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Editor's Preface to the Fall Edition

Here at Elon University, we are extremely grateful to host *The Pi Sigma Alpha Undergraduate Journal of Politics* for the seventh semester. This Fall Elon University was given the opportunity to host the *Journal* for a second term. We are proud to present the Fall 2023 issue and congratulate all authors published in this issue for their high achievement.

This publication seeks to highlight the intellectual curiosity that leads to innovative scholarship in all subfields of political science, scholarship that addresses timely questions, is carefully crafted, and utilizes diverse methodologies. We are committed to intellectual integrity, a fair and objective review process, and a high standard of scholarship as we showcase the work of undergraduate scholars, most of whom pursue questions that have been traditionally ignored in scholarship but that drive our discipline forward.

Following the lead of the American Political Science Review (APSR) Editorial Board, we are excited to publish research in the areas of "American politics, comparative politics, international relations, political theory, public law and policy, racial and ethnic politics, the politics of gender and sexuality and qualitative and quantitative research methods." This publication also values the relationships formed through student-faculty collaboration and aims to build a culture of scholarship that expands beyond the college campus. We hope to encourage and empower students to seek out knowledge and pursue their potential, contributing to scholarship in a variety of disciplines.

This year, we thank our advisors Dr. Baris Kesgin and Dr. Aaron Sparks for their support, without which the issue would not have been possible. We would also like to thank the entirety of the Political Science and Policy Studies Department at Elon University; our Faculty Advisory Board; and all the students who shared their exceptional work with us this semester. Finally, we would like to thank our editorial board for the countless hours they have spent reading, dissecting and discussing all the submissions to the *Journal*.

We are excited to present the Fall 2023 edition of the *Journal*. Thank you for your continued support and readership of our publication; we hope you enjoy the Fall 2023 edition.

Sincerely,

The Editorial Board at Elon University

Submission of Manuscripts

The *Journal* accepts manuscripts from undergraduates of any class and major. Members of Pi Sigma Alpha are especially encouraged to submit their work. We strive to publish papers of the highest quality in all areas of political science.

Generally, selected manuscripts have been well-written works with a fully developed thesis and strong argumentation stemming from original analysis. Authors may be asked to revise their work before being accepted for publication.

Submission deadlines are September 15th for the Fall edition and February 15th for the Spring edition. Manuscripts are accepted on a rolling basis; therefore, early submissions are strongly encouraged.

Students may submit their work through Elon University's submission portal, found here: https://www. elon.edu/u/academics/arts-and-sciences/political-science/psa-journal/. Alternatively, students may email psajournalelon@gmail.com with an attached Word document of the manuscript. In the body of the email, students are asked to include their name and university, the title of the manuscript, and the closest subfield of political science to which their manuscript pertains (American politics, comparative politics, international relations, political theory, or policy studies). Due to the time committed to the manuscript review process, we ask students to submit only one manuscript per submission cycle.

Submitted manuscripts must include a short abstract (approximately 150 words) and citations/references that follow the *APSA Style Manual for Political Science*. Please do not exceed the maximum page length of 35 double-spaced pages, which includes references, tables, figures, and appendices.

The *Journal* is a student-run enterprise with editors and an Editorial Board that are undergraduate students and Pi Sigma Alpha members at Elon University. The Editorial Board relies heavily on the help of our Faculty Advisory Board, which consists of political science faculty from across the nation, including members of the Pi Sigma Alpha Executive Council.

Please direct any questions about submissions or the *Journal's* upcoming editions to the editors at Elon University: psajournalelon@gmail.com.

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Emma Hippler, University of Portland

Violations of the Laws of War: The Origins of War Crimes and the Torture at Abu Ghraib

Emma Hippler, University of Portland

The invasion of Iraq by the United States in March of 2003 and the extension of the War on Terror has garnered vast amounts of media and international attention in the many years since the onset of the war. While the commencement of the war and its continuation initially accumulated support from the American public, the subsequent exposure of human rights abuses and war crimes committed by the United States Army at Abu Ghraib in April of 2004 resulted in enormous amounts of backlash from various domestic and international communities. This event is one of the most notorious examples of war crimes committed by the United States military and this essay seeks to understand how and why these war crimes were able to occur by presenting six identifiable causes and conditions that led to the torture and human rights abuses of Iraqi prisoners: (1) direct authorization and pressure to produce results; (2) improper training and discipline; (3) continuous mortal endangerment and a high-stress environment; (4) "groupthink" and the normalization of violence and torture; (5) racist and anti-Arab sentiment; and (6) the dehumanization of prisoners.

INTRODUCTION

In March 2003, the United States invaded Iraq under the pretense of destroying Iraqi weapons of mass destruction and ending the regime of Saddam Hussein. Over a year into the war, in April 2004, CBS News aired anecdotal and photographic evidence of the abuse and torture of Iraqi prisoners at Abu Ghraib. As one of the most infamous examples of war crimes committed by the United States military, Abu Ghraib and the U.S. Army's actions received an abundance of domestic and international attention. Despite years of international and national laws and precedents regarding what is considered appropriate and legal wartime conduct, war crimes continue to occur during times of conflict. Given that the international community has operated for over a century under specific wartime laws and regulations, why do war crimes continue to occur? More specifically, what wartime conditions allow for the existence and permissibility of war crimes?

This question is important for a variety of reasons. First, being able to identify the factors, conditions, and causes of war crimes will arguably allow for better monitoring and prevention of such acts. While prevention can be hard to implement, as will be discussed further in the paper, conditions and factors to investigate during war and other armed conflict will help transnational communities and entities to identify areas to monitor and determine times to intervene. Second, a renewed attentiveness toward identifying and acknowledging war crimes and other crimes against humanity continues to be important well into the modern-day because it allows time for mediation of the conflict to take place along with creating conditions of accountability.

To investigate and understand the occurrence of the war crimes committed at Abu Ghraib, it is imperative to establish the basic scope of wartime conduct through the existing international laws and precedents for the prevention and examination of war crimes. An examination of national laws and regulations for the United States' wartime conduct and procedures for the prevention of war crimes and other violent crimes will follow. Further exploration of the culture of the United States military, as well as its permissibility towards violence will aid in the analysis of the case of Abu Ghraib within the context of the war in Iraq. Finally, following an investigation into the incidents at Abu Ghraib within the context of the pre-existing laws of wartime conduct, it can reasonably be argued that there are six causes and conditions for the abuse and torture of Iraqi prisoners that occurred at Abu Ghraib: (1) direct authorization and pressure to produce results; (2) improper training and discipline; (3) continuous mortal endangerment and a high-stress environment; (4) "groupthink" and the normalization of violence and torture; (5) racist and anti-Arab sentiment; and (6) the dehumanization of prisoners.

LITERATURE REVIEW

While it can be argued that violence in wartime and other armed conflict is both necessary and inevitable, there exist a variety of limitations on the extent of violence which may be exerted in conflict, mainly in relation to war crimes and other instances of crimes against humanity. These limitations are broadly understood on an international scale and are viewed as important limitations to violence and unnecessary

harm during war. Nonetheless, war crimes and other crimes against humanity have not ceased despite international laws and regulations deeming them despicable and fundamentally unnecessary. Furthermore, despite the existence of written limitations from both domestic and international governing bodies concerning the exertion of violence against civilians or other populations during armed conflict, instances of war crimes throughout history and into the present day remain common. According to the World Summit Outcome Document (WSOD), which affirms the responsibility of UN Member States to protect populations from war crimes and instances of crimes against humanity, "it is likely that war crimes are committed in nearly all armed conflicts" (Hubert and Blätter 2012, 59). Policies that have been in place since the beginning of the 20th century have provided an important framework for the lawful wartime conduct of those involved in conflict; however, it has done little to fundamentally prevent the occurrence and existence of war crimes.

International Law and Precedents

As is understood by many scholars and observed in historical precedents, violence in warfare and during wartime is common and arguably inevitable at times. Nonetheless, rules, regulations, and laws regarding military conduct during wartime and the application of violence toward a population or to attain a goal have been previously established and enforced by governing bodies and agencies, as is the case within the international community as a whole and the United States military. Among the international community, "international treaties and customary international law" have been established since the beginning of the 20th century with the Hague Convention of 1907 which "generally prescribed rules of conduct for armed forces," as well as the Geneva Conventions of 1949 which relate "to the protection of victims of international armed conflicts" and "the rights of protected persons, such as civilians and prisoners of war, in an international armed conflict" (Elsea 2022, 1).

While not all States within the international community are parties to these "treaties pertaining to the law of war, … many provisions are regarded as reflecting customary international law, which is binding on all states" (Elsea 2022, 1). More contemporary progress, after the widespread and "repeated failures of the international community to prevent and halt targeted attacks against civilian populations in the series of crises during the 1990s," has resulted in the creation of more international regulations and protections, such as the International Criminal Court (ICC) in 2002 and the World Summit Outcome Document (WSOD) of 2005 (Hubert and Blätter 2012, 34). Within these establishments, "[e]ach individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity," and the international community should encourage and aid States in exercising this responsibility. (World Summit Outcome Document 2005, 30).

An examination of the historical circumstances of war crimes and other crimes against humanity has placed high importance on the "specificity and precision" of internationally established laws and protections to allow for centralized and easily identifiable "perpetrators committing specific crimes against identifiable victim groups" (Hubert and Blätter 2012, 36-37). Thus, collective action from the international community, "in cooperation with relevant regional organizations," is of the utmost importance for preventing and ceasing any attacks directed toward civilian populations when "national authorities are manifestly failing to protect their populations…" (World Summit Outcome Document 2005, 30) The creation of the ICC, an organization that many countries have joined and thus fully denounced war crimes and other mass atrocities, has allowed for the international enforcement of the rule of law (Chung 2007, 229). Therefore, the existence of the ICC strengthens the potential for domestic punishment of war crimes, an "instrument that will always constitute the primary 'line of defense' against genocide and other crimes under international law…" (Chung 2007, 229).

War crimes, as first codified by the 1907 Hague Convention, are defined as "violations for which the perpetrators can be held individually liable under international criminal law" (Hubert and Blätter 2012, 54). The phrase "war crimes" has traditionally been associated with armed conflict between sovereign states and the provisions associated with the prevention of war crimes "are generally applicable only in cases of international armed conflicts" (Hubert and Blätter 2012, 55). Therefore, armed conflicts, either internal or international, must exist for war crimes and other serious violations of the laws and customs of legal wartime conduct to be committed (Rome Statute of the ICC 1998, 4-6). According to Common Article 3 of the 1949 Geneva Conventions, the "murder, torture, the taking of hostages and humiliating and degrading treatment" is prohibited, and such conduct constitutes a war crime (Hubert and Blätter 2012, 55).

While war crimes are generally regarded as a broad category of attacks against protected persons, it has been categorized according to the perceived objectives of the implemented prohibitions. The categories are as follows: (1) a broad range of attacks against "protected persons," such as the killing of non-combatants, broad mistreatment, humiliating treatment, forcible transfer, etc.; (2) attacks directed against humanitarian operations; (3) the extensive destruction and/or appropriation of property not justified by military necessity; (4) the use of particular weapons systems, such as poison gas; and (5) certain battlefield practices, such as the use of human shields, killing or wounding treacherously, and the issuance of the order for no survivors (Hubert and Blätter 2012, 57). According to Articles 3 and 4 of the 1949 Geneva Conventions, in the case of armed conflict, protected persons are classified through a variety of categories: civilians, any persons not taking part in hostilities, the wounded, the sick, the shipwrecked, and prisoners of war (Geneva Conventions

1949, Articles 3 & 4) Furthermore, it is officially viewed that the intent is what constitutes a crime, not the result, and, fundamentally, "there is no threshold in either the nature or scale above which violations are deemed to be war crimes" (Hubert and Blätter 2012, 58). Within the international community, there is a general consensus that there are "no exceptional circumstances, whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture" (Post 2011, 54). Even authorizations or commands "from a senior officer or a public authority may not be invoked as a justification of torture" (Post 2011, 54).

The Laws and Code of Conduct of the United States

Within the United States and according to the United States Army, the term 'war crimes' is the "the technical expression for a violation of the law of war by any person or persons, military or civilian" (Parks 1973, 20). The Army's Field Manual 27-10, originally published in 1956 and in place during the War on Terror and thereafter until its replacement by Field Manual 6-27 in 2019, concerns the Law of Land Warfare. FM 27-10 "provides some delineation by including the acts defined by the Geneva Conventions of 1949 as 'grave breaches'" of morally acceptable, legal wartime conduct (Parks 1973, 20). Moreover, FM 27-10 further describes that "it is the commander's responsibility to take all measures possible to prevent the commission of war crimes by subordinates; lack of administrative control and hence normal administrative remedies does not foreclose or preclude use of other measures" (Parks 1973, 81).

According to the United States Department of Defense's Law of War Manual, there exist three principles of the Law of War: military necessity, humanity, and honor. The Law of War principles can be utilized as "the foundation for the specific law of War rules" (Office of General Counsel Department of Defense 2015, 51). According to the Department of Defense, they "provide a general guide for conduct during war when no specific rule applies… [and] work as interdependent and reinforcing parts of a coherent system" (Office of General Counsel Department of Defense 2015, 51). As defined by the Law of War Manual, military necessity is "the principle that justifies the use of all measures needed to defeat the enemy as quickly and as efficiently as possible that are not prohibited by the Law of War" (Office of General Counsel Department of Defense 2015, 52). Furthermore, the principle of "humanity forbids actions unnecessary to achieve that object," as previously stated, and it is "the principle that forbids the infliction of suffering, injury, or destruction unnecessary to accomplish a legitimate military purpose" (Office of General Counsel Department of Defense 2015, 51). Finally, the principle of honor "demands a certain amount of fairness in offense and defense and a certain mutual respect between opposing military forces" (Office of General Counsel Department of Defense 2015, 65-66). These principles and

other laws related to the conduct of service members in active conflict and wartime have been nationally and internationally established by governing bodies, such as the Hague Convention of 1907, the Geneva Conventions of 1949, and the ICC.

Within the U.S. military, it is commonly agreed that there is a finite amount of instances where violence is applicable and, even then, "the obligation to apply violence [is] only for socially approved purposes in a socially approved manner" (Reinke 2006, 136). Furthermore, it is expected that all personnel and service members of the U.S. military act in accordance with service rules and regulations, as well as those of the Geneva and Hague Conventions (Reinke 2006, 136). Under Article 144 of the 1949 Geneva Conventions, all soldiers in active combat are required to have learned the principles of the Conventions and have previously been taught the wartime responsibilities regarding the rights of protected persons (Geneva Conventions 1949, Article 144). Thus, given the requirements that signatories have undertaken, any service members who have committed grave breaches of the Conventions are liable for their actions under both American and international law. Among any branch of the U.S. military, there is consensus that accountability and responsibility for proper conduct rests on everyone and everywhere regardless of rank or training.

Furthermore, those in command or high-ranking personnel "have an obligation to exercise proper control over their forces and therefore are held accountable for all illegal actions by their subordinates… [including] actions they ordered, permitted, tolerated, or observed" (Reinke 2006, 138). In the U.S., under both national and international law, "everyone has the responsibility to treat detainees humanely… even if a soldier has been given an order to torture or abuse prisoners, there is a positive duty to refuse to obey the order" (Reinke 2006, 145). If such norms are violated, those who exerted unnecessary violence or abused prisoners are responsible for their own actions.

Prioritization, Prevention, and Punishment

Although these conventions and laws related to the fundamental protection of human rights exist, unjustifiable crimes committed by acting military service members have continued throughout history and into contemporary times, especially considering that the machinery of war is widespread across the globe. It is commonly accepted that "crimes against humanity and war crimes are commonplace in the modern world" (Robinson 1999, 277). Many scholars therefore agree that it should be a higher priority for the international community to work to prevent war crimes and other crimes against humanity. Among the international community, "there is near-consensus on prioritizing prevention but little focus on priorities for prevention" (Hubert and Blätter 2012, 32). While there is agreement that more needs to be done to prevent war crimes and actively ensure successful interventions, investigations, and ends to conflict, should

prevention be unsuccessful, there are a variety of obstacles that have been acknowledged by scholars. Most notably, in the absence of proper prevention of war crimes, there are inherent struggles in "conducting field investigations within the war zone, of providing adequate protection to victims and witnesses within that zone, and of keeping ICC field staff safe" (Chung 2007, 232).

Despite the dangers of intervention and proper investigation, the perceived benefit is too important to ignore; by intervening, there is a "possibility of maximizing the opportunity to have a preventive effect on the conflict, rather than letting the violence run its course before attempting to punish the perpetrators of past atrocities" (Chung 2007, 232). Furthermore, to continue to aid in the prevention of war crimes, a necessary priority is to deepen and reinforce "a truly global system of accountability, rather than reliance on the latest instrument or 'international judiciary organ'" (Chung 2007, 235). Nonetheless, while much work has historically been done to aid in the prevention of war crimes, there still exists "the hardest and most eternal problem: that of generating the political will within the international community to bring perpetrators to justice" (Chung 2007, 241). The ability of an international body to fully respond to war crimes and ensure the future prevention of related atrocities remains firmly intertwined with the will and power of states. Frustration with the stagnation of proper prevention and response to war crimes is further exacerbated by the fact that while valuable work is being done, many of the international community's actions "are essentially retrospective in character, having been set up [or employed] after the situation has already reached disastrous proportions and after gross human rights violations has been committed on a large scale" (Robinson 1999, 278).

However, pre-dating the U.S.'s invasion of Iraq and the war crimes perpetrated at Abu Ghraib, the Bush administration attempted to undermine the effectiveness of the ICC by announcing in May 2002 "that it would 'unsign' the treaty to establish the Court," the Rome Statute (Johansen 2006, 302). Furthermore, in an attempt to gain exemptions for the international conduct of its citizens, the U.S. withheld "support for UN peacekeeping unless US citizens are exempted from international enforcement," and continued to press "other countries to sign treaties exempting US citizens from Court proceedings and cutting US assistance" (Johansen 2006, 301). The Bush administration's actions in 2002 made "it more difficult to enforce the laws prohibiting genocide, war crimes, and crimes against humanity," a frustrating aspect of international cooperation for the protection of people as previously discussed (Johansen 2006, 301). It became increasingly obvious that the U.S., under the Bush administration, was "not comfortable with constraints imposed on them by the Geneva Conventions on treatment of prisoners," despite almost a century of previously operating under such definitions (Johansen 2006, 326). Therefore, it

was understood that the Bush administration adjusted its priorities towards the exemption of the powerful, rather than the protection of the innocent. In combination with severely lacking prioritization for the prevention of war crimes, the Bush administration actively and knowingly undermined the abilities of the ICC to punish and try those involved with violent war crimes.

The Military Culture of the United States and its Permissibility of Violence

As previously discussed, it can be reasonably argued that "the U.S. military may have one of the best-articulated, most consistent set of professional values today" (Reinke 2006, 135). Nonetheless, many aspects of its culture have served to further the obedience, aggressive behavior, and desensitization to violence of its service members. By utilizing recruitment and training strategies, the U.S. military has been able to promote violence and aggressive behavior, which translates from training to live combat. However, while the strategies of recruitment and training "are not specifically designed to produce torturers, they are designed to promote an aggressive military subculture and produce a tight-knit, obedient workforce that will carry out violence on command," even extreme abuses and torture if they are commanded to do so (Lankford 2009, 389).

Military training itself aims to produce obedient, diligent, and aggressive soldiers to perform violent tasks in war and where needed. The U.S. military aims to recruit "people who share its aggressive warrior ideology, perhaps because they will most naturally adopt the military's philosophy" (Lankford 2009, 389). Furthermore, once recruited, high-ranking service members in charge of oversight "are explicitly encouraged to incite aggressive responses from young male recruits, challenging them by suggesting that they may be too weak to handle basic training," as well as capitalizing on recruits' fears during basic training (Lankford 2009, 389). Beyond simply invoking aggression during training, "recruits are also desensitized to the idea of killing… which makes it easier for them to act violently in ways they would have previously found extremely difficult" (Lankford 2009, 390).

Finally, obedience is equally developed among service members through excessively strict regulations and orders "so that recruits get used to complete and total obedience, even when their orders seem irrational," while also ensuring that the thought of disobeying an order, despite its moral implications, translates into an act of betrayal and abandonment of one's peers. (Lankford 2009, 390). Fundamentally, recruits of the U.S. military are indoctrinated into aggressive military ideology during basic training, where they are further taught how to be a soldier, act obediently, exert violence where needed, and kill when required. Therefore, it can be reasonably asserted that a soldier's "aggressive behavior is not rooted in their dispositions, but is instead the product of systematic and situational factors"

induced during their training and exacerbated in their environment (Lankford 2009, 388).

Combined with training to become an aggressive yet obedient soldier, the culture of the U.S. military is fundamentally aggressive itself and permissible towards violence so long as it serves their goals and does not impede negatively on their institutions. Moreover, while "violent conflict has been a mainstay of the history of mankind, it is also true that the modern world has struggled to limit, constrain, and to establish criteria that sanction the use of violence in the name of the state and society" (Adams 2006, 681). In combination with an already violent military and military culture, violent conflict as a common occurrence becomes even more dangerous and a prime environment for the existence of war crimes. It is agreed by many that "despite the existence of codes and orders designed to limit suffering, the violence that is inherent in war defies constraint even in the most well-trained and disciplined armies…" (Adams 2006, 681). A vast amount of literature exists regarding the pervasiveness of war crimes during armed conflict and wartime as a result of situational factors and learned ideology. Regardless of international agreements for the implementation of global governing bodies for accountability and the recognition of the extensiveness of war crimes during armed conflict, there still remains a fundamental and pervasive violent military culture that perpetuates forums in which violent war crimes may occur.

CASE STUDY

Abu Ghraib

As the site of one of the most heinous war crimes committed by the United States military, Abu Ghraib is a notorious and recognizable name among Americans and the broader international community. The vast prison complex, a known torture chamber before the United States' invasion and former possession of Saddam Hussein, was infamous throughout the 1970s under the command of Hussein's regime. Following the regime's collapse, the prison was stripped and the majority of what was used to construct it, such as bricks and doors, was removed. Upon assuming control of the maximum-security prison in 2003, the U.S. military re-installed basic amenities and renovated the prison itself, including outfitting it with a new medical center. Despite coming under new control after the U.S. invasion of Iraq, its legacy of torture, poor living conditions, and abuse of detainees remained the same. In June of 2003, Commander Janis Karpinski was placed in charge of the prison despite never having run a prison system before, a common theme among the service members assigned to Abu Ghraib. Karpinski "was in charge of three large jails, eight battalions, and thirty-four hundred Army reservists, most of whom, like her, had no training in handling prisoners" or managing a prison (Hersh 2004, 1).

While the exact number of Iraqi detainees has remained in contention since the abuses first came to light, many scholars assert that the prison itself "was built to contain 4,000 detainees… [yet] in the fall of 2003, when the worst abuses occurred, Abu Ghraib was critically overcrowded and contained roughly 10,000 detainees" (Heurich 2009, 183). Within the maximum-security prison, "there were about 90 military guards in charge of supervising the 10,000 prisoners, a ratio of about 111 to one" (Heurich 2009, 183). Despite the intention of using the prison to detain criminals or those who posed a risk to the U.S. military, most of the prisoners "were civilians, many of whom had been picked up in random military sweeps and at highway checkpoints" (Hersh 2004, 1). The reality of the imprisonment of many Iraqis is that they "were arrested in disorganized sweeps without any cause in the pursuit of an illusory and unrealistic strategy to obtain intelligence to stop an insurgency" (Mestrovic 2012, 64).

Upon their processing within the prison, all detainees were classified into three broad categories, such as "common criminals; security detainees suspected of 'crimes against the coalition'; and a small number of suspected 'high-value' leaders of the insurgency against the coalition forces" (Hersh 2004, 1). However, the actuality "was that thousands of innocent Iraqi civilians were swept up into mass incarceration at Abu Ghraib and had no valuable intelligence," despite U.S. intelligence stating otherwise (Heurich 2009, 186). Many scholars and service members assert that in an active combat and high-stress environment, true differentiation between those imprisoned was difficult to conduct, meaning that "there were few distinctions in treatment received between" those imprisoned, despite the likelihood that most of them were not involved in terrorist activities or had meaningful intelligence for the U.S. Army (Heurich 2009, 182).

Before the realities of the prison and the fundamental institutional failures of the U.S. Army were publicized and known on a world stage, U.S. service members participated in a variety of torture and interrogation techniques without prior training, most of which were heavily documented in photographs. The abuses, documented photographically and otherwise recorded, entailed the physical abuse of detainees (by service members themselves or using other objects), forced nudity for various durations of time, videotaping and photographing naked male and female detainees, forcibly arranging naked detainees in sexually explicit positions, sodomizing detainees with various objects, both the threat and act of raping male and female detainees, using various psychological torture techniques, and other acts of abuse and torture. (Taguba 2004, 16-18) According to Major General Antonio M. Taguba, the "systematic and illegal abuse of detainees… was perpetrated by soldiers of the 372nd Military Police Company…" (Hersh 2004, 1). It has been proven that "at Abu Ghraib, the government tried to obtain intelligence through torture even though, by the government's own admission in court, over 90% of the inmates had no intelligence to give, and existing Army manuals prohibited torture" (Mestrovic 2012, 64).

A multitude of service members faced charges of "conspiracy, dereliction of duty, cruelty toward prisoners, maltreatment, assault, and indecent acts" (Hersh 2004, 1). The abuse perpetrated by the 372nd appeared to many as routine, "a fact of Army life that the soldiers felt no need to hide" (Hersh 2004, 2). The extensive amount of abuses and crimes committed by U.S. service members was widely publicized in April of 2004 when a variety of photos were aired on CBS News and "brought to the attention of the entire world images of prisoner abuse at the Abu Ghraib prison in Iraq" (Alkadry 2009, 135). These photos showcased a multitude of abuses endured by Iraqi prisoners, all of which were inhumane and disturbing to view. Some of these publications showed "leering G.I.s taunting naked Iraqi prisoners who are forced to assume humiliating poses," as well as U.S. service members "giving a jaunty thumbs-up sign and pointing at the genitals of a young Iraqi, who is naked except for a sandbag over his head, as he masturbates" (Hersh 2004, 2). Most notable were service members posing for photographs with the dead bodies of Iraqis.

There remains consensus among scholars, citizens of the U.S., and international communities that "the entire mission in Iraq was discredited by the abuse and subsequent dissemination of the photographs of abuse" (Mestrovic 2012, 64). The abuses endured by Iraqi prisoners at Abu Ghraib undermined the credibility of the United States military for years to come, arguably well into the modern day. While "the abuses at Abu Ghraib were not wholly pervasive throughout the prison, they were, nonetheless, acts of ill-treatment and torture that continued, unreported, for months," which fundamentally puts into question how these heinous acts happened and who is responsible (Heurich 2009, 191).

ABU GHRAIB: THE CAUSES

Direct Authorization and Pressure to Produce Results

All of the abuses of Iraqi prisoners that occurred in Abu Ghraib can be traced back to direct orders from the White House, Secretary of Defense Donald Rumsfeld, and Lieutenant General Sanchez, the senior officer in Iraq. The direct sanctioning of certain interrogation techniques from these authoritative figures catalyzed the abuses and torture that occurred in Iraq. Many scholars assert that "even without being specifically recruited and trained for violence—ordinary people will regularly and reliably carry out violence when they are authorized to do so," as is visible at Abu Ghraib (Lankford 2009, 390). The techniques authorized for use at Abu Ghraib included "forced nudity, hooding, yelling, shouting, loud music and light control… [which] are not cited in any previous Army manual for interrogation" (Mestrovic 2012, 65). Despite these being sanctioned by the highest authority in the U.S. military, President Bush, everything that was authorized was illegal and in direct contradiction to international laws and standards, as previously discussed.

President Bush, Secretary of Defense Rumsfeld, and Lieutenant General Sanchez are all culpable figures for the abuses and torture that took place at Abu Ghraib and for the fundamental "administrative failure that stretche[d] from Abu Ghraib prison to Washington, D.C." (Reinke 2006, 135). Before the invasion of Iraq, President Bush and his administration, the highest authorities in the U.S., declared that detainees in the War on Terror did not deserve the protections of human rights outlined by the Geneva Conventions (Heurich 2009, 186). Controversially, in the processing of detainees, a rudimentary system was developed to grant a select number of detainees human rights protections, whereas others had none under the Geneva Conventions (Heurich 2009, 181).

In January 2002, Rumsfeld declared "that the Geneva Convention restraints would not apply to interrogation of prisoners suspected of involvement in terrorist activities" (Post 2011, 58). Prior to specific authorization for the various abusive techniques and torture of prisoners, the Bush administration determined how Iraqis were to be treated in wartime, which promoted the ill-treatment of and violence towards Iraqis. Many high-ranking officers "authorized the use of more extreme interrogation tactics and restricted the rights of the prisoners," which greatly contributed to the torture of prisoners at Abu Ghraib and "led many subordinates in the field to believe that their abusive actions toward prisoners were appropriate" (Heurich 2009, 192).

Furthermore, there was an incredible amount of pressure placed on U.S. service members within Abu Ghraib to produce information and tangible results to combat terrorism, save their fellow soldiers, and safeguard the U.S. and its values. Lieutenant General Sanchez, who was on the ground and in charge in Iraq in 2003, continued to further the authorization for violence and violent interrogation of prisoners "to provide information on insurgent activities that could save the lives of American soldiers" (Lankford 2009, 392). The pressure, emanating from Washington D.C., negatively contributed to a high-stress environment, on top of the direct orders for harsh interrogations and violent techniques. Military intelligence officers (MIs) often instructed service members to brutally interrogate detainees under the pretense of "a moral imperative to save one's comrades, rather than as an ethically questionable order that requires brutal violence" (Lankford 2009, 392). American soldiers in Abu Ghraib were operating under the idea that it was imperative to extract functional intelligence from detainees "to help their comrades suppress a growing insurgency, find weapons of mass destruction, and prevent acts of terrorism" (Adams 2006, 690). The direct authorization, in combination with insistence on safeguarding the U.S. and its values, placed immense pressure on U.S. service members to commit heinous acts and war crimes under the pretense of eliminating threats to the morals and very existence of the U.S.

Improper Training and Discipline

According to previous studies conducted within the U.S. military, "the Army (FM 22–51, 1994) finds that misconduct is more common in poorly trained, undisciplined units" (Reinke 2006, 139). Not only were the U.S. Army units in charge of operating Abu Ghraib improperly trained in prison operation and management, but basic Army regulations and standards were not enforced on those commanding the prison. It was discovered that "the Army did not train the members of the 800th Military Police Brigade or its subordinate unit, the 372d Military Police Company, in detention or prison operations" prior to managing Abu Ghraib (Reinke 2006, 140). In the subsequent trial of a private who was assigned to Abu Ghraib, she "claimed little knowledge of Geneva Convention rules, citing a lack of orientation training on prisoner treatment" (Post 2011, 54). This was incredibly troubling considering that the Geneva Conventions supplied international precedent for conduct during active combat in wartime and required that militaries around the world disseminate such information to all service members. Given that soldiers in the military are trained on how to exert force, use violence, and kill people for the supposed good of their country, lack of proper training on how to arguably keep people alive and exert only necessary force has many consequences. Those in charge of Abu Ghraib, "the 372nd Military Police Company, a reserve unit from Cumberland, Maryland, and its higher headquarters were trained, manned, and equipped for an enemy prisoner-of-war mission, not for the running of a prison that housed a volatile mix of hostile insurgents and criminals," as well as innocent civilians mistakenly perceived to be dangerous (Adams 2006, 687). Despite Abu Ghraib's continued infamy in public discourse, it is equally important to note that "there were a number of detention facilities [in Iraq] that managed to avoid the problems experienced at Abu Ghraib" (Adams 2006, 687).

Furthermore, there was a large amount of evidence demonstrating a clear lack of enforcement of Army standards and regulations, as well as the abuse of alcohol by U.S. service members at the prison. The Taguba Report, the official findings of the investigation into the abuses at Abu Ghraib by Army Major General Antonio Taguba, found "numerous instances where even the most simple and normal military standards (uniform wear and saluting) were not enforced" (Reinke 2006, 141). Furthermore, the regular consumption and abuse of alcohol was incredibly common. While the "possession of alcohol was prohibited by U.S. regulations in Iraq, local vendors regularly provided soldiers with alcohol" (Reinke 2006, 142). Reportedly, since it was a pervasive issue among the unit managing Abu Ghraib, "just weeks before Major General Taguba began his formal investigation at the prison, commanders there launched a crackdown on alcohol use" (Reinke 2006, 142). When the most basic regulations are not enforced and the discipline of service members is not administered, it has dangerous implications for the regulation of service member misconduct and transgressions.

Continuous Mortal Endangerment and a High-Stress Environment

Abu Ghraib was located in an active combat zone and was being run amidst a war. Thus, the prison itself was a high-stress environment for every individual who was located there and all were constantly reminded of their mortality and subsequent endangerment in an active warzone. Despite people likely believing otherwise, "not only was Abu Ghraib not in a secure area 'behind enemy lines' (a fundamental assumption about military detention facilities), it was under more or less constant mortar attack…" (Adams 2006, 685). Therefore, due to still being in an active combat zone, "military security duties at Abu Ghraib overlapped with the duties of correctional officers" (Heurich 2009, 185). Given that "soldiers were… living and working in a stressful, dangerous place, under circumstances that foster a sense of distrust and dislike for the local populace," it can be reasonably argued that these factors had extreme consequences on the conduct of soldiers (Reinke 2006, 140). The psychological stress from war, active combat, and exposure to dead or injured comrades was experienced by all service members managing Abu Ghraib (Bartone 2005, 319).

Additionally, it has been proven that "the violence of combat also places extreme pressures on individuals to depart from accepted values and professional standards" (Reinke 2006, 135). In an environment where death is a real possibility and violence is visible everywhere, many scholars agree that misconduct is common. Combat stress is a deadly factor that "can lead to violations of both U.S. policy and international law," as seen at Abu Ghraib (Reinke 2006, 140). Disaster environments, such as those seen and experienced in Iraq and Abu Ghraib, "contribute to organizational breakdowns, particularly in prisons and other correctional facilities" (Heurich 2009, 185).

Nonetheless, while many U.S. service members were enduring a high-stress environment, that fact should not act as an excuse or justification for the abuses and torture that occurred at Abu Ghraib, especially when other similar detention facilities in Iraq did not have the systemic problems and abuses found at Abu Ghraib. While a very specific level of violence is warranted and allowable during war, what occurred at Abu Ghraib directly contradicted both U.S. and international rules for active combat and for what level of violence can lawfully be exerted.

"Groupthink" and the Normalization of Violence and Torture

The environment at Abu Ghraib was permeated by the normalization of violent acts and torture, as well as the re-structuring of a new "society" and norms within the prison. Within Abu Ghraib, service members "were overwhelmed by a sense that torture was acceptable" and that in that environment, "torture was no longer a taboo" (Alkadry 2009, 136, 150). It was reported that the "superiors and senior

administration officials" of the unit managing the prison "helped to create a sense of normalcy that condoned torture" (Alkadry 2009, 136).

Within this domain where torture was a norm and fundamentally authorized for implementation on prisoners, the phenomenon of "groupthink" was glaringly apparent. In the case of Abu Ghraib, "groupthink" essentially involved doing "whatever was necessary, including torture and violation of the Geneva accords, … because of the perceived danger to the system…" (Post 2011, 49). Thus, within this environment where "groupthink" permeated the minds of all service members, "dissent is muzzled and questioning is suppressed… [while] those who question are seen as simply not understanding the magnitude of the threat" to the systems and institutions that they are fighting to protect (Post 2011, 63). It can therefore be reasonably argued that those who questioned their orders or subsequent actions of their peers, as well as "those who felt guilty about following orders must have also felt significant moral pressure to do their jobs and save their friends" (Lankford 2009, 392).

Furthermore, in addition to the coercive pressure on soldiers to obey commands and the authorization of torture, there were "perceived protections for those who did so" (Lankford 2009, 393), as well as verbal praise and rewards for following through with what was commanded despite one's moral aversions (Post 2011, 51). The necessity of conforming to one's environment to incur a sense of belonging with and acceptance by one's peers is "a powerful force in transforming human behavior," in the sense that humans often pursue "the basic desire to be 'in' and not 'out'" (Zimbardo, 2007, 258). Indeed, "[o]fficers and soldiers apparently found it less risky to do their jobs than to try to fight the powerful military system," which authorized the commands they were supposed to carry out, due to a fear of being ostracized by the system and "othered" by the very group they longed to belong to (Lankford 2009, 393).

At Abu Ghraib arguably evil acts and other societal norms were redefined; torture and blind obedience became defined as good, allowing seemingly ordinary people to easily engage with such acts while believing that what they were doing was correct. Many scholars argue that "the apparent willingness and comfort with taking photos and being photographed while abusing prisoners seems to reflect the 'normalcy' of the acts," as they had conceivably been redefined from bad to good (Adams 2006, 690).

Within the context of Abu Ghraib and the redefinition of social norms and standards of human conduct, abuse and torture of Iraqi detainees became the new norms under which U.S. service members were justified to operate. According to testimony from the trials of U.S. soldiers, the "soldiers who were assigned to Tier 1-A, where most of the abuse occurred, came to regard the abuse as a 'new normal' situation… [whereas] soldiers outside of Tier 1-A who came into contact with the abuse, immediately raised questions, challenged the

abuse, and reported it," but were subsequently silenced by MIs in Tier 1-A (Mestrovic 2012, 63). Therefore, since the abuses at Abu Ghraib were normalized within the "society" of the prison, understandably healthy responses to violent acts and torture were invalidated within this new, disturbed social climate.

Racist and Anti-Arab Sentiment

A deeply racist and pervasive anti-Arab sentiment encompassed the majority of U.S. service members during the war in Iraq and subsequently at Abu Ghraib. In "testimonies and interviews by soldiers and victims," it was revealed "that what the world saw at Abu Ghraib was preceded by actions that normalized torture in American culture and constructed a demonized Arab 'other'" (Alkadry 2009, 135). Service members heading into conflict were arguably "primed to diminish Iraqi (and, by extension, Muslim) lives, something that would explain but certainly not justify the subsequent actions" (Alkadry 2009, 146). This deeply racist sentiment transferred over into active conflict where soldiers were told "that 'if it looks like the enemy, shoot it,'" and that "'everything looks like the enemy out here'" (Alkadry 2009, 146). There was broad consensus within the Army that the lives of Iraqis were not equal in value to American service members and that since they "looked alike," differentiation between combatants and non-combatants was too difficult to conduct in conflict, which resulted in many innocent civilians being unjustly detained or killed.

Even pre-dating the September 11th attacks, the invasion of Iraq, and the events at Abu Ghraib, the American public and media demonized Arabs and Muslims, a sentiment which the U.S. military capitalized on and exacerbated during the War on Terror. Within America, Arabs were presented as the "cultural other" and, for "over a century and in more than 900 movies, Hollywood has stereotyped Arabs as 'brute murderers, sleazy rapists, religious fanatics, oil-rich dimwits, and abusers of women'" (Alkadry 2009, 147). Despite "the fact that Arabs and Muslims come from sixty different ethnicities, races, and nationalities," the American people and subsequently the U.S. military viewed them as all the same (Alkadry 2009, 147). At Abu Ghraib, the administrators and service members "operated under the implicit message that Arabs and Muslims were superfluous nobodies whose lives did not matter" (Alkadry 2009, 149).

Furthermore, much of the abuses and torture inflicted upon Iraqi prisoners within Abu Ghraib were Arab and Muslim-specific. In September of 2003, Major General Sanchez authorized interrogation techniques aimed to humiliate Arabs, such as "the use of guard dogs, an exploitation technique aimed at the 'Arab fear of dogs'" (Post 2011, 58), which demonstrated "a cultural sophistication at senior levels," despite many of those involved in these abuses justifying their behavior by citing cultural differences and lack of training (Puar 2006, 524).

Additionally, due to the fact that homosexuality is illegal in Islamic law, homosexual torture techniques were authorized

for use in Abu Ghraib. The use of homosexual acts as so-called interrogation techniques "demarcates sexual torture as especially humiliating and therefore very effective from a military security perspective" (Puar 2004, 526). The purposeful acts of Muslim-specific abuse, such as homosexuality and nudity, were implemented to humiliate Muslims and extract what was perceived to be important intelligence. According to the Bush administration, "these forms of torture were particularly necessary and efficacious for interrogation because of the ban on homosexuality in Islam" (Puar 2004, 526). Sexual torture, whether it be forced nudity, masturbation, or sexual acts among detainees, was authorized by the Bush administration and other high-ranking U.S. military personnel to extract information from prisoners (Puar, 2004, 526).

Dehumanization of Prisoners

In combination with deeply racist ideologies, the Iraqi prisoners at Abu Ghraib were fundamentally dehumanized by the U.S. service members managing the prison to allow for a straightforward implementation of abuse and torture since those it was being inflicted on were no longer perceived as fully human. Since Iraqis were defined as enemies of the U.S. and U.S. values, the dehumanization of Iraqi prisoners as targets of torture was facilitated. Therefore, Iraqi prisoners were essentially "outside the moral community shared by the rest of the population" and were treated "as if they were sub-human, evincing no empathy for them …" (Post 2011, 64). U.S. service members "made detainees wear women's underwear on their heads, forced them to bark like dogs, punched, kicked, and slapped them, threatened to execute them, forced them to simulate sex acts, urinated on them, sodomized them, and threatened them with electric shocks by placing them on boxes with wires attached to their fingers, toes, and genitals" (Lankford 2009, 388).

This torture was enabled by the shared belief that the Iraqi prisoners were undeserving full human status and human rights, which allowed for the "aggressors [to] feel like their actions are much less morally significant" (Lankford 2009, 394). Even the forms of abuse and humiliation endured by the prisoners, such as hooding, further dehumanized them as it "highlighted their anatomy, helplessness, and humiliation," and facilitated the ease with which service members were able to "dismiss them as random headless bodies" (Lankford 2009, 394). Additionally, there was a common portrayal of Iraqi prisoners as nothing more than mere animals. General Karpinski, the officer in charge of running Abu Ghraib, was told "that the Iraqi prisoners 'are like dogs and if you allow them to believe at any point that they are more than a dog then you've lost control of them'" (Adams 2006, 691). In his testimony, one of the surviving prisoners recalled that "they treated us like animals not humans" (Alkadry 2009, 138). Thus, it was obvious that the protection of prisoners and their human rights was not a priority, likely not even contemplated, as they were perceived to be less than fully human.

CONCLUSION

War crimes are a common occurrence in active conflicts, as demonstrated by both historic and contemporary events, but they should not be. With the proper means for identification of the conditions in which war crimes may occur and the implementation of prevention techniques, such as an independent international judiciary and forms of accountability, war crimes can be prevented or their occurrences may be reduced. The conditions for and the causes of war crimes, as identified and examined throughout this paper, are arguably combinable, interchangeable, and applicable to a variety of instances of war crimes or other violent conflicts. However, once these conditions and causes become internationally recognizable, war crimes committed during armed conflicts should reduce in frequency if international States exert their political will to act in the prevention and mediation of said conflicts. Nonetheless, before successful intervention can occur, fundamental changes in monitoring must take place before effective interventions can be utilized. Despite international laws and precedents for the identification and punishment of war crimes, as established by various Hague Conventions and Geneva Conventions, war crimes have continued to occur. Furthermore, although the United States military has a disciplined and well-defined code of wartime conduct, war crimes are easily recognizable throughout its military history, as exemplified by Abu Ghraib.

In the case of Abu Ghraib, it can be reasonably argued that there are six causes and conditions that led to the occurrence of war crimes there, all of which are equally applicable to the emergence of war crimes: (1) direct authorization and pressure to produce results; (2) improper training and discipline; (3) continuous mortal endangerment and a high-stress environment; (4) "groupthink" and the normalization of violence and torture; (5) racist and anti-Arab sentiment; and (6) the dehumanization of prisoners.

As illustrated throughout this paper, the various causes and conditions that led to the occurrence of war crimes at Abu Ghraib are identifiable and potent in their promotion of an environment where the abuse and torture of Iraqi detainees occurred. At Abu Ghraib, direct authorization for the use of violent interrogation techniques, which directly contradicted the pre-existing laws enacted by the Geneva Conventions, allowed for U.S. service members to conduct varying forms of abuse and torture of Iraqi detainees. Additionally, pressure from the Bush administration to produce tangible results and save American lives promoted the use of torture to extract intelligence from Iraqi prisoners under the premise of safeguarding the U.S. and American lives. The improper training in prison management and discipline of the unit overseeing the prison negatively impacted the performance of soldiers and exacerbated the improper exertion of force on detainees and the irregular management of the prison. Moreover, the apparent deficiency of discipline enforcement on service members produced an environment rife with

misconduct and violations of military regulations. Likewise, active conflict in the area surrounding Abu Ghraib produced a high-stress environment for U.S. service members managing the prison, thus increasing the likelihood of misconduct and shaping the fundamental departure from accepted values and professional standards. Also, the normalization of violence and all-encompassing groupthink coerced service members into committing violent and abusive acts, as it was considered the new norm for their "society" within the prison, whilst simultaneously designating any line of questioning of this new norm as an act of betrayal of the U.S. and the U.S. military. Deeply racist and anti-Arab sentiment also shaped all service members' treatment of Iraqi prisoners and subsequently allowed for the use of deeply humiliating forms of torture, which were specific to prisoners' religion and culture. Additionally, an underlying "othering" of Iraqis exacerbated the magnitude of the abuses and torture used on them by U.S. service members. Finally, the fundamental dehumanization of Iraqis, both preceding the War on Terror and intensified thereafter, allowed U.S. service members to treat Iraqi detainees as less than human, undeserving of basic protections and human rights. An event as heinous as Abu Ghraib demonstrates that "our human capacity for cruelty has been unmasked (once again), along with our willingness to lower our constitutional and moral standards in the name of the global war on terrorism" (Adams 2006, 692).

The identification and understanding of the conditions that led to war crimes, specifically at Abu Ghraib, is not meant to serve as justification for why these crimes occurred nor offer support for the argument that the service members involved are not to blame for their actions. The disturbing conduct displayed by U.S. service members at Abu Ghraib is inexcusable and the punishment given to those involved was deserved. In fact, it can be reasonably argued that not all of those involved, such as high-ranking military personnel and many within Bush's administrations, received the proper discipline and punishment that was warranted for what occurred. There is broad consensus among Abu Ghraib scholars that if the behavior of the individuals involved "is not excusable, then neither can one excuse the administrative failures that created the conditions that led to abuse and torture" (Reinke 2006, 143). The abuses and torture that occurred at Abu Ghraib "reveal the cruel and inhuman treatment of human beings" perpetuated by U.S. service members, which deeply reflects the institutional values of the Bush administration and the American military (Alkadry 2009, 136). War crimes, in any country or any period of time, are inexcusable and unjustifiable. The presence of any one of the aforementioned conditions could influence or facilitate the occurrence of war crimes in any conflict or active warfare. These conditions are identifiable as likely indicators of the existence of war crimes and other crimes against humanity, therefore, an increased attentiveness towards the recognition of these conditions is essential. All governing bodies and the broader international

community must understand the conditions and causes that enable the occurrence of war crimes so that the monitoring and prevention of these crimes is enabled, as well as the enactment of the vital forms of mediation and accountability in any conflict where war crimes and other crimes against humanity are identifiable. It is the responsibility of everyone, from the individual to the broader international community, to understand the conditions that lead to the occurrence of war crimes, intervene in conflict when necessary, and punish those who think it is acceptable to commit such atrocities. ■

REFERENCES

Adams, Guy B., et al. 2006. "Abu Ghraib, Administrative Evil, and Moral Inversion: The Value of 'Putting Cruelty First.'" *Public Administration Review* 66 (5): 680–93.

Alkadry, Mohamad G., and Matthew T. Witt. 2009. "Abu Ghraib and the Normalization of Torture and Hate." *Public Integrity* 11 (2): 135–54.

Bartone, Paul T. 2005. "The Need for Positive Meaning in Military Operations: Reflections on Abu Ghraib." *Military Psychology* 17 (4): 315–24.

Chung, Christine H. 2007. "The Punishment and Prevention of Genocide: The International Criminal Court as a Benchmark of Progress and Need." *Case Western Reserve Journal of International Law* 40 (1): 227-242.

Elsea, Jennifer. 2022. "War Crimes: A Primer." *Congressional Research Service*. crsreports.congress.gov/product/pdf/LSB/LSB10709 (accessed December, 2022).

Hersh, Seymour M. 2004. "Torture at Abu Ghraib." *The New Yorker*.

Heurich, Sarah J., and Michael S. Vaughn. 2009. "Ill-Treatment and Torture at Abu Ghraib Prison: Irrational Policy Implementation and Administrative Breakdown." *Criminal Justice Studies* 22 (2): 181–201.

Hubert, Don, and Ariela Blätter. 2012. "The Responsibility to Protect as International Crimes Prevention." *Global Responsibility to Protect* 4 (1): 33–66.

International Criminal Court. 1998. *Rome Statute of the International Criminal Court*. International Criminal Court. 1-58. https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf.

Johansen, Robert C. 2006. "The Impact of US Policy toward the International Criminal Court on the Prevention of Genocide, War Crimes, and Crimes against Humanity." *Human Rights Quarterly* 28(2): 301–31.

Lankford, Adam. 2009. "Promoting Aggression and Violence at Abu Ghraib: The U.S. Military's Transformation of Ordinary People into Torturers." *Aggression and Violent Behavior* 14 (5): 388–95.

Major General Taguba, Antonio M. 2004. The Taguba Report - ARTICLE 15-6 INVESTIGATION of the 800th MILITARY POLICE BRIGADE SECRET/NO FOREIGN DISSEMINATION. 1-53 https://irp.fas.org/agency/dod/taguba.pdf.

Mestrovic, Stjepan G., and Rachel Romero. 2012. "Poisoned Social Climate, Collective Responsibility, and the Abuse at Abu

Ghraib—Or, the Establishment of 'Rule That Is Lack of Rule.'" *International Journal of Law and Psychiatry* 35 (1): 62–69.

Office of General Counsel Department of Defense. 2015. "Department of Defense Law of War Manual." dod.defense.gov/Portals/1/Documents/pubs/DoD%20Law%20of%20War%20Manual%20-%20June%202015%20Updated%20Dec%202016.pdf?ver=2016-12-13-172036-190#page=93 (accessed December, 2022).

Parks, William H. 1973. "Command Responsibility for War Crimes." *Military Law Review* 62 (1): 1–101.

Post, Jerrold M., and Lara K. Panis. 2011. "Crimes of Obedience: 'Groupthink' at Abu Ghraib." *International Journal of Group Psychotherapy* 61 (1): 48–66.

Puar, Jasbir K. 2004. "Abu Ghraib: Arguing against Exceptionalism." *Feminist Studies* 30(2): 522–34.

Reinke, Saundra J. 2006. "Abu Ghraib a Case of Moral and Administrative Failure." *Public Integrity* 8 (2): 135–47.

Robinson, Mary. 1999. "Genocide, War Crimes, Crimes against Humanity." *Fordham International Law Journal* 23(2): 275–85.

The Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War. 1949. "Geneva Convention Relative to the Protection of Civilian Persons in Time of War." OHCHR. https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war#:~:text=Persons%20protected%20by%20the%20Convention.

United Nations. 2005. 20*05 World Summit Outcome: Resolution Adopted by the General Assembly.* 1-38. https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf.

Zimbardo, Philip. 2007. *The Lucifer Effect: Understanding How Good People Turn Evil.* New York: Random House.