to make sense of what had happened or to shape public perceptions of the events.³ While the U.S.

government disowned what it called the “abuse” at Abu Ghraib, sociological and historical studies have looked at the continuities of U.S. government practice, showing that the conditions for such behavior lay in policies going back decades.⁴

The very words “Abu Ghraib” have now become shorthand for the torture scandal. Understanding the policy background of the events is important, especially because most media reports treat the events at Abu Ghraib out of context. Here, though, we examine a different facet of Abu Ghraib: the tactics used by perpetrators and opponents to stifle or express outrage over torture and abuse.

In the following sections, we examine in turn each of the five areas of contention contained in the backfire model. In the conclusion, we sum up the implications of this analysis for understanding responses to torture and abuse.

Given the huge volume of material about Abu Ghraib, our examination is not intended to be comprehensive: rather than try to present every possible example in each of the five

1. Michael Hirsh, “Grim Numbers,” *Newsweek*, 15 June 2004.

2. John Ritter, “Poll: War Opposition Up amid Iraqi Abuse Scandal,” *USA Today*, 10 May 2004.

3. Lila Rajiva, *The Language of Empire: Abu Ghraib and the American Media* (New York: Monthly Review Press, 2005).

4. Jennifer K. Harbury, *Truth, Torture, and the American Way: The History and Consequences of U.S. Involvement in Torture* (Boston: Beacon Press, 2005); Gregory Hooks and Clayton Mosher, “Outrages against Personal Dignity: Rationalizing Abuse and Torture in the War on Terror,” *Social Forces* 83 (2005): 1627–45; Alfred W. McCoy, “Cruel Science: CIA Torture & U.S. Foreign Policy,” *New England Journal of Public Policy* 19 (2005): 209–62; Alfred W. McCoy, *A Question of Torture: CIA Interrogation, from the Cold War to the War on Terror* (New York: Metropolitan, 2006).

areas, we select a range of illustrations of the techniques. Further investigations and revelations about Abu Ghraib will take place, throwing new light onto the tactics used to contain or express outrage. Indeed, further investigations and revelations will be part of the ongoing struggle over the significance of Abu Ghraib. This struggle is likely to continue for years and even decades after the events themselves.

Cover-up and Exposure

Cover-up at Abu Ghraib is best understood in the context of cover-up at all U.S. prisons in the “war on terror.” U.S. authorities have sought to cover up as much as possible of their activities at prisons in Guantánamo Bay, Afghanistan, Iraq, and other countries involved in their rendition policy. Furthermore, they hold some prisoners at secret locations: even the existence of these prisoners is kept secret. The prisons at Guantánamo, Afghanistan, and Iraq are physically remote from the United States, and off limits to journalists. These basic features of the prisons are enough to indicate the centrality of secrecy to their operation.

One of the few groups permitted access to these U.S. prisons is the International Committee of the Red Cross (ICRC). However, U.S. authorities tried to stop ICRC spot visits to Abu Ghraib.⁵ They also held some “ghost” detainees in secret, away from the ICRC.⁶

These measures limited public awareness of prison abuses, but could not stop all information leaking out. Prisoners, after their release, could tell about their ordeals. For example, British citizens imprisoned at Guantánamo were all released at the request of the British government and subsequently many of them

spoke openly with journalists and others.⁷ Human rights groups are active in collecting testimony about abuses in prisons.⁸

However, evidence gleaned from prisoners received relatively little attention in the mass media, being especially rare in the U.S. media. For example, in 2003 there were reports of torture at numerous U.S. foreign prisons, but they did not reach the media threshold for a major story in the U.S. media.⁹

Prior to April 2004, most reporting about human rights abuses in U.S. foreign prisons was framed by the perspective of the U.S. government: official reassurances were reported without much critical commentary, and the issue of torture received little attention. Evidence of torture in these foreign prisons was not sufficient to move coverage from elite framing to event-driven framing.¹⁰ In effect, the mass media aided in a de facto cover-up.

The Abu Ghraib photos were the key to breaking through the media’s usual orientation to government framing. Suddenly the treatment of prisoners was a huge story. Even so, the mass media did not report everything they could have. Only some photos were published. Many of those published were cropped so they

7. David Rose, *Guantánamo: The War on Human Rights* (New York: New Press, 2004).

8. Human Rights Watch, *The Road to Abu Ghraib* (New York: Human Rights Watch, 2004).

9. Rajiva, *Language of Empire*; “Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Person by the Geneva Conventions in Iraq During Arrest, Internment and Interrogation,” in *The Torture Papers: The Road to Abu Ghraib*, ed. Karen J. Greenberg and Joshua L. Dratel (Cambridge: Cambridge University Press, 2004), 383–404.

10. Elite and event-driven framing were discussed in chapter 5, drawing on Regina G. Lawrence, *The Politics of Force: Media and the Construction of Police Brutality* (Berkeley: University of California Press, 2000).

5. Mark Danner, *Torture and Truth: America, Abu Ghraib, and the War on Terror* (New York: New York Review Books, 2004), 216.

6. Josh White, “U.S. Generals in Iraq Were Told of Abuse Early, Inquiry Finds,” *Washington Post*, 1 December 2004: A01.

did not show the presence of other U.S. personnel and thus did not reveal wider official involvement in the actions.¹¹

CBS's *60 Minutes II*, having obtained the photos, delayed broadcasting them at the request of the Pentagon. It required the impending publication of Seymour Hersh's story about Abu Ghraib in *The New Yorker* to prod CBS into action. After Hersh's story and accompanying photos were published, all major U.S. newspapers followed.¹² De facto cover-up can sometimes occur when major outlets do not want to rock the boat, but there is a countervailing pressure: the desire to break a major story. Therefore, investigative journalists and courageous editors, by breaking through usual mass-media orientation to elite perspectives, play a central role in the exposure of injustice.

With the publication of the photos, the primary methods of cover-up had failed dramatically and the U.S. government had to resort to rearguard actions to limit the damage. In this, cover-up continued to be a key tactic.

After the mass media published photos, U.S. officials tried to get them to stop, arguing among other things that it was unpatriotic and endangered U.S. troops.¹³ They prevented hundreds of photos and videos from being circulated.¹⁴ The photos were thus the focus of a continuing struggle over cover-up and exposure, a struggle that continues today, given that some of the most graphic images have never been broadcast.

A parallel struggle over cover-up and exposure took place over textual materials about

Abu Ghraib. The report by Major General Antonio M. Taguba¹⁵ on treatment of prisoners at Abu Ghraib was extremely damaging to the U.S. military. Authorities tried various means to limit its circulation. Defense Under Secretary Douglas Feith banned discussion of the Taguba report within the Pentagon itself, despite it being widely available. After the report was leaked and reported by the media, Feith warned staff not to read or even mention it. The report itself was classified secret by the Defense Department. When the report was sent to Congress, one-third of its 6,000 pages were missing — supposedly due to an “oversight.”¹⁶

Although the Pentagon has formidable powers to control information, in this case its efforts were insufficient. It is worth noting the many players and activities in the communication process leading to exposure. In the early stages, the ICRC and human rights groups were able to gather information from ex-prisoners and other sources to produce damning reports. There were two key roles in this aspect of exposure: credible witnesses and credible groups to document and communicate their stories.

The photos played a crucial role in exposure. They were made possible by cheap digital technology and the willingness of soldiers to capture their own behavior in images: their treatment of the prisoners appeared to be an occasion for boasting rather than for being ashamed. This insensitivity to what would cause outrage, and thus what needed to be covered up to prevent it, laid the

11. Susan Sontag, “Regarding the Torture of Others,” *New York Times*, 23 May 2004.

12. David Remnick, “Introduction,” in Seymour M. Hersh, *Chain of Command: The Road from 9/11 to Abu Ghraib* (London: Allen Lane, 2004), xviii.

13. Sontag, “Regarding the Torture of Others.”

14. Matt Welch, “The Pentagon’s Secret Stash: Why We’ll Never See the Second Round of Abu Ghraib Photos,” *Reason*, 36(11) (2005): 18–19.

15. Antonio M. Taguba, “Article 15–6 Investigation of the 800th Military Police Brigade (The Taguba Report),” in Danner, *Torture and Truth*, 279–328; also in Greenberg and Dratel, *Torture Papers*, 405–556; also in W. Frederick Zimmerman, ed., *Basic Documents about the Treatment of the Detainees at Guantánamo and Abu Ghraib* (Ann Arbor, MI: Nimble Books, 2004), 1–38.

16. Michael Hirsh and John Barry “The Abu Ghraib Scandal Cover-Up?” *Newsweek*, 7 June 2004, p. 34.

foundation for a scandal of enormous proportions. (In principle, someone *opposed* to what was occurring might have taken photos in order to expose it, but this apparently did not take place at Abu Ghraib.)

The next stage in the communication chain was Joseph M. Darby, a soldier not involved with abuse. Asking for information about a shooting incident, he was given, by Charles A. Graner, Jr., two CDs that Darby found filled with disturbing images of prisoners. After confronting Graner, Darby gave the CDs to the Army's Criminal Investigation Command. The story might still have remained dormant except for the willingness of individuals in CID to take the issue seriously and instigate an investigation. Major General Taguba also played a key role.

Then there was journalist Seymour Hersh, who broke the story in *The New Yorker*.¹⁷ (Hersh had also played a key role 35 years earlier in breaking the story of the My Lai massacre during the Vietnam war.) Hersh relied on many anonymous informants who gave him confidential information and leaked documents to him. Hersh and his supportive editors and colleagues at *The New Yorker* — including fact-checkers — gave the story sufficient credibility to break any remaining reluctance of the mainstream media to cover the story.

Key Abu Ghraib photos have become so familiar that they now serve as symbols of abuse. This makes it hard to realize that they might never have been revealed or that the story might have remained on the back pages. The prominence of the Abu Ghraib story is the contingent outcome of a struggle over cover-up and exposure. Some months later, a brief story appeared reporting that photos had also been taken at Bagram prison in Afghanistan, but in the wake of the Abu Ghraib scandal these had been destroyed. It is likely many other atrocities, similar to Abu Ghraib, have occurred but remain hidden.

To sum up, the key elements in cover-up — both successful and less successful — were: isolation, namely preventing outsiders access to the prisons or to information about them; conventional media framing oriented to elite perspectives; and censorship. The key elements in exposure were: witness reports and information-gathering by concerned groups; vivid, damning images; soldiers willing to report on and to genuinely investigate evidence of wrongdoing; people willing to leak the information; journalists and editors willing to run the story.

Devaluation and Validation

In all U.S.-run prisons outside the United States, devaluation occurred through labeling. The very designation “war on terror” implies prisoners are “the enemy” — the opponents in the so-called war — and terrorists. Further, calling those held “detainees” suggests even fewer protections than referring to them as prisoners.

International law, such as the Geneva Conventions, provides formal protection for prisoners. For prisoners in Afghanistan and Guantánamo Bay, the U.S. government adopted a new label, “unlawful combatants” (or “enemy combatants”) arguing that the Geneva Conventions did not apply because al Qaeda was not a conventional army. This line of argument has been contested by legal scholars; the point here is that, in relation to international norms for treating prisoners, the new label signified a further devaluation of those designated. The term “unlawful combatants” was also used in Iraq, even though the original justifications for using it did not apply there.

Devaluation is far easier when the target is a faceless abstraction. By restricting access to the prisons, the U.S. administration helped maintain the image of a cruel, malevolent, ruthless enemy who deserved no rights. Isolation of those imprisoned thus served both as cover-up and devaluation. Most of those arrested were presented as alien to European-Americans: from another culture, adherents to

17. Hersh, *Chain of Command*, incorporates stories from *The New Yorker*.

a different religion, from a different ethnic group — and generally presented as inferior.

The prisoners at Abu Ghraib were given a variety of negative labels: terrorists, insurgents, rebels, towelheads, suspects. U.S. Senator Inhofe stated, “you know they’re not there for traffic violations.”¹⁸

Challenging devaluation, human rights groups proceed on the assumption that all humans have intrinsic rights. Those who promote the application of international law are in essence arguing the same: the prisoners are humans like anyone else and deserve the same rights.

Abstract argument and information can help validate targets of attack, but far more powerful is humanization through stories and images. Some of the prisoners at Guantánamo were citizens of countries such as Australia, Britain, and Germany. Journalists were able to write stories about them using photos, quotes from relatives and friends, and comments from lawyers. This personalized these individuals and, in the eyes of many, made their treatment seem more worthy of concern.

The photos from Abu Ghraib made the prisoners seem much more real: they were flesh-and-blood people and no longer abstractions. In many of the photos, prisoners’ heads were covered or their faces not presented, thereby limiting identification with the victims. Photos showing the faces of prisoners were especially powerful in awakening empathy, such as the image of a terrified Iraqi prisoner face to face with an aggressive attack dog. Many photos showed prisoners in humiliating poses, which in general would not be considered positive imagery — compared for example to photos of a graduation, wedding, or family gathering — but nevertheless this offered a greater opportunity for identification and validation than abstract labels.

At the same time, the beaming faces of U.S. prison guards were conspicuous in many photos. Some articles included attempts to explain their actions, though seldom to justify

18. Quoted in Sontag, “Regarding the Torture of Others.”

them. In a rare news-page reference to social science experimentation, the 1971 prison simulation run by Philip Zimbardo and colleagues at Stanford University was described. In this pioneering and eye-opening study, U.S. male university students were randomly allocated the roles of prisoner or guard in a simulated prison. The experiment was terminated after less than a week because participants had dangerously adopted behaviors corresponding to their roles.¹⁹ The implication of this study is that ordinary members of the U.S. public can become abusive in an environment that sanctions or encourages such behavior: hence, the Abu Ghraib guards were responding to their circumstances. What is striking is how seldom such an analysis is applied to behavior at conventional prisons or to the behavior of terrorists.

In summary, prisoners at Abu Ghraib were devalued by being categorized as enemies in the war on terror (and hence implicitly as terrorists), by being placed in the new classification of unlawful combatant that allegedly exempted them from human rights protections, by being seen as undesirably alien in race and religion, and by remaining abstractions through prevention of personal contact. These techniques of devaluation were countered by civilizing human rights discourses, by information about the innocence of many prisoners, by personal stories of some prisoners, and most of all by the photos showing real people.

Interpretation Struggles

In relation to Abu Ghraib, reinterpretation was minimal prior to the publication of the photos, but arguments proliferated subsequently.²⁰ The instinctive response of many observers was that the actions at Abu Ghraib were disgusting and deplorable. The task of those seeking to minimize the damage from these exposures was difficult, but followed a predictable pat-

19. Philip G. Zimbardo, “Stanford Prison Experiment,” <http://www.prisonexp.org/> (accessed 29 June 2006)

20. Rajiva, *Language of Empire*.

tern. We look briefly at the key interpretation techniques used by U.S. officials.

In a few cases, events were relabeled into nonexistence: some of the deaths at Abu Ghraib, and other prisons, were said to be due to natural causes, despite evidence of physical abuse.²¹

A key form of redefinition was to say the actions at Abu Ghraib did not constitute torture. Memos within the U.S. government argued that many of the techniques used in interrogation should not be classified as torture.²² So far as most human rights legal experts were concerned, these reclassifications did not conform to international laws on torture.

U.S. government officials never used the word torture but instead referred to “abuse” and “humiliation.” The mass media mostly followed the government’s terminology, so the prevailing term became “abuse.” This linguistically reinterpreted the events as far less serious than would be suggested by “torture.” There were other euphemistic descriptions of what had occurred, such as “setting conditions” or “loosening up” for interrogation.

One of the central issues involving interpretation was whether Abu Ghraib was an isolated incident or represented a commonplace and pervasive practice. The government pushed the isolated-incident explanation, saying the photos portrayed the actions of a few rogue guards in just one prison block. U.S. Secretary of Defense Donald Rumsfeld declared it was “an exceptional, isolated” case.²³

Responsibility for this isolated incident was sheeted home to a few lower-level troops. These perpetrators were said not to be representative of the Army, of the United States, or of the country’s “true nature.” Only the lower ranks were blamed: they were said to be oper-

ating without any encouragement by superiors. Pentagon officials said it was a matter of individual misconduct, of lack of discipline.

The dominant government line served to blame aberrant individuals and to distance the government itself from any responsibility. But this was challenged by rival interpretations. Some of the soldiers involved, such as Charles Graner, Jr. and Lynndie England, said they were only following orders.

Those who gave a more structural explanation of Abu Ghraib referred to reports of similar treatment occurring in Afghanistan, Guantánamo, other prisons in Iraq, and elsewhere. They also referred to a history of policy development and application of interrogation techniques that portrayed Abu Ghraib as a logical outcome rather than as an anomalous incident.²⁴

Following revelations that something bad had happened, the next question was who or what to blame. As indicated, the main candidates were the individual soldiers, and possibly the line of command and top policymakers. But there was also another possibility: blame those who revealed the abuse, including the media and even the general public. George Bush said he was sorry for the damage to the image of the United States and Donald Rumsfeld said the photos would tarnish the reputation of U.S. troops, evincing more concern about damage to U.S. interests than about damage to Abu Ghraib prisoners.²⁵

To sum up, the meaning of the Abu Ghraib photos was not self-evident but rather the subject of an ongoing struggle. A few commentators said the matter was not all that serious.²⁶ Those who wanted to minimize the

21. Human Rights Watch, *Road to Abu Ghraib*, 28–29.

22. Danner, *Torture and Truth*; Greenberg and Dratel, *Torture Papers*.

23. Human Rights Watch, *Road to Abu Ghraib*, 1.

24. Harbury, *Truth, Torture, and the American Way*; Hersh, *Chain of Command*; Hooks and Mosher, “Outrages against Personal Dignity”; McCoy, “Cruel Science”; McCoy, *A Question of Torture*.

25. Robert Plummer, “US Powerless to Halt Iraq Net Images,” *BBC News*, 8 May 2004.

26. Dick Meyer, “Rush: MPs Just ‘Blowing Off Steam’,” *Against the Grain* (CBS News), 6 May 2004.

seriousness of the events referred to “abuse” rather than “torture.” They blamed a few deviant troops who were said to be misbehaving in a single cell block.

The contrary interpretation was that Abu Ghraib revealed torture that had become tolerated or even encouraged by high-level policies, and which represented the tip of an iceberg of atrocities.

Official Channels

The Abu Ghraib exposures led to numerous inquiries, including at least ten general inquiries plus more than a hundred individual investigations.²⁷ Most of these were by the U.S. military itself, with all the limitations of internal inquiries, including limited public access to the proceedings and findings. In the case of a significant investigation by George R. Fay,²⁸ military procedure did not allow the inquiry to hold anyone accountable above the level of the investigating officer, in Fay’s case Major General, and the same sort of restriction applied to several other investigations.²⁹

The inquiries varied in the depth of their analysis and the breadth of their recommendations. Some, such as the report by James R. Schlesinger,³⁰ said responsibility for Abu Ghraib went all the way to the top. But a

27. Seymour Hersh, “The Unknown Unknowns of the Abu Ghraib Scandal,” *Guardian*, 21 May 2005.

28. George R. Fay, “AR 15–6 Investigation of the Abu Ghraib Detention Facility and 205th Military Intelligence Brigade (U),” in Danner, *Torture and Truth*, 436–579; also in Greenberg and Dratel, *Torture Papers*, 1018–131.

29. Hirsh and Barry “Abu Ghraib Scandal Cover-Up?”

30. James R. Schlesinger, “Final Report of the Independent Panel to Review DoD Detention Operations (The Schlesinger Report),” in Danner, *Torture and Truth*, 329–402; also in Greenberg and Dratel, *Torture Papers*, 908–75.

strong recommendation was one thing; acting on it is another. A strong recommendation suggests the system is working to deal with its own problems, but this may be an illusion when implementation is piecemeal, purely symbolic, or nonexistent.

There were some hard-hitting reports, but their impact was muted by their internal nature. The Taguba report was a courageous treatment; its major impact, though, was the result of being leaked to the media and providing authoritative support for what was apparent in the photos.

It is worth noting the sorts of inquiries that were *not* carried out. There were no well-funded independent inquiries and no televised hearings — and no prosecutions for war crimes. To our knowledge, there were no inquiries to determine whether and which Iraqis held at Abu Ghraib had been mistakenly or falsely detained, or to determine whether to offer anyone compensation for ill-treatment.

There were accusations made against many soldiers, but many were not punished judicially, with over 70% of official actions being administrative punishment.³¹ Brigadier General Janis Karpinski, commander of the Abu Ghraib prison at the time, was relieved of her command, but all other officers were cleared and no civilian policy-makers were even charged. No one was charged with torture or war crimes. Some charges were dropped, but only a few soldiers were sentenced. From media stories, it would have been easy to gain the impression of a flurry of prosecutions. However, due to the large number of disparate cases, it was difficult to grasp the scale and pattern of outcomes. In other words, it would be easy to gain the impression that the system was working, but exactly how was not clear.

Our argument is that the inquiries and trials gave the appearance of providing justice without providing much substance. One key

31. Amnesty International, “One Year after Abu Ghraib, Torture Continues,” 28 April 2005; Dave Moniz and Tom Squitieri, “U.S. Works to Repair Damage of Abu Ghraib,” *USA Today*, 27 April 2005.

impact of the numerous investigations and trials was to dampen public anger. Officials seemed to be doing something, though the complexity, slowness, and technicalities meant few could follow the details even of those procedures in the public domain. This fits the pattern of other cases in which official channels are used by perpetrators in a way that dampens outrage. But Abu Ghraib reveals another dimension to the failure and facade of official channels: members of the Bush administration went to considerable effort to ensure that laws could not be used against them.

In the aftermath of 9/11, key members of the administration wanted to use tougher forms of interrogation but were concerned about international law. Their response was to solicit legal opinions that expanded what was deemed legal interrogation practice short of torture, in effect redefining torture.³² (Most independent human rights experts condemn this.) The U.S. administration admitted the Geneva Conventions applied in Iraq, but violated them all the same. Although the designation “unlawful combatant” did not apply to the circumstances in Iraq, the practices in prisons in Afghanistan and Guantánamo were imported to Iraq as if it did.³³ Finally, the U.S. government refused to support the International Criminal Court, making extraordinary efforts to ensure it could not try U.S. citizens. President Bush in particular was exempt from legal scrutiny by the claim of presidential war powers. These were among the many actions taken well before Abu Ghraib to reduce the vulnerability of U.S. soldiers and both military and civilian commanders from independent legal scrutiny.

As a result, the numerous investigations and trials concerning Abu Ghraib took place within a legal and policy context in which top officials were exempted from challenge, at least so far as the administration could manage. The inquiries and trials mainly

targeted those at lower levels, thus complementing the administration’s interpretation that Abu Ghraib was an isolated incident involving misconduct by individuals.

In summary, in response to damaging revelations from Abu Ghraib, U.S. officials launched numerous investigations and prosecutions. Arguably, though, the net effect of these formal processes was more to dampen public concern than to implement substantive justice. Furthermore, the U.S. administration had previously made strenuous efforts to limit the vulnerability of officials to prosecution for torture and war crimes, in essence trying to ensure it could act with impunity and official channels would be toothless.

Intimidation and Resistance

Just as the attack on Iraq was a process of intimidation of the Iraqi people, torture at Abu Ghraib and elsewhere served to intimidate prisoners. Here, though, we focus on the use of intimidation against U.S. soldiers and civilians in relation to Abu Ghraib.

One key target was whistleblowers those who leaked information, who could expose wrongdoing at Abu Ghraib to wider audiences. In this regard, Douglas Feith, U.S. Under Secretary of Defense, sent a message to officials warning that leaks of the Taguba report were being investigated with the possibility of criminal prosecution. Indeed, Feith was said to have made his office a “ministry of fear.”³⁴ Similarly, Donald Rumsfeld established what was called a “command climate” in which bad news was not welcome.³⁵

Within the U.S. Army, threats of disciplinary action or other penalties were made against soldiers who spoke out. Some of the Army’s investigators seemed to pursue whistleblowers with greater eagerness than they did those alleged to have committed human rights violations, with threats of

32. Danner, *Torture and Truth*; Greenberg and Dratel, *Torture Papers*.

33. Hersh, *Chain of Command*.

34. Hirsh and Barry “Abu Ghraib Scandal Cover-Up?”

35. Evan Thomas, “No Good Defense,” *Newsweek*, 17 May 2004, p. 24.

prosecution made unless the names of whistleblowers were revealed.³⁶ After Sergeant Frank “Greg” Ford reported, to his commanding officers, witnessing torture by fellow soldiers, he was forcibly removed (“medivaked”) out of Iraq on psychiatric grounds, though psychiatrists subsequently pronounced him fully sane. Other military whistleblowers were treated the same way.³⁷

Intimidation itself is usually covered up, so the available evidence is only a sample of what actually occurs. But whatever its scale, intimidation was insufficient to keep a lid on what happened at Abu Ghraib, because there were a number of prisoners, soldiers, investigators, journalists, and publishers who were willing to speak out. Furthermore, many of them have spoken out about intimidation itself, making it an additional source of outrage.

Conclusion

In retrospect, it may seem inevitable that the well-documented events at Abu Ghraib would lead to public outrage. We have argued, though, that this outcome was never guaranteed, but rather was the result of a multifaceted struggle continuing to this day. The contingent nature of the Abu Ghraib struggle is shown by the parallel cases of prisons in Afghanistan, Guantánamo, and elsewhere in Iraq, in which there is evidence of similar treatment of prisoners but far less public outcry. The crucial difference is the release of photos from Abu Ghraib, which circumvented the usual processes by which wrongdoers prevent or minimize reactions to their actions. On the other hand, we should not assume the Abu Ghraib scandal, as it has occurred, was the worst possible outcome for the U.S. government: it is plausible that cover-up, devaluation, and other techniques prevented the scandal being even larger than it has been.

36. Tony Allen-Mills, “Witch-hunt Fears Stall New US Abuse Investigation,” *Sunday Times* (UK), 2 October 2005.

37. David DeBatto, “Whitewashing Torture?” *Salon.com*, 8 December 2004.

At U.S. prisons other than Abu Ghraib, secrecy more effectively prevented information from reaching wider publics. Some former prisoners told what had happened to them, but the media’s news values prevented this from becoming a major story. Information from prisoners failed to have impact because they were devalued — as terrorists, the enemy, and so forth — and because the U.S. government’s interpretation of actions and responsibility was treated as credible. No soldier who witnessed ill-treatment of prisoners at other prisons was able to achieve a high-profile stand in exposing what occurred.

In contrast, the Abu Ghraib photos cut through all these defenses. Their release broke through cover-up, constituting one of those exceptional events that challenges usual elite-oriented perspectives. With the images going directly to the public, the photos largely surmounted the obstacles of devaluation, reinterpretation, and official channels: viewers felt they could see and interpret the events themselves, without requiring much explanation. Finally, individuals in the chain through which the photos reached the public played their roles despite the possibility of reprisals.

Although the photos played a crucial role in turning Abu Ghraib into an international scandal, there has been nothing automatic about the trajectory of the case. As we have outlined, the U.S. administration and military command used a host of techniques to minimize outrage and direct it towards a few soldiers and away from senior officials and officers. But these efforts were inadequate: the Abu Ghraib events backfired on the U.S. government, causing far more damage than any benefit from intelligence gained or through intimidation of the Iraqi opposition to the U.S. occupation.

Acknowledgements

We thank Steve Wright for many valuable comments.