

Running head: ARMY ETHICAL PROBLEM

Abu Ghraib Prison Guard Scandal, the Ethical Problem

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13 December 2006

Abstract

Abu Ghraib Prison, Iraq, did the 372nd Military Police (MP) Company lack the proper training or was the unauthorized treatment of detainees tolerated? The questions create implications, but who is the implicated; the jr. enlisted, jr. non-commissioned officers (NCOs), or the sr. leadership in the organization? Was the investigated detainee abuse part of the unit's standard operating procedure (SOP) manual? Finally, what role did the Soldiers personal ethics play in the mission?

Abu Ghraib Prison Guard Scandal, the Ethical Problem

Every service member knows about the Geneva Convention and that it applies to the humane treatment of prisoners. At a minimum, service members are trained on how to treat prisoners and how to expect to be treated if you should become a prisoner of war. This takes place at basic training in every branch of service. With the basic right of humane treatment in mind, we'll delve into the Abu Ghraib prison scandal involving the 372nd Military Police Company and their higher headquarters the 800th Military Police Brigade.

I will set the stage by explaining what makes the Abu Ghraib Prison, in Iraq a significant piece in history. "In the area of Saddam Hussein, Abu Ghraib, 20 miles west of Baghdad, was one of the world's most notorious prisons, with torture, weekly executions, and vile living conditions" (Hersh, 2004, *Torture at Abu Ghraib*, ¶1). Now consider one of the key reasons the United States sought to remove Saddam from power, his oppression of the peoples of Iraq. Yet less than a year after Saddam was removed, the liberators of Iraq (United States of America) were accused of brutal torture at the very same prison.

The hostile environment and abuse toward the detainees had many contributing factors. The culpable group responsible for the abuses first had to be the 372nd Military Police Company leadership. Since I have not seen the unreleased photos or video, but have read articles about the 53-page report completed under the direction of Lieutenant General Ricardo S. Sanchez, the senior commander in Iraq (2004). That key leadership within the 372nd Military Police Company either never inspected the working environment within the Abu Ghraib facility or more likely looked the other way to serious abuses of the detainees.

What was it that caused military police to ignore simple civilized things like treat others, as you would like to be treated? Was it the fact that the unit was greatly influenced by the

military intelligence, other government agencies (OGA) like the C.I.A., and contracted interrogators from companies like CICA Intl. (Hersh, 2004, ¶32, 36)? The unit members and leadership up through the 800th Military Police Brigade argued before during and after that, they had requested training, additional staffing, and funds to create better conditions, but in never materialized. From the top three complaints, I would argue that the lack of interrogation training did the unit and the Soldiers under the 800th Military Police Brigade a great disservice. They didn't have an understanding of the procedures to the in processing, merits to retain, and a review process for detainees held. One thing is for sure, the Geneva Convention was not being upheld with respect to detainee rights.

Was the unit or a few select individuals motivated by the ability to assist the military intelligence and OGA interrogators? Was it simply a power trip that got out of hand? The two key abusers from the 372nd Military Police Company both had civilian jobs as prison guards, SSG Fredrick and CPL Graner (Hersh, 2004, ¶19). The military intelligence officers, both military and OGA were directing Soldiers to change established procedures from the 372nd Military Police Company, 320th Military Police Battalion, and the 800th Military Police Brigade so as to "set the conditions for military intelligence interrogations" (Hersh, 2004, Torture at Abu Ghraib, ¶32). The interrogators applauded the abusive behaviors by telling the guards that their efforts were paying off with good intelligence.

The abuses came into the light after SPC Joseph M. Darby of the 372nd Military Police Company slipped a cd with incriminating photos and an anonymous letter under the door of the Criminal Investigation Command. SPC Darby later came forward and completed a sworn statement explaining everything he knew (Hersh, 2004, ¶17). The fifty-three page report looking into military police and interrogator abuse discovered massive broad misconduct at all of the

Iraqi prisons and detention facilities. The report written by Major General Antonio M. Taguba was completed in late February 2004 (Hersh, 2004, ¶5). The report listed some of the misconduct such as breaking chem. Lights and pouring the chemicals on detainees and pouring cold water on the detainees while they were naked (Hersh, 2004, ¶6). Beating detainees with a broom handle and a chair as well as threatening male detainees with rape (Hersh, 2004, ¶6). The list of abuses goes on. Major General Taguba understood that the military police did not understand enough about the techniques of interrogation to know just how much of an impact the stripping and sexual perversion would play a role on the detainees. Because of the Islamic culture and the shame related to one man being naked in front of another, it really elevated to level of the abuse. It was placed in a level of torture when they began forcing males to masturbate in front of other males, stated Bernard Haykel of New York University (Hersh, 2004, ¶10).

SSG Fredrick wrote home to his family about many of the abuses he and others had committed. In one email he wrote about talking to Lieutenant Colonel Jerry Phillabaum, the commander of the 320th MP battalion about the mistreatment of prisoners, he was told, “Don’t worry about it” (Hersh, 2004, Torture at Abu Ghraib, ¶25). Major General Taguba, in his investigation when on to implicate army intelligence officers, C.I.A. agents, and private contractors for actively requesting that military police guards set physical and mental conditions for favorable interrogations of witnesses” (Hersh, 2004, Torture at Abu Ghraib, ¶32).

The most brutal scolding in the report was given to the military intelligence officers and private contractors. His recommendations included for Colonel Thomas Pappas, commander of the 205th Military Intelligence Brigade receive a reprimand and non-judicial punishment (Hersh, 2004, ¶36). For Lieutenant Colonel Steven Jordan, the former director of the Joint Interrogation Debriefing Center and the liaison officer to the 205th Military Intelligence Brigade be

reprimanded and relieved of duty (Hersh, 2004, ¶36). For civilian interrogator Steve Stephanowicz of CACI International of the United Kingdom the recommendation that he be fired, reprimanded, and denied a security clearances for lying to the investigating team and for allowing or ordering military policemen who were not trained to interrogation techniques. He clearly knew his instructions equated to physical abuse” (Hersh, 2004, Torture at Abu Ghraib, ¶36).

Major General Taguba was forthright in his findings and even stated findings from a previous investigation that were inaccurate in some areas, or fell short of the true status. The General clearly exercised his ethical duty during his investigation. I feel after reading many source documents that the Soldiers of the 372nd Military Police Company were good Soldiers and fully capable of executing their originally tasked mission of routine traffic and police duties (Hersh, 2004, ¶18). However, they were not trained, nor did they ever receive training in the operation of a detention facility or detainee interrogation operations.

Many responses have been given from under sourced and under trained to that was the military intelligence people doing that. Either way, a leader has to raise the tough issues and force higher headquarters define what the expectations are, and areas of responsibilities. Furthermore, the leadership of the unit as well as the battalion and the brigade failed the 372nd Military Police Company Soldiers by failing to providing leadership. The two largest shortcomings were in the area of training, follow-up to policy letters and memoranda guidance and of course, ethics training might have been a great topic when a unit faces tough ethical issues. Clearly, the Soldiers who failed to maintain good order and discipline allowed themselves to enter an ethical problem with global consequences. The collateral damage is still being measured. What will our United States prisoners face during their detention in enemy prisons?

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