

THE DISCONNECTED BODY: AN EXAMINATION OF THE U.S MILITARY
SYSTEM AND ITS NEGLECT OF EXPRESSIVE FUNCTIONS

A Dissertation

by

RACHEL ROMERO

Submitted to the Office of Graduate Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

May 2012

Major Subject: Sociology

The Disconnected Body: An Examination of the U.S Military System and Its Neglect of
Expressive Functions

Copyright 2012 Rachel Romero

THE DISCONNECTED BODY: AN EXAMINATION OF THE U.S MILITARY
SYSTEM AND ITS NEGLECT OF EXPRESSIVE FUNCTIONS

A Dissertation

by

RACHEL ROMERO

Submitted to the Office of Graduate Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

Approved by:

Chair of Committee,	Stjepan G. Mestrovic
Committee Members,	William Alex McIntosh
	Rogelio Saenz
	John J. McDermott
Head of Department,	Jane Sell

May 2012

Major Subject: Sociology

ABSTRACT

The Disconnected Body: An Examination of the U.S Military System and Its Neglect of Expressive Functions. (May 2012)

Rachel Romero, B.A., University of North Texas;

B.A., University of North Texas;

M.S., Texas A&M University

Chair of Advisory Committee: Dr. Stjepan G. Mestrovic

This dissertation explores the systematic negligence of expressive functions in current United States Military System (USMS) practices. I draw from classical sociological theory and employ the Parsonian understanding of “expressive” versus “instrumental” social functions, to illustrate the U.S. military’s abandonment of procedures that tend to the emotional needs of the group and individual soldiers. I expand beyond Talcott Parsons’ understanding of the “symbolic/expressive” pattern variable, and engage this idea to discuss a variety of affective principles including leadership support, group cooperation, social cohesion, loyalty and trust, emotional stability, and reverence towards rituals. Subsequently, I wed these elaborations of pattern variables to principles which generally are coded as maternal and feminine. The main argument of this work is the following; social functions that typically are considered “feminine,” “motherly,” “emotional” are not characteristically valued in modern worldviews, although these functions are critically significant for the overall

wellbeing of society. As a result, an overemphasis of the ideal types instrumental functions, “masculinity,” “efficiency,” and “rationality” monopolize today’s most influential social institutions, including the military. The deficiency of balance between expressive and instrumental functions results in various forms of deviance and anomie; including war crimes.

DEDICATION

In Thanksgiving

ACKNOWLEDGEMENTS

This manuscript has been a product of thanksgiving. I feel incredibly fortunate to wake up each morning and live the life I have been given. I want to thank my parents, Beatriz Escandell and Blas R. Romero, for providing sound foundations during my childhood; and particularly thank my dad for diligently carrying the developments of those foundations after my mother's passing. I want to thank my younger sister Massiel Romero who is an unbelievable figure of inspiration, love, support, hard-work and many other astonishing qualities uncontainable for these pages. The rest of my family—grandparents, aunts and uncles, and cousins, are equally deserving of my gratitude upon the completion of this work. I would also like to thank Teresa McGlynn and Joseph McGlynn Jr. for making me feel so close to the heart of their family. And last, but not least, I would like to acknowledge in a special way the dedication, persistence, prayerfulness and love of my friend and partner Joseph McGlynn III.

This dissertation would not have been possible without the support of the Texas A&M Department of Sociology. In particular I would like to thank the support and encouragement of Dr. Jane Sell, and my aggie friends Carlos Barreto-Beck, Dr. Ashley Ryan Caldwell, James Chouinard, Jenny Davis, Dr. Nicole Farris, Dr. Ronald Lorenzo, and April Plemons. I am equally thankful to the graduate students and faculty in the Department of Communication Studies at the University of Texas at Austin for their outpouring love and inspiration. This program has served as a second home to me countless of times.

Finally, I would like to thank the most wonderful dissertation committee on Earth: Dr. Stjepan Mestrovic, Dr. William McIntosh, Dr. Rogelio Saenz, and Dr. John J. McDermott. I am forever thankful for your participation and involvement in this project. Dr. McIntosh and Dr. McDermott are some of the most inspiring and caring professors I have encountered as a graduate student. These two men are saints. Over the years Dr. Mestrovic has become more than an advisor to being a tireless friend and a life mentor. I want to thank him for sharing with me all of his experiences as a war-crime expert witness in the preparation of this dissertation. More importantly, I want to thank Stjepan Mestrovic for sharing his life experiences along the way my own life journey.

To all and all, many thanks.

NOMENCLATURE

AO	Area of Operation
AR 15-6	A formal or informal investigation in the U.S. Army
ARTICLE 32	A military hearing roughly equivalent to a civilian grand jury
BCCF	
BN	Battalion ; an army unit consisting of about 800 soldiers
CIC or CID	United States Army Criminal Investigation Command, still known by the acronym for the Criminal Investigation Division
CIA	Central Intelligence Agency
COIN	Counter Insurgency
COP	Combat Outpost
DHA	Detainee Holding Area
E-1 or PV1	Private; lowest U.S. Army enlisted rank; rank for recruits and soldier-prisoners
E-2 or PV2	Private
E-3 or PFC	Private First Class
E-4 or SPC	Specialist; Not a non-commissioned officer rank
E-4 or CPL	Corporal; Lowest rank for non-commissioned officers
E-5 or SGT	Sergeant
E-6 or SSG	Staff Sergeant
E-7 or SFC	Sergeant First Class

E-8 or MSG	Master Sergeant
E-8 or 1SG	First Sergeant; Highest ranking sergeant in a company of soldiers
E-9 or SGM	Sergeant Major
EFP	Explosively Formed Projectile or Explosively Formed Penetrator; a type of IED (see below) used in Iraq and Afghanistan against the U.S. military and capable of penetrating or destroying heavily armored vehicles
FOB	Forward Operating Base
GTMO	Guantánamo
HMMWV	High Mobility Multipurpose Wheeled Vehicle or Humvee
ICRC	International Committee of the Red Cross
IED	Improvised Explosive Device; a homemade bomb usually planted roadside and used in Iraq and Afghanistan against U.S. military personnel and vehicles
JAG	Judge Advocate General's Corps; The military's legal branch
JOA	Joint Operation Area
MHAT	Mental Health Advisory Team
MI	Military Intelligence
MJ	Military Judge
MP	Military Police
MOS	Military Occupational Specialty
MWR	Moral Welfare Recreation

NTC	The National Training Center at Ft. Irwin, California
O-1 or 2LT	Second Lieutenant; lowest U.S. Army commissioned officer rank
O-2 or 1LT	First Lieutenant
O-3 or CPT	Captain
O-4 or MAJ	Major
O-5 or LTC	Lieutenant Colonel
O-6 or COL	Colonel
O-7 or BG	Brigadier General
OEF	Operation Enduring Freedom; the U.S. war in Afghanistan
OIF	Operation Iraqi Freedom; the U.S. war in Iraq
PANEL	The rough equivalent of a jury in a civilian trial
POW	Prisoners of War
PTSD	Post Traumatic Stress Disorder
PX	Post Exchange
RPG	Rocket Propelled Grenade
ROT	Record of trial
ROE	Rules of Engagement
S3	In a military staff, the officer in charge of intelligence, security, and information
SBCT	Stryker Brigade Combat Team
SOP	Standard Operating Procedure
TC	Trial counsel; the prosecutors in a court-martial

TDS	U.S. Army Trial Defense Services; military defense lawyers within JAG
UCMJ	Uniform Code of Military Justice
UN	United Nations
XO	Executive Officer

TABLE OF CONTENTS

	Page
ABSTRACT	iii
DEDICATION	v
ACKNOWLEDGEMENTS	vi
NOMENCLATURE.....	viii
TABLE OF CONTENTS	xii
1. INTRODUCTION.....	1
Methodology	2
Problems in Interpreting War Crimes: A Selective Review of the Literature	5
General Outline	11
2. THE LONG WAR: A CONTEXTUAL TIMELINE FOR WIDESPREAD PATTERNS OF MILITARY MISCONDUCT.....	15
The Geneva Conventions: A Reinterpretation	15
The Abu Ghraib Scandals: A Scapegoating Narrative?	25
Additional Cases of Military Misconduct	35
Supplementary Testimonies	40
3. THE SOCIAL BODY: THEORIES OF COOPERATION AND THE U.S MILITARY	47
The Social Body: Struggling for Existence.....	48
The Social Body: Spontaneous Division of Labor.....	57
4. THEORIES OF MATRIARCHIES AND THE EXPRESSIVE ELEMENT.....	74
Mutterecht	75
The Expressive Element.....	84
Expressive Letters to Kelly	92
SPC Harman: An Expressive Figure in Dysfunctional Abu Ghraib	95

	Page
5. COLLECTIVE REPRESENTATIONS OF THE EXPRESSIVE FUNCTION IN THE USMS	103
Contemplating the USMS as a Religious Organization	105
Contemplating the USMS as a Matriarchal Organization.....	111
America: The Great Mother	115
The Love for Fellow Soldiers.....	122
The Soldiers’ Mothers	128
Additional Testimony.....	135
6. THE DISCONNECTED SOCIAL BODY: NEGLECT OF EXPRESSIVE FUNCTIONS IN THE U.S MILITARY.....	137
The Neglect of Expressive Undertakings as a Rule that is ‘Lack of Rule’ ...	138
The Neglect of Expressive Undertakings in the USMS’s Command Climate	143
Further Illustrations	158
7. OSTRACIZING FATHER FIGURES: OTHER INSTANCES OF EXPRESSIVE NEGLIGENCE IN THE USMS.....	165
Father as “Mother”	166
The Neglect of Another Expressive Father	178
8. CONCLUSIONS: RECOMMENDATIONS AND FURTHER RESEARCH	182
The Instrumental-Expressive Structure of Responsibility	192
Recommendations and Further Research	196
REFERENCES	200
VITA	208

1. INTRODUCTION

This dissertation explores the systematic negligence of expressive functions in current USMS practices. I draw from classical sociological theory and employ the Parsonian understanding of “expressive” versus “instrumental” social functions, to illustrate the U.S. military’s abandonment of procedures that tend to the emotional needs of the group and individual soldiers. I expand beyond Talcott Parsons’ understanding of the “symbolic/expressive” pattern variable, and engage this idea to discuss a variety of affective principles including leadership support, group cooperation, social cohesion, loyalty and trust, emotional stability, and reverence towards rituals. Subsequently, I wed these elaborations of pattern variables to principles which generally are coded as maternal and feminine. The main argument of this work is the following; social functions that typically are considered “feminine,” “motherly,” “emotional” are not characteristically valued in modern worldviews, although these functions are critically significant for the overall wellbeing of society. As a result, an overemphasis of the ideal types instrumental functions, “masculinity,” “efficiency,” and “rationality” monopolize today’s most influential social institutions, including the military. The deficiency of balance between expressive and instrumental functions results in various forms of deviance and anomie; including war crimes.

This dissertation follows the style of the *American Sociological Review*.

In addition to elaborating upon Parsons's call for the need to balance expressive with instrumental functions, I analyze the background theories, theorists, and assumptions for Parsons's monumental conceptual leap. Specifically, I trace the origins of this implicit distinction from Johan Bachofen through the works of Emile Durkheim, Charles Darwin, references to Pitirim Sorokin, Ferdinand Tonnies, the so-called Chicago School of sociology, and other theorists who are broadly referred to as structural-functionalists. It is well-known that Parsons integrated the theories of a host of theorists who preceded him, from Durkheim to Sigmund Freud. The expressive function is missing in most contemporary understandings of structural functionalism. I remedy this situation by connecting Parsons's discovery of the instrumental-expressive unity of functions with the many social theorists who preceded him. I then apply this fuller understanding of structural functionalism to the issue of how military units should function, and how their social dysfunctions result in war crimes.

Methodology

This dissertation is an inductive, descriptive examination of the USMS and its systematic negligence of expressive functions in major sites of war-crime of the present Global War on Terrorism, taking place in Iraq, Afghanistan and other parts of the world. The incidents of military misconduct which this dissertation examines list as follows, the detainee abuse at the Abu Ghraib prisons in Iraq beginning in 2004; the killing of civilians/prisoners during the U.S. Army Operation Iron Triangle in 2006; the killing of

prisoners by U.S. Army soldiers in the Jihad Canton of Baghdad in 2007, also referred to the Baghdad Canal Killings; and the Maywand District Killings in Afghanistan in 2010.

This study is not concerned with testing a hypothesis, as it engages various theoretical concepts to illuminate patterns of culture relevant to contemporary society. This study relies on the observation and analysis of social facts associated to the U.S military to discuss greater cultural trends that heighten instrumentality, efficiency and rationality, and unequally approach affective undertakings. Furthermore, this dissertation serves as a sociological critique of current USMS procedures reflective of other widespread cultural practices.

In this dissertation I have conducted a content analysis of the legal documentation associated with individual courts-martial and article 32s of the various events noted. The body of data, which contributed to this analysis, is in the form of unclassified legal documents produced by United States Army Criminal Investigation Command and other branches of the military including but not limited to sworn statements and investigative reports, the record of proceedings from Article 32 hearings, and transcripts of the courts-martial proper, and internal army research investigations which are referred to formally as AR 15-6 investigations. Researchers may use these documents pertaining to public trials with the same ethical restrictions as borrowing books from a library or historical archives. These ethical restrictions apply to sworn statements, affidavits, records of trial, charge sheets, AR 15-6 findings, Article 32 transcripts for courts-martial, personal correspondence used as appendices in the records of trial, photographs, and any documentation obtained from news sources.

In preparation for this study, the U.S. government's AR 15-6 investigation regarding the Maywand District killings, also known as the Twitty Report, fell under a military judge's gag order. Consequently, I relied upon a copy of the Twitty Report obtained from a news source. Because I obtained my version of the Twitty Report from a "leaked" source, my quotations from this report do not violate the military judge's gag order and are fully protected by the First Amendment. Additional documents that contributed to the preparation of this work include references to Presidential Executive Orders available in the Federal Register Presidential Documents online-archive; a series of White House memorandums also available online; White House press briefings; the *Working Group Report Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Consideration*; official reports from Human Rights Watch and Amnesty International; the *Quadrennial Defense Review*; and the *US Army Surgeon General. Operation Iraqi Freedom Mental Health Advisory Team (MHAT) Reports*.

The body of data associated with the specific cases of military misconduct; namely the abuse at Abu Ghraib, Operation Iron Triangle, the Baghdad Canal Killings, and Maywand District Killings, regard to the courts-martial of Specialist Jeremy C. Sivits (Abu Ghraib), Specialist Megan M. Ambuhl (Abu Ghraib), Sergeant Javal S. Davis (Abu Ghraib), Staff Sergeant Ivan L. Frederick II (Abu Ghraib), Specialist Charles A. Graner, Jr (Abu Ghraib), Specialist Sabrina D. Harman (Abu Ghraib), Staff Sergeant Raymond L. Girouard (Operation Iron Triangle), Specialist Juston R. Graber (Operation Iron Triangle), Specialist William B. Hunsaker (Operation Iron Triangle), PFC Corey R.

Clagett (Operation Iron Triangle), Sergeant Michael P. Leahy, Jr. (Baghdad Canal Killings), Sergeant First Class Joseph P. Mayo (Baghdad Canal Killings), Specialist Steven A. Ribordy (Baghdad Canal Killings), Staff Sergeant Cunningham (Baghdad Canal Killings), Sergeant Charles Quigley (Baghdad Canal Killings), Specialist Belmor G. Ramos (Baghdad Canal Killings), Master Sergeant John E. Hatley (Baghdad Canal Killings), and Specialist Jeremy N. Morlock (Maywand District Killings, Afghanistan), Staff Sergeant Calvin Gibbs (Maywand District Killings, Afghanistan), Specialist Adam Winfield (Maywand District Killings, Afghanistan), Specialist Michael Wagon (Maywand District Killings, Afghanistan), Specialist Adam Winfield (Maywand District Killings, Afghanistan). This dissertation employs the records of trial for these soldiers, and other available documents related to each case.

Problems in Interpreting War Crimes: A Selective Review of the Literature

There are limited studies that specifically focus on courts-martial from a sociological perspective. With the exception of the work of Stjepan Mestrovic, Ryan Ashley Caldwell, and Ronald Lorenzo, the literature on this subject matter is relatively neglected in the field of Sociology. While there exist examinations of war crimes and courts-martial from historical and psychological frameworks, this research differs widely from the kinds of questions this dissertation proposes.

Historical analyses, similarly to memoirs and journalist accounts of courts-martial, generally offer narratives for chronicle purposes, and autobiographical

experiences. Alongside historians, judges, lawyers, victims, and accused have also authored literature that discusses courts-martial in a historical/biographical fashion. Some of these include *Vietnam Stories: A Judge's Memoir* (1997) by COL Jack Crouchet; *Judge Advocates in Vietnam: Army Lawyers in Southeast Asia, 1959-1975* (2004); *Those Gallant Men: On Trial in Vietnam* (1984) by John Stevens Berry; and *Honor Restored* (2006) by Denzil D. Garrison. In relation to incidents of war crimes from the present wars with Afghanistan and Iraq, works that discuss courts-martial and military justice include, *Tortured: Lynddie Englad, Abu Ghraib and the Photographs that Shocked the World* (2009) by Gary Winkler; and *One Woman's Army: The Commanding General of Abu Ghraib Tells Her Story* (2005) by (former COL) Janis Karpisnki. Both of these accounts attempt to describe the events of Abu Ghraib from a descriptive, narrative viewpoint, and do not approach courts-martial as social phenomena, or utilize social theory to attempt explaining social facts related to these events.

From a psychological approach, the work of Phillip Zimbardo, and COL Larry C. James and Zimbardo, provide experimental, and biographical perspectives, to studying war crimes. The general critique of psychological examinations regarding war crimes is that these studies discuss incidents of military misconduct through the employment of experimental designs and controlled environments. In addition, these studies often separate the examination of war crimes from the war crime trials. *The Lucifer Effect: Understanding How Good People Turn Evil* (2008) by Zimbardo, and *Fixing Hell: An Army Psychologist Confronts Abu Ghraib* (2008) by James and Zimbardo, engage

discussions about the Abu Ghraib prisons' abuse. *The Lucifer Effect* applies lessons from the Zimbardo's Stanford Prison experiment to the Abu Ghraib chaos, and *Fixing Hell* discusses COL James' experience after given the task to resolve dysfunctional habits of gathering intelligence. These works fail to engage discussions of cultural patterns, social character, and the collective consciousness, which are critical elements for understanding war crimes as a widespread patter of disorder.

The sociological study of courts-martial has been pioneered by the writings of Stjepan Mestrovic, and elaborated by his followers. Mestrovic's work, which received careful attention in the preparation of this dissertation, list as follows, *The Trials of Abu Ghraib: An Eyewitness Account of Shame and Honor* (2007); *Rules of Engagement?: A Social Anatomy of an American War Crime: Operation Iron Triangle, Iraq* (2008); and *The "Good Soldier" on Trial: A Sociological Study of Misconduct by the US Military Pertaining to Operation Iron Triangle, Iraq* (2009). Mestrovic's studies are grounded on his personal experience as an expert witness in The Hague hearings, and courts-martial related to cases of Abu Ghraib, the Operation Iron Triangle killings, the Canal Killings, and Maywand District Killings. Mestrovic uses classical as well as contemporary sociological theory to discuss dysfunctional structures, cultural patterns, and social character. Moreover, Mestrovic's works stand as the only sources that discuss incidents of war crimes, from the present and ongoing war, other than the Abu Ghraib cases.

This dissertation elaborates on discussions provoked by Mestrovic; however it is different from the works of Mestrovic, in that I rigorously focus on the role of expressive

social functions and affectivity. While Mestrovic's works lay the groundwork for many of the themes and arguments of my discussions, my analyses of war crimes and court-martial proceedings explicitly notes that soldiers need nurturing, compassion, communicative understanding and other social functions traditionally associated with "motherly" principles. In addition, my theoretical perspective includes the writings of J.J Bachofen, Erich Fromm, and Carl Gustav Jung.

In the preparation for this dissertation I also reviewed and included discussions from, "Durkheim's concept of anomie and the abuse at Abu Ghraib" (2008), in the *Journal of Classical Sociology*, by Mestrovic and Ronald Lorenzo; "Poisoned Social Climate, Collective Responsibility, and The Abuse at Abu Ghraib—or, the Establishment of 'Rule that is Lack of Rule'" (2011) in *International Journal of Law and Psychiatry*, by Mestrovic and Rachel Romero; "Durkheim's concept of dereglement retranslated, Parsons's reading of Durkheim re-parsed: An examination of post-emotional displacement, scapegoating and responsibility at Abu Ghraib" (2006) in the *International Social Science Journal*, by Mestrovic and Ryan Ashley Caldwell; "Torture, What is it Good For? Absolutely Nothing! An Analysis of the Response to Abuse at Abu Ghraib" (2008) in *Theory in Action*, by Caldwell and Mestrovic; "The Role of Gender in 'Expressive' Abuse at Abu Ghraib" (2008) in *Cultural Sociology*, by Caldwell and Mestrovic; Caldwell's dissertation, *Gender and the homoerotic logic of torture at Abu Ghraib* (2009); and Caldwell's *Fallgirls: Gender and the Framing of Torture at Abu Ghraib* (2012).

Discussions advanced by Lorenzo emphasize traces of puritanical ethics in contemporary culture and draw attention to the works of Emile Durkheim, Kai Erikson's *Wayward Puritans: A Study in the Sociology of Deviance*, Alexis de Tocqueville's *Democracy in America*, and Robert Bellah's *Habits of The Heart*. Caldwell's sociological approach to war crime and courts-martial discourse brings attention to issues of gender and sexuality, drawing from feminist, modern and postmodern social theory, which includes the work of Jean Baudrillard and Judith Butler. Caldwell uses the Parsonian concepts "expressive" and "instrumental" to discuss the abuse at Abu Ghraib, and the various roles taken by soldiers while at the prisons. Caldwell elaborates the employment of Parsons' conceptualization and creates notions that can be described as "expressive power," "expressive torture," "instrumental torture," and "instrumental chaos." While Caldwell's elaboration of the expressive function dialogues with poststructuralist literature and feminist discourse, my use of the Parsonian term differs from Caldwell's in that my theoretical arguments collaborate with theories extended by Charles Darwin, Emile Durkheim and J.J. Bachofen. I associate the "expressive" pattern variable with Bachofen's understanding of the "motherly love," and classical discussions of cooperation, solidarity, and affectivity.

Other important sociological works that engage military discourse include, Morris Janowitz's *The Professional Soldier: A Social and Political Portrait* (1960); "Cohesion and Disintegration in the Wehrmacht in World War II" (1948) in *Public Opinion Quarterly*, by Edward A. Shils and Janowitz; Guenter Lewy's *America in Vietnam* (1978); Roger Little's "Buddy Relations and Combat Performance" in *The New*

Military: Changing Patterns of Organization (1964) edited by Morris Janowitz; William Knowlton's "Cohesion and the Vietnam Experience," (1986) in the *Military Review*; CC. Moskos's "The American Combat Soldier in Vietnam," (1975) in the *Journal of Social Issues*; and the work of Leonard Wong at large. This body of literature discusses the importance of social cohesion amongst military soldiers, and the significance of emotional bonds between comrades. These works do not examine court-martial processes, and they do not discuss contemporary conflicts with Afghanistan and Iraq.

Additional works that helped in the preparation of this dissertation include *Postemotional Society* (1997) by Stjepan Mestrovic; *The Lonely Crowd* (1959) by David Riesman; *An Introduction to the Science of Sociology* (1921) by Robert E. Park and Ernest Burgess; Emile Durkheim's *The Division of Labor in Society* (1893) and *The Elementary Forms of Religious Life* (1912). Particularly, the works of Durkheim establish fundamental understandings for the notions of particular rites, scapegoating, revenge, and vendetta, all which are relevant to questions raised in this examination of military misconduct and its corresponding courts-martial. This dissertation also relied on lectures and discussions advanced by Mestrovic, available online at, <http://itunes.apple.com/us/itunes-u/soci-657-cultural-studies/id394384077>.

The work of S.L.A Marshall, *Men Against Fire: The Problem of Battle Command* (1947), and *The American Soldier: Combat and its Aftermath* (1965) by Samuel Stouffer, offer helpful and compressive understandings of the U.S military and its structure during the second World War. Theoretical arguments made by these theorists are still relevant in current USMS's practices, and influenced my discussions on

the role of affective embodiments including trust, safety, consistency, and love towards fellow soldiers. LT. COL. Dave Grossman's *On Killing: The Psychological Cost of Learning to Kill in War and Society* (1995), further advances some of the observations made by Marshall and Stouffer regarding soldier's (un)natural cooperation in the battlefield.

Many of the books mentioned above lack social theory, unless indicated otherwise. More importantly the majority of these works fail to connect social theory and social facts—courts-martial transcripts, sworn statements, affidavits, records of trials, etc. This dissertation examines war crimes through the lens of social theory, and corroborates theoretical undertakings in its examination of social facts. In other words, this examination of military misconduct and subsequent courts-martial uses social theory to give meaning to social events and issues relevant to present patterns of culture.

General Outline

Chapter 2 of this dissertation provides a timeline for reported incidents of war crime of the present wars with Iraq and Afghanistan. This chapter helps contextualize cases of military misconduct that precede the scandals of Abu Ghraib and perpetuated thereafter, including discussions on the reinterpretation of the Geneva Law, the Taguba Report, the Levin-MaCain Report, and various accounts of war crime cases aside from those this dissertation examines. To better familiarize the reader, this chapter also provides a brief synopsis of the cases and allegations for the abuse at Abu Ghraib,

Operation Iron Triangle, the Baghdad Canal Killings, and the Maywand District Killings. I conclude this chapter by quoting verbatim the sworn statement of MAJ David William DiNenna, the supply officer at Abu Ghraib. This sworn statement accounts for an “expressive” version of the Taguba Report findings.

Chapters 3 and 4 of this dissertation offer theoretical foundations that weave the work of Charles Darwin, Emile Durkheim, J.J Bachofen, Talcott Parsons and other founding scholars of Structural-Functionalism. Chapter 3 in particular discusses the USMS as a social body, focusing on structural elements that illustrate notions of cooperation, division of labor, and spontaneous social action. In the preparation of this chapter I demonstrate concretely the similarities shared by classical scholarship’s approach to social experience and the U.S. military, suggesting that the USMS resembles a complex social body and as such, it encapsulates a variety of parts that require the balance of expressive and instrumental social functions. This chapter notes theoretical discussions extended by Rober E. Park and Ernest W. Burgess, Alfred Espinas, August Comte, Herbert Spencer, Eugenius Warming, and William M. Wheeler.

Chapter 4 elaborates on these theoretical discussions and solidifies the thesis of this dissertation, bringing attention to the significance of expressive functions in the social body. In this chapter I argue that Bachofen’s notion of “motherly love” and Parsons’ concept of the “symbolic/expressive” patter variable, account for social behavior that nurtures affectivity, social cohesion, and group cooperation. Furthermore, I extend these expressive social functions often are overlooked by contemporary standards. Chapter 4 concludes with the story of SPC Sabrina Harman, one of the Abu

Ghraib “rotten apples,” who *was* an expressive figure at the Abu Ghraib prisons. In this chapter I bring attention to how SPC Harman’s story often goes untold, falling in the shadow of other “rotten apples,” and “instrumental” media reports that lack a comprehensive understanding of SPC Harman’s role.

Chapters 5, 6, and 7 aim to elucidate concretely previous theoretical discussions, by comprehensively drawing from the records of trial, sworn statements, AR 15-6 findings, Article 32s and other documents related to the abuse at the Abu Ghraib prisons, the Operations Iron Triangle killings, the Canal killings, and the Maywand District killings. Chapter 5 examines collective representations of expressive/matriarchal elements in the U.S military, and illustrates unconscious expressive habits of the USMS, the accused soldiers and their advocates. In this chapter I bring attention to Jungian discourse to discuss the United States, and the USMS as an archetypal “Great Mother.”

Chapter 6, titled “The Disconnected Body,” provides analyses on the systematic neglect of expressive functions as a rule that is “lack of rule” in USMS. In this chapter I elaborate on Mestrovic and Romero’s approach to anomie as “rule that is ‘lack of rule’” to illustrate consistency in the neglect of expressive functions, which is “lack of rule” yet normative for USMS practices. These discussions offer critique for the command climate at Abu Ghraib; Charlie Company 3rd Battalion, 101st Airborne Division; and the 5th Stryker Brigade.

Chapter 7 offers further illustrations of affective negligence in the USMS, focusing on the command climate of Alpha Company, and the social forces and political environment this unit had to endure. In this chapter I bring attention to the story of

1SGT John Hatley, who symbolically serves as the male counter-part of SPC Sabrina Harman. My argument is that 1SG Hatley, similar to SPC Harman, embodied expressive leadership, cared for his fellow soldiers, and provided them with the support and protection the USMS failed to give.

The data analysis in chapters 5, 6 and 7 illustrate soldiers' habitual disposition towards the expressive, which they portray in their desire for safety, stability, supportive leadership and affection towards fellow soldiers, to name a few examples. In addition, these chapters bring attention to the unfailing expressive negligence of USMS's practices, which include patterns of poisonous command climates, lack of effective, supportive communication, exploitation of deployment standards, and use of particularly harsh punishment such as holding soldiers in "shackles" and imprisoning them in solitary confinement.

Chapter 8 of this dissertation offers a brief summary of the ideas discussed, and brings attention to the expressive and instrumental structure of responsibility by discussing the role of clemency in military courts-martial. This chapter offers a list of recommendations to the USMS to mitigate situational challenges and help balance expressive and instrumental social action.

2. THE LONG WAR: A CONTEXTUAL TIMELINE FOR WIDESPREAD PATTERNS OF MILITARY MISCONDUCT

*“There are the poor, weak and the forgotten,
you all are definitely the forgotten”¹—MAJ DiNenna*

The purpose of this chapter is to outline some of the political and historical context for patterns of military misconduct from the Global War Against Terror, taking place in Afghanistan, Iraq and other places of the world. The discussion to follow should provide the reader with information about unlawful behavior that preceded and succeeded the Abu Ghraib scandals, illustrating how the cases of Abu Ghraib were not an isolated event. In contrary to public opinion, these incidents of war-crime were the result of a larger cultural phenomenon of disorder and anomie. The goal of this chapter is to situate the contemporary war-crime discourse in a timeline that is approachable to the reader and discuss relevant aspects of the political climate surrounding to these events.

The Geneva Conventions: A Reinterpretation

On February 7 2002, President George W. Bush declared the United States government would apply the principles of the Third Geneva Convention to those members of the Taliban, al-Qaeda, and other related groups that were held captive.

¹ MAJ David William DiNenna quotes a COL's outbriefing upon his visit to the Abu Ghraib prisons

President Bush further noted that while the American Army would work within the treaty's framework of humane consideration, the United States Military System (USMS) would not deem any of the Taliban or al-Qaeda affiliates to be prisoners of war (POWs). President Bush further reaffirmed this decision years later in 2007. The executive statement notes, "members of al Qaeda, the Taliban, and associated forces are unlawful enemy combatants who are not entitled to the protections that the Third Geneva Convention provides to prisoners of war. I hereby reaffirm that determination" (Bush 2007).

The release of this and other statements were made public after Assistant Attorney General Jay S. Bybee wrote a memorandum addressing the White House Counsel Alberto R. Gonzales and General Counsel at the Pentagon William J. Haynes II. In this memo, General Bybee notes President Bush is not obligated to honor Afghanistan's sovereignty because it is a "failed state," and consequently the War Crimes Act of 1984 and the Geneva Conventions are not applicable to the Afghan conflict (Bybee 2002)².

The American Government explained that the Taliban and al-Qaeda members did not meet the required standards of an organized army, and as a result the Taliban and al-Qaeda associates would be considered "unlawful combatants." Moreover, the memorandum stated that while the U.S. government regarded the Geneva Conventions inapplicable for the members of the Taliban and al-Qaeda, the USMS would still treat the detainees "humanely" (Bush 2002). The document signed by President Bush notes,

² This memorandum can be found in the web, and also in Karen J. Greenberg and Joshua L. Dratel. 2005. *The Torture Papers: The Road to Abu Ghraib*. University of Cambridge Press.

Of course, our values as a Nation, values that we share with many nations in the world, call for us to treat detainees humanely, including those who are not legally entitled to such treatment. Our nation has been and will continue to be a strong supporter of Geneva and its principles. As a matter of policy, the United States Armed Forces shall continue to treat detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of Geneva (Bush 2002).

Furthermore, the White House announced the Military Commissions Act entitled a series of prohibitions of the Geneva Convention for United States law, and it further confirmed the authority of the U.S President to interpret the meaning and application of the Geneva Conventions (Bush 2007). Some of the international rights which the White House allowed the presidential cabinet and the USMS to (re)interpret included,

- Murder, torture, cruel or inhuman treatment, mutilation or maiming, intentionally causing serious bodily injury, rape, sexual assault or abuse, taking of hostages, or performing of biological experiments (Bush 2007).
- Any other acts of cruel, inhuman, or degrading treatment or punishment prohibited by the Military Commissions Act (subsection 6(c) of Public Law 109–366) and the Detainee Treatment Act of 2005 (section 1003 of Public Law 109–148 and section 1403 of Public Law 109–163) (Bush 2007).
- Willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner so serious that any reasonable person, considering the circumstances, would deem the acts to be beyond the bounds of human decency, such as sexual or sexually indecent acts undertaken for the purpose of humiliation, forcing the individual to perform sexual acts or to pose sexually, threatening the individual with sexual mutilation, or using the individual as a human shield (Bush 2007).
- Acts intended to denigrate the religion, religious practices, or religious objects of the individual (Bush 2007).
- Detainees in the program receive the basic necessities of life, including adequate food and water, shelter from the elements, necessary clothing, protection from extremes of heat and cold, and essential medical care (Bush 2007).

- Appropriate training for interrogators and all personnel operating the program (Bush 2007).

Records indicate the Bush administration received a memo written by Attorney General John Ashcroft, which abbreviates the overall position of the Justice Department. Ashcroft warns the White House against the possibility of U.S. officials being subject to prosecution for violating U.S. and international laws if the Geneva Conventions are applied. The memorandum notes,

It may be argued that adopting Option I would encourage other states to allege that U.S forces are ineligible for Geneva Convention III protections in future conflicts. From my perspective, it would be far more difficult for a nation to argue falsely that America was a “failed state” than to argue falsely that American forces had, in some way, forfeited their right to protections by becoming unlawful combatants. In fact, the North Vietnamese did exactly that to justify mistreatment of our troops in Vietnam. Therefore, it is my view that Option 2, a determination that Geneva Convention III applies to the conflict in Afghanistan and that Taliban combatants are not protected because they were unlawful, could well expose our personnel to a greater risk of being treated improperly in the event of detention by a foreign power (Ashcroft 2002).

Official members of the government and the White House exchanged a series of other correspondence between the months of February and August. During August 2002, Assistant Attorney Bybee writes to White House Counsel Gonzales examining the definition of torture under the 1984 Torture Convention. Bybee delineates the Convention’s frame, and further notes its employment in relation to interrogations techniques. The memo contests the definitions of “torture,” “suffering,” “severe mental pain,” “prolonged mental harm,” and concludes that acts “equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily

function, or even death” can be deduced as acts of torture (Bybee 2002). The statement also noted that some acts of torture might be legally defensible, as it is in the case of torture for the purpose of interrogation, or information acquisition. The document states,

In Part I, we examine the criminal statute’s text and history. We concluded that for an act to constitute torture as defined in Section 2340, it must inflict pain that is difficult to endure. Physical pain amounting to torture must be equivalent in the intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death. For purely mental pain or suffering to amount to torture under Section 2340, it must result in significant psychological harm of significant duration, e.g., lasting for months or even years (Bybee 2002).

In light of the reinterpretation of the Geneva Conventions and the reconstruction of what constitutes torture, officials at the Guantánamo Base in Cuba (GTMO) requested Secretary of Defense Donald Henry Rumsfeld permission to utilize stronger methods of interrogation. This document requested techniques that were revised by the Department of Defense General Counsel William J. Haynes, who suggested that Secretary Rumsfeld approve 16 of the techniques (Haynes 2002). Mr. Rumsfeld approved the recommendations, which included hooding, stress positions, isolation, stripping, deprivation of light, and use of dogs as methods to aid the interrogation process (Bybee 2002). In addition, Secretary of Defense Rumsfeld produced a memo for Counsel Haynes requesting the formation of a “working group” to specifically deal with the legal operation issues of the newly established interrogation techniques. The completion of this document dates April 2003, months after organizations such as the Human Right Watch and Amnesty International had raised concerns about the way American Troops were treating detainees abroad.

The “Working Group Report” delineates a series of postulations which aimed to enhance the information acquisition processes. The manuscript, discusses a variety of legal subjects including:

- The President’s sole authority to interrogate any personnel he deems necessary without the intervention of any other party—this statement violates the articles of the Geneva Conventions regarding 1) Arbitrary Detention and 2) Detainees from Outside the War Zone (WGR 2003)
- The inapplicability of constitutional rights to any alien enemy upon their transfer to GTMO (WGR 2003)
- The manipulation of the “source’s emotions and weaknesses to gain willing cooperation” (WGR 2003:53)
- “Hooding: This technique is questioning the detainee with a blindfold in place. For interrogation purposes, the blindfold is not on other than during interrogation” (WGR 2003:64)
- The use of “prolonged interrogations: The continued use of a series of approaches that extend over a long period of time (e.g., 20 hours per day per interrogations)” —which are an indirect form of sleep deprivation as the detainee is perpetually awake for such extensive amounts of time under interrogation stress (WGR 2003:64)
- Prolonged standing (WGR 2003:65)
- “Sleep deprivation: keeping the detainee awake for an extended period of time” (WGR 2003:65)
- “Removal of clothing: potential removal of all clothing; removal to be done by military police if not agreed to by the subject. Creating a feeling of helplessness and dependence” (WGR 2003:65)

Furthermore, the memorandum’s notes,

On September 11, 2001, al Qaida launched a surprise covert attack on civilian targets in the United States that led to the deaths of thousands and financial losses in the billions of dollars. According to public and governmental reports, al Qaida has other sleeper cells within the United

States that may be planning similar attacks. Indeed, al Qaida's plans apparently include efforts to develop and deploy chemical, biological, and nuclear weapons of mass destruction. Under these circumstances, a detainee may possess information that could enable the United States to prevent attacks that potentially could equal or surpass the September 11 attacks in their magnitude. *Clearly, any harm that might occur during an interrogation would pale to insignificance compared to the harm avoided by preventing such an attack, which could take hundreds or thousands of lives* (WGR 2003:65 added emphasis).

At this point in our discussion, it is vital to point out that these interrogation techniques—approved by officials Mr. Haynes and Mr. Rumsfeld, were transported from GTMO to the prisons of Abu Ghraib where an environment of confusion and chaos further distorted their uses. In addition, it is important to note that by the time these “new” interrogation techniques had been officially approved, there already existed allegations against the way the U.S Military was treating detainees abroad. In other words, while the “working group” memorandum attained legitimatization in late April 2003, cases of mistreatment already had been noted by news media sources, and social justice organizations such as Human Rights Watch and Amnesty International. These reports of abuse date as early as January 2002.

For example, in a letter to Secretary of Defense Rumsfeld, Secretary General of Amnesty International Irene Khan notes,

We are concerned by photographs which have recently appeared in the press showing Al-Qaeda suspects hooded while under guard by US troops prior to being taken to custody facilities where they would be interrogated. The United Nations (UN) Committee against Torture has condemned the hooding and blindfolding of suspects during interrogation as incompatible with the absolute prohibition of torture or other cruel, inhuman or degrading treatment contained under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (AI 2002).

In a different document, dated May 2002, the Human Rights Watch contacted the Pentagon bringing attention to a series of issues regarding Guantánamo detainees. These issues include the legal status of the detainees, the prohibition against arbitrary detention, laws regarding detainees from outside the war zone, and the USMS definition of conspiracy, amongst other things. During the month of December, the Human Rights Watch contacted President Bush and Prime Minister Tony Blair regarding a *Washington Post* story which observed the alleged mistreatment of detainees in Bagram, Afghanistan. The editorial notes,

Persons being held in the CIA interrogation center at Bagram air base who refuse to cooperate, are sometimes kept standing or kneeling for hours in black hoods or spray-painted goggles, according to intelligence specialists familiar with CIA interrogation methods. At times they are held in awkward, painful positions and deprived of sleep with a 24-hour bombardment of lights subject to what are known as stress and duress techniques (Priest and Gellman 2002).

In addition to these statements of concerns, the Human Rights Watch reported the deaths of two Afghan detainees at the Bagram Airbase. *Newsday* reported a statement made by Vincent Cannistraro—former intelligence official, in which Cannistraro admitted to incidents of abuse at the U.S military base in Guantánamo, Cuba (HRW 2004b). *The New York Times* reported,

The United States military has begun a criminal investigation into the death of an Afghan man in American custody in December, a death described as a ‘homicide’ by an American pathologist....Two former prisoners, Abdul Jabar and Hakkim Shah, who recalled seeing Mr. Dilawar at Bagram, said the conditions to which they themselves were subjected at the time included standing naked, hooded and shackled,

being kept immobile for long periods and being deprived of sleep for days on end (Gall 2003).

The Wall Street Journal quoted a U.S law enforcement official

Because the [Convention Against Torture] has no enforcement mechanism, as a practical matter, you're only limited by your imagination. A detainee isn't going to be near a place where he has Miranda rights or the equivalent of them... God only knows what they're going to do to him. You go to some other country that'll let us pistol whip this guy (HRW 2004b).

Amnesty International held a conference in Baghdad to bring global attention to a few cases of detainees who were being mistreated, and the Human Rights Watch addressed another letter to Secretary of Defense Rumsfeld, in which the organization pleaded for the release of Guantánamo detainees who were in no way related to the Taliban or al-Qaeda (AI 2003a). Similarly, The Human Rights Watch urged the United States to comply with the obligations of international human rights law. This statement noted,

For nearly two years, the United States has held detainees at its naval base in Guantánamo Bay, Cuba. Nine Britons are among the approximately 660 persons detained by the United States at Guantánamo. The Bush administration claims the detainees are all enemy combatants who are not entitled to prisoner of war status, even though the U.S. government has refused to afford them individual hearings to determine their status, as required by the Third Geneva Convention (HRW 2003b).

The reports on detainee abuse and the global call for awareness continued to take place for months after. As stated, negligence of international detainees and cases of USMS misconduct preceded both, the official approval of stronger interrogation techniques to be used in GTMO, and the signing of the “working group” memorandum.

A list of other incidents of maltreatment and violation of the Geneva Conventions by the USMS, not including Abu Ghraib, can be noted as follows:

- Executive Director of Children’s Rights Division of the Human Rights Watch, Lois Whitman, addressed a letter to Secretary Rumsfeld noting that Human Rights Watch was deeply concerned at recent reports that children ages thirteen to fifteen, are among the detainees being held at Guantánamo Bay (HRW 2003a).
- The ICRC noted over 200 allegations of ill-treatment of prisoners of war during capture and interrogation at collecting points, battle group stations and temporary DHA (HRW 2004c:30).
- Amnesty International released global message—“Iraq: Memorandum on Concerns Relating to Law and Order,” in which the organization, once again, asked for serious awareness about the way prisoners in Iraq were being treated. Abu Ghraib was mentioned in this memorandum for the first time (AI 2003b).
- Allegations that four U.S. Army reservists abused Iraqi prisoners of war at a camp in [Umm Qasr]...The reservists are alleged to have punched and kicked several Iraqis, breaking one man’s nose (Al-Issawi 2003).
- The U.S. military shuts down Camp Cropper where hundreds of Iraqi detainees were crowded into tents through Baghdad’s summer (Associated Press 2003a).
- Red Cross official notes the excruciating conditions at Guantánamo Bay, “its impact on the mental health of the population has become a major problem...In the past 18 months, 21 detainees have made 32 suicide attempts, and many more are being treated for depression” (Lewis 2003).
- Eight marine reservists faced charges ranging from negligent homicide to making false statements in connection with the mistreatment of prisoners of war in Iraq (Associated Press 2003b).
- A battalion commander in Iraq fired his pistol near the head of an Iraqi detainee after his soldiers had punched the prisoner. The commander was fined as part of a nonjudicial disciplinary proceeding which ended his Army career (West 2003).
- An Iraqi detainee claimed to remain standing upright until he collapsed 13 hours later. The same detainee stated that American interrogators had burned his arm with a cigarette (HRW 2004b).

- London's *Sunday Times* reported claims by a detainee held by coalition forces in Iraq. Detainee claimed he was, "beaten frequently, given shocks with an electric cattle prod, and had one of his toenails prised off" (Enders and Conradi 2004).
- Executive Director of Human Rights Watch, Kenneth Roth, wrote a letter to Secretary Rumsfeld stating, "The ill-treatment, torture and murder of prisoners by U.S. military and intelligence personnel in Iraq demonstrate, according to a military inquiry, 'systemic and illegal abuse of detainees.' *Each day new facts and photographs are coming to light that paint an increasingly grim picture of U.S. military practices at detention facilities not only in Iraq, but elsewhere. It is clear that the U.S. military and the intelligence community have failed to comply with President Bush's pledge on June 26, 2003 that the United States will neither 'torture' detainees, nor use 'cruel and unusual' treatment to interrogate them*"(HRW 2004a, added emphasis).

As shown, a long list of reported violations had taken place before the Abu Ghraib Scandals became a public affair. These reports, extended my media sources and international organizations for human rights, called attention to prisoner's maltreatment and systematic abuse as early as 2002. Furthermore, these reports show to be failed attempts to correct a widespread pattern of anomie given the extended record of war-crimes that followed.

The Abu Ghraib Scandals: A Scapegoating Narrative?

The idea of scapegoating traditionally correlated to rituals of purification and elimination rites. According to Jewish custom, the offering of a goat or ram would aid in the exoneration of the people's sins. For example, in the Old Testament the book of Leviticus details how Yahweh commands Moses to tend to these rites in order to cleanse

the people of Israel. The work of Emile Durkheim—greatly influenced by Jewish tradition, discusses the idea of scapegoating in relation to rituals that arouse the emotions of sadness, anger and misfortune—piacular rites (Durkheim 1912), and also in relation to *vendetta*³ (Durkheim [1893]1984).

Durkheim points that similarly to *vendetta*, scapegoating takes place to avenge instances of injustice. Accordingly, when a social event offends the moral boundaries of the collective, society needs to be appeased through acts that restore the morality of the collective. The execution of rituals often times aids in this process. Cleansing rituals, rituals of clemency, rituals of forgiveness, and punishment or justice rituals are examples. Scapegoating embodies an instance of such rite, as it carries the “need to find a victim at all costs on whom the collective sorrow and anger can be discharged” (Durkheim 1912:404). The scandals of Abu Ghraib, and more precisely the stigmatization of the soldiers involved in the scandals, can be characterized as a case of USMS scapegoating.

On January 31st 2004, the White House appointed Commanding General Antonio Taguba to carry a formal investigation, also known as AR 15-6, of the 800th MP’s Brigade, pertaining to the allegations of abuse and detainee’s maltreatment in the prisons of Abu Ghraib. The investigation set a series of goals including, the inquiry of detainee escapes, treatment of detainees, examination of the command climate of the prisons and training standards. The Taguba Report concluded that between October and December

³ Please see Emile Durkheim *The Division of Labor in Society* (1893) pages 44-54 for an elaborated explanation of *vendetta*, traditional forms of punishment and a discussion of vengeance.

2003 numerous incidents of “sadistic, blatant, and wanton criminal abuses” were inflicted on several detainees of the Abu Ghraib facilities (Taguba 2004:15-20). The memorandum discussed the following list as incidents of abuse,

- Punching, slapping, and kicking detainees; jumping on their naked feet
- Videotaping and photographing naked male and female detainees
- Forcibly arranging detainees in various sexually explicit positions for photographing
- Forcing detainees to remove their clothing and keeping them naked for several days at a time
- Forcing naked male detainees to wear women’s underwear
- Forcing groups of male detainees to masturbate themselves while being photographed and videotaped
- Arranging naked male detainees in a pile and then jumping on them
- Positioning a naked detainee on a MRE Box, with a sandbag on his head, and attaching wires to his fingers, toes, and penis to simulate electric torture
- Writing “I am a Rapest” (sic) on the leg of a detainee alleged to have forcibly raped a 15-year old fellow detainee, and then photographing him naked
- Placing a dog chain or strap around a naked detainee's neck and having a female Soldier pose for a picture
- A male MP guard having sex with a female detainee
- Using military working dogs (without muzzles) to intimidate and frighten detainees, and in at least one case biting and severely injuring a detainee
- Taking photographs of dead Iraqi detainees

Moreover, the Taguba Report documented an astonishing index of violations relating to the command climate of the prisons. In contrast to the discussion of detainee

abuse, the list of factors that narrate inadequate leadership at the Abu Ghraib facilities is far more exhausting. Repeatedly, the Taguba Report elaborates on the egregious levels of confusion, instability, ambiguity of guidelines, low morale, poor living conditions of the soldiers, low-proficiency training of personnel and ineffective forms of leadership. The Taguba Report, pages 34-40, describe the command climate and social conditions of Abu Ghraib. Verbatim, the report notes,

- The 800th MP Brigade believed they would be allowed to go home following the cessation of major ground combat on 1 May 2003.
- Morale suffered, and over the next few months there did not appear to have been any attempt by the Command to mitigate this morale problem.
- The 800th MP Brigade *were not proficient in their basic MOS skills*, particularly regarding internment/resettlement operations.
- There is no evidence that *the command, although aware of these deficiencies, attempted to correct them in any systemic manner* other than ad hoc training by individuals with civilian corrections experience.
- *The 800th MP Brigade was not adequately trained for a mission that included operating a prison or penal institution at Abu Ghraib Prison Complex.*
- The 800th MP Brigade did not receive corrections-specific training during their mobilization period.
- MP units did not receive pinpoint assignments prior to mobilization and during the post mobilization training, and thus could not train for specific missions.
- The company level with little or no direction or supervision at the Battalion and Brigade levels, and consisted primarily of common tasks and law enforcement training.
- *No evidence that the Command, although aware of this deficiency, ever requested specific corrections training from the Commandant of the Military Police School*
- The *800th MP Brigade as a whole, was understrength* for the mission for which it was tasked.

- *BG Karpinski and her staff did a poor job allocating resources throughout the Iraq JOA.*
- *In addition to being severely undermanned, the quality of life for Soldiers assigned to Abu Ghraib (BCCF) was extremely poor. There was no DFAC, PX, barbershop, or MWR facilities.*
- *There were numerous mortar attacks, random rifle and RPG attacks, and a serious threat to Soldiers and detainees in the facility.*
- *The prison complex was also severely overcrowded and the Brigade lacked adequate resources and personnel to resolve serious logistical problems.*
- *Because of past associations and familiarity of Soldiers within the Brigade, it appears that friendship often took precedence over appropriate leader and subordinate relationships.*
- *There was no clear delineation of responsibility between commands, little coordination at the command level, and no integration of the two functions.*
- *Coordination occurred at the lowest possible levels with little oversight by commanders.*
- *Lieutenant Colonel Jerry Phillabaum was an extremely ineffective commander and leader.*
- *MAJ David W. DiNenna basically ran the battalion on a day-to-day basis.*
- *BG Karpinski also implied during her testimony that the criminal abuses that occurred at Abu Ghraib (BCCF) might have been caused by the ultimate disposition of the detainee abuse cases that originally occurred at Camp Bucca in May 2003. She stated that “about the same time those incidents were taking place out of Baghdad Central, the decisions were made to give the guilty people at Bucca plea bargains. So, the system communicated to the soldiers, the worst that's gonna happen is, you're gonna go home.”*
- *The 800th MP Brigade S-1, MAJ Hinzman and S-4, MAJ Green, were essentially dysfunctional, but that despite numerous complaints, these officers were not replaced. This had a detrimental effect on the Brigade Staff's effectiveness and morale.*

- The Brigade XO did not properly supervise the Brigade staff by failing to lay out staff priorities, take overt corrective action when needed, and supervise their daily functions.
- The 800th MP Brigade did not articulate or enforce clear and basic Soldier and Army standards.
- There was *no clear uniform standard for any MP Soldiers* assigned detention duties.
- Despite the fact that hundreds of former Iraqi soldiers and officers were detainees, *MP personnel were allowed to wear civilian clothes in the FOB after duty hours while carrying weapons*
- *Saluting of officers was sporadic and not enforced*
- There was no clear emphasis by BG Karpinski to ensure that the 800th MP Brigade Staff, Commanders, and Soldiers were trained to standard in detainee operations and proficiency

In a word, Taguba's Report illustrates the norms, values and sanctions of the group at Abu Ghraib were dysfunctional and far from stable. Accordingly, the atmosphere of the prisons—including the chain of command, was anomic and vulnerable to a variety of chaos.

After the Taguba Report's hearing, the dissemination of photographs depicting the abuse of Iraqi prisoners at Abu Ghraib began to circulate in the international news media. The photographs were confirmed to be authentic, showing American soldiers at Abu Ghraib carrying out a series of dehumanizing acts. In the pictures the American soldiers were portrayed smiling and giving thumbs up to the abuse of detainees. The photographs illustrated the prisoners, stacked on top of each other making human pyramids, standing in obscene poses, and taking part in a series of sexually submissive

and homoerotic acts. The photographs that received the most media attention showed soldiers holding on to naked prisoners with a leash; naked prisoners wearing hoods over their heads; detainees wearing women's underwear on their heads; German Shepherds dogs barking in the faces of blindfolded prisoners; and the picture of a detainee who is about to get electrocuted.

According to trial testimony, 16,000 other photographs existed, most which never made it to the public sphere. Other pictures showed prisoners covered in human feces, the detainees performing group masturbation, detainees bleeding, detainees performing fellatio on other detainees, and a score of other dehumanizing activities. These photographs were grotesque and disturbing. Amongst these photographs that never made it to the public eye, there were also pictures of the soldiers at Abu Ghraib and their living conditions.

In these pictures the soldiers proudly wore American NFL hats, played with animals, stood with women and children of Iraq, and in some cases were depicted sitting and laughing with Iraqi men who wore traditional attire. More photographs included the soldiers laughing and playing around with each other; and the soldiers laughing and playing around *with* some of the detainees at Abu Ghraib. A variety of photographs from this series, show the soldiers at Abu Ghraib enacting with each other very similar sexual behavior as the activities that constituted "abuse" in the trials; namely, nudity, handcuffing, wearing women's panties over uniform, and the performance of "pretend" fellatio. However the behavior in these pictures hardly is mentioned by the media, scholars and other professionals discussing the scandals.

Immediately after the photographs began to circulate in newspapers, the Internet and talk-shows around the world, President George W. Bush directed a global message in which he reassured the world that “what took place at Abu Ghraib does not represent America, which is a compassionate country that believes in freedom” (Bush 2004). The message went on to say that “in a democracy, everything is not perfect and mistakes are made. But (...) those mistakes [referring to Abu Ghraib] will be investigated and people [referring to the soldiers] will be brought to justice” (Bush 2004). Secretary of the State, Condoleezza Rice, and other cabinet members of President Bush, also made comparable public statements.

It is important to emphasize, by the time the president and his administration made such statements, the White House and the USMS had long known about the incidents of military misconduct given the plethora of accounts from global organizations and human rights committees. In other words, before the American Government made these public apologies, records show the White House and USMS were aware that the Geneva Conventions had been violated; knew interrogation techniques in Guantánamo and other military bases had been approved to employ extreme methods of gathering information; and knew incidents as the ones depicted in these photographs were also taking place in the U.S facilities at Guantánamo, Bagram Airbase, Camp Bucca, and other military establishments.

Days after the American government released these global messages there were reports of additional USMS misconduct that did not involve the prisons of Abu Ghraib. The Red Cross documented a number of other serious violations of the Geneva

Conventions, allegedly taking place in the al-Baghdadi base, the Hubbania Camp, and the Tikrit holding area. These reports were altogether ignored given the incidents of Abu Ghraib had created such turmoil.

The Abu Ghraib scandals created such collective disturbance, it seemed nearly impossible to detach from the general narrative of the news reports. Namely, that the chaos of Abu Ghraib was the result of “a few rotten apples.” Questions that contested the stigmatization of the soldiers were hardly, if ever, evoked. Reports of detainee abuse continued to take place after the Abu Ghraib outrage, however between the political climate of the 2004 elections and a fast growing economic regression, much of the reports that elaborated on the accounts of U.S military abuse were disregarded. *The New York Times* published a story noting the poor reviews and inadequate investigations conducted by the Army in relation to pending war-crimes—none of which were related to Abu Ghraib (Opell 2004). *The Boston Globe* reported how the CIA allegedly oversaw many interrogations of top-level detainees and noted how some investigators suspect the Bush administration had authorized the use of torture (Savage 2004). *The Washington Post* gave account of medical personnel who violated the Geneva Conventions by helping with the torturing methods of interrogation techniques in Guantánamo Base, Cuba (Priest and Eggen 2005). A plethora of other reports similar to these circulated the media.

Between May 2004 and March 2006 the USMS held courts-martial to convict seven members of the 800th MP Brigade who were “directly” involved in the abuse at Abu Ghraib. These soldiers were CPL Charles Graner, SSG Ivan Fredrerick, SPC

Jeremy Sivits, SPC Sabrina Harman, PFC Lynndie England, SGT Javal Davis, and SPC Meghan Ambuhl. Additional military personnel convicted in the scandals included, SPC Armin Cruz, SPC Roman Krol, SGT Santos Cardona, and SGT Michael Smith. Around the same period of time, the American Civil Liberties Union, and Human Rights First filed a lawsuit against Secretary Rumsfeld, claiming that Rumsfeld held direct responsibility for the torture and abuse of detainees in Afghanistan and Iraq. Chief Judge Thomas A. Hogan of the Federal District Court, District of Columbia, dismissed the lawsuit (ACLU 2006).

It appeared that with the conviction and sentencing of these “rotten apples,” the Army, and the United States collectively, had turned a page and considered discussions of military abuse a closed case. The courts-martial for the scandals of Abu Ghraib, in a series of ways served as a ritual of collective scapegoating. In other words, the violations of the Geneva Conventions and the abuse of foreign detainees could not abide without holding someone accountable for the consequences. As Durkheim notes, incidents such as this one, which shake up the values and beliefs of the collective consciousness, often call for a victim on whom to avenge the emotions of rancor. Durkheim further notes this victim frequently will be an “outsider” of sorts, a person or group of “lower social significance,” a “passive object,” a “subject *minoris resistentiate*” (Durkheim 1912:404). In this case, and cases to follow, the convicted personnel were low-ranking soldiers, not high ranking officials, MI officers, CIA agents, or government officials with higher status in the chain of command. By convicting a “few rotten

apples,” the United States seemed to have washed its hands clean and push aside the violation of international laws and other cases of abuse and torture.

Higher-ranking military officers such as, LTG Ricardo Sanchez, MG Geoffrey Miller, MG Barbara Fast, COL Thomas Pappas, LTC Steven Jordan, LTC Jerry Phillabaum, CPT Carolyn Wood, BG Janis Karpinski who in many ways were directly responsible for the command climate of Abu Ghraib, and a series of members of the presidential cabinet, altogether escaped any serious consequences of the scandals. The fact that only low ranking soldiers were held accountable for the abuse reflects a collective inability to approach the USMS as a system of parts that work together as a social body. That is to say, by channeling the blame of the misconduct solely onto a group of soldiers indirectly reveals that the United States fails to perceive the links that exist among individual and collective responsibility and its relation to larger cultural patterns.

Additional Cases of Military Misconduct

Following the Abu Ghraib scandals and corresponding courts-martial, the president administration began to realize that the interrogation techniques used at Abu Ghraib, Guantánamo and other bases, were not producing profitable intelligence. Consequently, the philosophy about the wars against Afghanistan and Iraq began to shift, and the public frame for the war against terror started to change its approach. For

example, in the Quadrennial Defense Review (2006), Secretary Rumsfeld no longer discusses the war in terms of “global war against terrorism,” but rather, refers to it in terms of “the long war.” Conjointly, references to Viet Nam and the Cold War begin to take place, and the discourse on prisoner abuse starts to dissipate in public discussions.

These shifts in the Presidential Cabinet, in terms of military strategies and alterations of the war rhetoric, reveal a reallocation of goals for the military. By this time, the numbers of insurgencies and casualties in Iraq begin to rise and the war philosophy of the USMS is less concerned with holding prisoners captive. Although, cases of insurgency begin to take place in Afghanistan and Iraq as early as 2002, instances of mortar attacks largely increased after the USMS determined they did not want to detain any more prisoners.

UN reports show earlier cases of USMS attacks against foreign insurgents damaged water facilities and agricultural areas in Tall Afar and Fallujah (CP 2006:11), and severely impaired Iraq’s medical infrastructure by continued attacks on hospitals and other medical amenities (CP 2006:11). Attacks on these medical facilities, were followed by other cases of insurgency on hospitals in Haditha, Al-Qaim, Tall Afar, Ramadi, and other locations, none of which were restored (CP 2006:12). The demolition of medical institutions, and water and food supply establishments constitute further instances of Geneva violations. The number of casualties at this point in the war reached 100,000, and largely increased after attacks in Fallujah (Roberts 2004).

Other instances of insurgency, from this time period, that violated the Geneva law can be noted as follows,

- *The Christian Science* released a report which stated, “a growing toll of innocent lives in mistaken attacks by US soldiers, including a series of shootings on the nation's roads by US forces that have killed men, women, and children” (Murphy 2004:2).
- Memorandums to global organizations account for the death of 24 civilians, professedly killed by U.S. Marines during November 2005 (CP 2006:16).
- Reports testify that during the months of April and March, “an Iraqi man was said to have been deliberately killed by Marines,” and “11 Iraqis, mostly women and children, apparently were massacred by U.S. troops” (CP 2006:16).
- Reports released in 2006 note USMS commanders testifying the U.S Army has not kept a body count of all the casualties, other reports account for the deaths of 33,000 and 37,000 Iraqi civilians (Bensahel 2006).

An overabundance of reports that call attention to the violation of the Geneva law and hold responsible the USMS for a long list of misconduct can be found in memos presented to international tribunals of human rights, non-governmental organizations, humanitarian law projects, and similar groups that oppose the United States' war against Afghanistan and Iraq. Few official USMS documents exist that verify these claims and that are made accessible to the public.

In addition to the scandals of Abu Ghraib and affiliated courts-martial, this work specifically examines the cases, Operation Iron Triangle in 2006, the “Canal Killings” by U.S. Army soldiers in Baghdad in 2007, and the Maywand District Killings in 2010. Correspondingly, these instances of military misconduct are reflective of different stages of the Global War Against Terror and the war philosophy of each stage. For example, the incidents of Abu Ghraib correspond to the early stages of the war when the U.S.'s goals were to gather intelligence and hold prisoners captive. The Operation Iron Triangle killings strictly refer to a stage in the war when the USMS wants absolutely no

prisoners captive. The “Canal Killings” are reflective of a period in which the war philosophy requires the soldiers to corroborate with evidence if they want to hold prisoners captive. Finally, the Maywand District Killings mirror more up-to-date tensions in the USMS, reflective of a philosophical divide between the supporters and opponents of the COIN doctrine.

The Operation Iron Triangle case involves Specialist Corey Claggett, Specialist William Hunsaker, Staff Sergeant Raymond Girouard and Specialist Juston R. Graber, American soldiers who were prosecuted for violating an unlawful ROE (Mestrovic 2008). During the Operation Iron Triangle mission, the Rules of Engagement (ROE) ordered the soldiers of 101st Airborne Division “to kill every military-aged male” (Mestrovic 2008:12). Despite the fact that these men were following official military ROEs which themselves violated war-law, these soldiers were tried and convicted of murder and conspiracy. Specialist Clagget and Specialist Hunsaker were found guilty of murder, and Staff Sergeant Girouard pleaded guilty of conspiracy for finding himself in the vicinity of the acts.

The Baghdad “Canal Killings” courts martial involve three decorated soldiers, 1st Sergeant John Hatley, Sergeant 1st Class Joseph Mayo and Sergeant Michael Leahy, in addition to Specialist Steven A. Ribordy and Specialist Belmor G. Ramos. The sergeants of this case were convicted of premeditated murder and conspiracy, for deliberately killing three Iraqi detainees execution style. This case particularly, received attention from main stream media leading to the CNN special “Killings at the Canal: The

Army Tapes,” which systematically narrated the stories of these soldiers and the political constituents of their situation while serving Alpha Company in Iraq.

The Maywand District Killings case, which also received significant attention from the news media, involves Specialist Jeremy N. Morlock and Staff Sergeant Calvin Gibbs from the 5th Stryker Brigade. Both of these soldiers pleaded guilty to a series of charges including conspiracy, murder, assault, obstruction, failure to obey a lawful order, and use of a controlled substance.

A common denominator among the Abu Ghraib abuses, the killings of Iron Triangle, the killings at the Canal, and the Maywand District killings, is the USMS’s consistent and systematic negligence of expressive functions at a series of levels. Examples of this negligence include, but are not limited to, issues of command climate and leadership, role confusion, soldier cross-leveling, and dysfunctional medical structure. It is also important to bring attention to fact that the soldiers that have been convicted for these acts of crime overwhelmingly are lower ranking military personnel, while higher-ranking officials related to these cases often seem to escape responsibility for any of the events altogether. Another curious pattern related to the trial processes of these soldiers, is the overwhelming number of pre-trial agreements that soldiers sign, pleading guilty to the crimes. While elaboration on this final issue deserves a closer examination, the observation of this court-martial process brinks beyond the scope of the present work.

Supplementary Testimonies

Whereas the Taguba Report AR 15-6 Investigation provides a generous summary of the overall conditions at the Abu Ghraib prisons, General Taguba on no occasion served at those facilities. The following sworn statements, given by MAJ David William DiNenna, illustrate some of the atrocious findings of the Taguba Report from a different angle. Namely, these additional testimonies enrich general understandings about the Abu Ghraib prisons because they capture the events from an experiential perspective.

Verbatim Sworn Statement by MAJ David William DiNenna Sr, Supply Officer.

Baghdad Correctional Facility, Abu Ghraib, Iraq. 5 February 2004 states,

I arrived at Abu Ghraib in July 04. We were the only ones there and I believe the 519th MI had a company that arrived around I the same time we did. The 320th MP BN was in charge of base operations and we were under the 800th MP BDE. We had contact with MI Leadership on a daily bases because they attended our Battalion Staff meeting. All units at Abu Ghraib had a representative there. During the meetings we would discuss issues relating to detainees such as medical, billeting, water, food, and escorting. We (MPs) also discussed that MPs were not to take part in interrogations. Personnel who were in charge of MI soldiers were, LTC JORDAN, CPT WOOD and ISG MCBRIDE. I didn't really have a detail conversation with MI in reference to detainee handling violations or Rules of Engagement. I provided CPT WOOD a copy of the MP Rules of Engagement. At the time we arrived, only Camp Vigilant was operational. The Hard Site was not open yet and neither was Camp Ganci. Except for one time, I never saw or was aware of any detainee physical abuse. The incident I am referring to occurred on 22 September. We had just had a mortar attack. The guard at the tower saw personnel moving outside the area. I sent in the QRF after the individuals. Two individuals were captured and brought in. It was procedure to have the MI screen the personnel brought in. I drove to the Entry Control Point and MI drove right behind me. The individuals caught were behind. MI personnel moved the detainees to the back of the vehicle. ILT SUTTON came up to me and told me something. I didn't hear him because I was on the radio with higher. When I finished I heard a lot of yelling going on. I went to where the yelling was occurring and asked the NCOIC what the problem was. I

told the NCOIC to escort the detainees to the holding area and meet me back in the battalion TOC. By the time I arrived at the TOC, the NCOIC was already there with 1SG McBRIDE. 1SG McBRIDE asked me if anything like this had happened before. I said no. I found out that the soldier sent out was from the unit that had just received mortars and had two soldiers killed from the mortars. I told him that you don't send soldiers out who were that emotional. I told him he needed to take some disciplinary action such as reprimand, counsel, or send him to be seen for combat stress. I do not remember the soldier's name. CID took the case but deferred it to the chain of command. I do not know what disciplinary actions were taken. Three weeks after the incident, the 519th redeployed. I notified my battalion commander about the incident. I do not know of any other incident. I never saw or had any knowledge of MI using dogs during the interrogations. The use of dogs had to be approved by LTG Sanchez. Prior to the investigation beginning, I never saw or had knowledge of any photos or videos of MI personnel with detainees. The taking of photos was not authorized and we would take cameras away from individuals we caught taking photos. This policy was put out six days a week and personnel caught would be punished and cameras confiscated. I never had any discussion with LTC JORDAN or COL PAPPAS on detainee abuse occurring in the prison. One issue we were concern about was the frequent mortar attacks. We did not have enough personnel to provide the adequate protection for the camp. We had a challenge trying to get all units at Abu Ghraib to cooperate and assist with force protection of the site. It wasn't until we lost the two soldiers during the mortar attack that we started to receive additional help. We received a platoon from 1/504th and COL PAPPAS brought in the 165th MI BN with their LRSD to help with force protection. But this was simply the protection inside and the towers. No one was providing support outside our area. LTG Sanchez came to visit Abu Ghraib one day. He went up to the guard tower and said take the fight out to the field. We didn't have the manning to do that. We had too many other responsibilities with the detainees (Sworn Statement, MAJ DiNenna).

Verbatim Sworn Statement by MAJ David William DiNenna Sr, Supply Officer.

Baghdad Correctional Facility, Abu Ghraib, Iraq. 9 February 2004, states,

1. 71 L/52D at the site of the allegations: To the best of my knowledge the female soldier, 71 L, and the 52D male soldier were never scheduled

to work in the hard site facility, to include Wing 1A and 1B, performing the roles of Military Police. From what I have been told and heard was that the female soldier was having a relationship with CPL Graner which could be the reason she was present during the incident. The mechanic was on duty to ensure that the CPA prison generators kept functioning and remained fueled. This was necessary due to the fact that CPA did not provide a 24hr generator mechanic and the generators would constantly go down. The generators operate the water and lights of the prison. That would be the only explanation as to why the mechanic would be at the prison.

2. Training (Home Station, MOB Station, Theater): The 320th Military Police Battalion has conducted exhaustive training in Internment/Resettlement Operations, Military Police Tasks, crowd control, Less than lethal, ROE, ROI, Law of land Warfare, Geneva Convention, and MP Combat support missions. Home Station: Training at home station includes all of the above which were scheduled intermittently throughout Drill Weekends and Annual Training. In reference to Annual Training the 320th MP BN was selected 4 years in a row by 8th Army to train the 8th MP BDE, Korea, during Operation Foal Eagle. During drill weekends the unit convoyed to Tobyhanna Army Depot (TY AD) where a mock EPW facility was constructed, through the efforts of the 320th and TY AD. This training was conducted quarterly. While at the center for training, the unit focused on Compound operations, the handling of EPWs, ROE, ROI, Use of Force and In-processing, in addition to the required training, mandatory briefings (SAEDA, Geneva Convention, etc.) and SRP. During the 4 months prior to mobilization, the unit was still slotted for Annual Training in Korea a rotation in Kosovo, while simultaneously preparing for mobilization and deployment to Iraq. The final decision of which the unit would do was made by FORSCOM in January 2003. The unit was mobilized 10 February 2003 for Operation Iraqi Freedom. While at Home Station, the unit was finalizing its training plans for the MOB station. However, the challenge was the constant changes by MATOPS. Also, I had re-written the BN TACSOP for IR Operations. This SOP was requested by the NDRC at the Pentagon and distributed to all 17 IR Battalions in the system as well as the 78th Training Division to validate IR units mobilizing through Ft Dix, NJ. I/R training dictated by the MOB station consisted NDRS (Processing). The unit was not required to complete a Mission Readiness Exercise (MRE) for validation as our SOP was used for the validation. In addition to the mandatory training from the MOB Station, the unit had training schedules each day consisting of Compound Operations, SOP review to all members of the BN, ROE, ROI, Use of Force, cultural sensitivity and other MP Tasks. After the unit arrived in

theater the only IR training given was that conducted by the unit. This consisted of refresher training in compound operations, ROE, ROI, SOP review and in-processing. The unit was only at Camp Arifjan for 10 days.

3. Relationship between MP and MI (Wing IA & IB): The MP were asked by MI to perform several tasks, which included sleep deprivation, music, limit certain prisoners to certain foods (MRE and/or Iraqi food). At first the relationship was awkward. It was confusing as to who was the C2 for the wings. CPA owned the wings yet, they had given the wings to the MI to utilize. Another issue was agencies within OGA would frequently bring prisoners to the facility and not want them processed. When this first occurred, I awaited their annual (0300hrs) and informed them that either the prisoners were to be processed or they would need to leave an agent with the prisoner. I received this guidance from the 800th MP BDE and COL Charles Luce, Chief, National Detainee Reporting Center, DAMO, Pentagon. At the beginning of October, the requests were originally verbal. However, the MP on duty, specifically SGT Joyner questioned this and requested them in writing. The instructions were also placed on the wall next to the cell of the prisoner. As I understood it from the previous OIC, CPT Brinson, the tasks were supervised by himself, or an NCOIC with a member of MI present. I believe that LTC Jordan had also supervised this as well. CPT Brinson has since REFRAD. The tasks were carried out by the MP on duty only MP were schedule participated to work in IA and IB.

4. Training Non-MP personnel: Any Non-MP personnel required to work around Detainees or prisoners received the following training: ROE, ROI, some MP tasks (hand cuffs, searching), some received Less than Lethal training. These soldiers are utilized more for additional security versus MP duties. 'Hip pocket training", ROE, and Use of force are briefed at shift changes and guard mounts. Most of the Non-MP soldiers in the units received MP type training at either their home station or MOB station. I have discussed this with the Company Commanders that have non MP soldiers performing these type tasks

5. Incident - Pictures (what I think is happening): Originally I was assigned as the 15-6 Officer by LTC Jerry Phillabaum for the alleged incident. CID had already been notified and had briefed me on the incident in question and had shown me the pictures. Upon viewing the pictures I had to "take a break" as I was in shock as to what I was viewing. It was obvious that these soldiers had acted independently to commit these inhumane, criminal acts. These were obviously the acts of criminals and these individuals should receive the maximum punishment allowed. It is obvious that the leadership did not have an indication or

knowledge that this could happen or was happening. The Commander, myself, staff and NCOs of the 320th MP BN would not allow such activity. This Command has "preached" against any type of violations of the ROE, ROI and has constantly reviewed/ lectured the humane treatment of prisoners. If the command had an inkling that these individuals could have done such acts, these individuals would not have been permitted to be in the presence of prisoners. If the Command had known of these activities, these individuals would have been apprehended immediately. It would be my opinion that possibly these soldiers had seen similar, yet, possibly not to this extreme, activity by the MI personnel during interrogations of these prisoners. They then took it upon themselves to conduct such criminal activity. I have been a Military Police Officer for 17 years, involved in all types of investigations, to include undercover work with the German Police. I was a RA Officer. Reserve Officer and now AGR Officer. A criminal will perform a criminal act if committed to do so, regardless of the amount of "training to do the right thing", lectures and classes on conduct, etc. They will seize the opportunity of chance to commit such acts.

6. Spot Checks: Command presence has been a vital role of NCOs and Officers in the Battalion (subordinate companies included) especially with this particular mission. Three confinement facilities, over 6,000 prisoners and extremely limited resources (as seen in the Troop to Tasks). Leaders at all levels randomly go through the facilities at all hours of the day and night, from the BN CDR to Squad leaders. I personally know this to be a fact. However, due to the extremely limited assets constant addition of missions, REFRADS, work to be done during the daylight hours (0600-2100), Officer, and certain Senior NCOs cannot be at each facility every night. The issue of lack of personnel has gone to the extreme that CO CDRs, Senior NCOs, BN Staff pull duty at a guard post, escort, or the compounds to give their soldiers a day off; to reduce the chance of complacency, stress and misjudgment. Would it be possible to commit such acts if leaders are checking on their soldiers? Of course. Again, someone with the obvious frame of mind and intent of these individuals will accomplish their cowardly tasks at their own time and pace. Based on a theory that this should have been prevented, there would have to be an Officer or Senior NCO for each soldier in each unit. This BN ensures that there is an NCOIC for each compound, shift, escort, mission. There exists three facilities, 2 Entry Control points, Force protection points, Holding Area, Processing Line and CPs. Based on the Strengths of the units, they must be split into several locations to accomplish all missions which results in the utilization of Senior NCOs and Officers to have to pull shifts at times to meet mission.

7. Actions: In addition to what the units have been doing to check on their soldiers at all hours, aDA Form-6 has been instituted at the Battalion to have every E7 and above to make nightly sporadic checks at each facility. Despite its effect on daily missions, it has been implemented. ROE, ROI, more detailed guard mounts are ongoing.

8. Since the 320th MP BN assumed the mission of the British Corps Holding Area in March 2003, which had 16 compounds (versus the 4 compounds that an IIR BN doctrinally can operate), to the mission now at BCF, required number of personnel has been a significant issue. Despite this, this unit has accomplished every mission assigned; performing non-doctrinal missions under resourced, forced to create new doctrine. This unit has processed, safeguarded, fed, housed over 25,000 detainees.

The 320th has housed more EPWs, Security Detainees, and prisoners than any other unit in Theater A statement that can be supported by the Theater accountability roll ups and reports. We have had 13 escapes in 11 months, with 5 different facilities These escapes in relation to the number of prisoners equals. 052 %. I was asked by the panel what we could have done differently. Here is what was done to attempt to mitigate the shortage of personnel and resources . LTC Phillabaum, after many Requests for Forces cut down the R&R leave from 10 % to 5 % throughout the Battalion. Senior NCOs and Officers would perform their daily missions, rest for a few hours and then work a night shift. Officers and Sr NCOs would pull shifts for their soldiers. Fought the opening of new compounds until proper resources were received. In addition, I instructed an NCO in the S3 section to compile all SOPs/MORs for all different missions, ensured that the Companies created and maintained SOPs for their missions, reviewed and approved by the BN. Perhaps a standard training team could have been established to move throughout the units.

I feel obligated to mention that during mid to end of September, the CJTF-7 IG visited BCF for approximately 2 days. During the outbrief to the BN CDR, BN Staff, Company CDRs; and leadership of other tenant units located at BCF the COL ended the outbrief with "There are the poor, weak and the forgotten, you all are definitely the forgotten." The COL referenced the challenge of being resourced properly, the constant mortar attacks, and the increasing prisoner population. Following that visit, LTG Sanchez visited BCF. Upon completion of his visit, many from the CITF-7 staff visited BCF and the Base support began as BCF was declared an Enduring Base. However, no additional resources in the area of manpower was received.

In summation the 320th MP BN accomplished their mission, and continues to do so. Despite tremendous hurdles, leadership. Dedication to duty, loyalty and training persevered. Mistakes were made, yet, corrective action was always immediately implemented by the Command. The Battalion Chain of Command was in constant communication within itself and to the soldiers. I had absolutely no information that any type of prisoner abuse in any degree had occurred. If I had known, immediate steps would have been taken to ensure that such actions ceased and actions against those individuals would have been initiated (Sworn Statement, MAJ DiNenna).

3. THE SOCIAL BODY: THEORIES OF COOPERATION AND THE U.S MILITARY

“At some point a reasonable person is going to say ‘fuck it’ and do what they need to do to ensure the survival of the unit”—ILT David Nelson-Fischer

The works of Charles Darwin have been without a doubt a source of controversy since their genesis. Still today, scholars tend to approach Darwinian ideas with tension, understated anxiety, and to say the least, ambiguity. However, these feelings of apprehension are not random or arbitrary. Similar to other eminent thinking, Darwin’s theories are full of doctrines that challenge the world as we wish to know it, raising an overabundance of questions about origins, physical existence and the nature of men. Consequently, much of Darwin’s works have been distorted to represent only parts of his philosophies. Contemporary scholars often fail to note the direct influence Darwin had on classical theorists like Emile Durkheim, Thorstein Veblen, Sigmund Freud, and American Pragmatism. The same is consistent for acknowledging Darwin’s influence on modern and structural-functionalist theory.

This chapter discusses theoretical strands that weave the thesis for the work at hand—theoretical strands that cannot be divorced from the influence Darwin had on sociological theory. The main idea to intertwine through this discussion, and others after, is that the USMS resembles a complex social body and as such, it encapsulates a variety of parts that require the balance of expressive and instrumental functions. The pages to follow bring attention to a cohort of scholars who elaborate upon Darwin’s thinking to discuss “the social” as an affective embodiment.

Drawing from Darwin, these theorists approached all that composes the lived experience, concrete and abstract, as living beings struggling for existence. The U.S military system is no exception. Consequently, its structure exhibits elements similar to those found in natural formations, including intrinsic cooperation, longing for survival, and aspirations for spontaneous division of labor.

The Social Body: Struggling for Existence

Darwinian ideas having been criticized and celebrated by an array of intellectuals in fields which include Biology, Sociology, Psychology, Philosophy, Anthropology, Economics, Religious Studies, and Critical Theory to name a few examples. Whether scholars encounter these theories appealing, or contentious, the consensus remains that Darwin's thinking has been undeniably significant in the development of theoretical undertakings. Sadly, the actual works of Darwin seem to dissipate in academic reading lists, and similarly, the influence of Darwin's works is less and less noted in theoretical discussions, and in particular sociological discussions.

A noteworthy contribution to sociological thought that incorporates the ideas of Darwin is the first published sociology textbook, *Introduction to the Science of Sociology*, initially available in the year 1921 (Park and Burgess [1921] 1969). This comprehensive collection of theoretical essays, also known as "the green bible," encompasses an immense variety of topics, including discussions on the original nature

of man, human nature and the social life, social heredity, *society and symbiosis*⁴, essays on isolation, communication, sentiments and attitudes, competition and conflict, adaptation, and social progress. Not to be exhaustive, but it is important to note that in addition to Darwin's writings, the selections from this book incorporate the works of W. I. Thomas, Ferdinand Tönnies, Arthur Schopenhauer, Alfred Espinas, William M. Wheeler, Helen Keller, W.E. Hocking, William James, John Dewey, George Santayana, Emile Durkheim, August Comte, Herbert Spencer, Charles H. Cooley, Adam Smith, Georg Simmel, Francis Bacon, Jean Jacques Rousseau, Henry Adams, and others.

The foundations of the “green bible” include complex theoretical discussions from a wide-ranging variety of scholastic perspectives, all which bestow some credence to the works of Darwin. Consequently, these theoretical writings engage society as an organism that is *alive*—homeostasis, *sui generis*, lively, and full of forces that guide the collective experience. These collective experiences can be delineated as they relate to the collective consciousness (Durkheim 1912), collective unconsciousness (Jung 1959), collective feeling and thinking (Harrison 1912), the collective mind (Perry 1912), social character (Fromm [1930] 1963, Riesman [1959] 1961), and “habits” of thought (Tocqueville 1966, Veblen 1998) to name a few examples. In a word, the theorists that composed the works of the first sociology textbook approached the discussion of society as if she were a living, breathing body.

⁴ Park and Burgess point out how the word *symbiosis*—the interaction of different biological species, literally translates to “*living together*” (Park and Burgess [1921] 1969:169).

The U.S military system does not fall far from this way of thinking. For instance, soldiers are divided into *units*, which arguably resemble constituents of body parts. Once they are divided into units, the soldiers are obliged to work together, conspire, and cooperate. For another illustration, observe the word *corp* to indicate “Corp of Cadets,” literally denoting *body*—body of cadets. Furthermore, the title Corporal, which shares the same root word, is used to rank a unit’s team leader. Similar connections can be made about the word *Company*. The term labels a type of unit, and at the same time indicates connection, grouping, in companion.

For Darwin and his followers live embodiments, including plants, animals, material substances and social bodies exert for life in their struggle for existence. In *The Origin of Species*, Darwin states, “*the term ‘struggle for existence’ is used in a large and metaphorical sense, including dependence of one being on another, and including (which is more important) not only the life of the individual but success in leaving progeny*” (Park and Burgess [1921] 1969:514 added emphasis). Darwin employs the idea of “struggle for existence” to motions other than “survival;” the functions of *co-operation, adaptation and dependence* are equally important parts of this process. As J. Arthur Thompson, “Darwin himself (...) declared explicitly that the phrase ‘struggle for existence’ was meant to be a shorthand formula, summing up a vast variety of strife and endeavor, of thrust and parry, of action and reaction” (Park and Burgess [1921] 1969:513). As a result, the notion of “struggle for existence” includes an organism’s ability to compete, and as well as its ability to *co-operate* with other organisms.

Presently, the idea of struggle for existence is most often used to communicate purely the competition amongst organisms.

The USMS as a social body exhibits characteristics of all of these dynamics. In fact, cooperation, adaptation, dependence and “the survival of progeny” are fundamental values of the U.S military. An overwhelming number of courts martial depict both, the trial counsel and the defense counsel employing the conceptual use of “cooperation” as a value that convicts and defends the soldiers on trial. In other words, the opposing sides of the court utilize the idea of cooperation as means to incriminate and spare the Soldier. The prosecuting side of the tribunal often equates cooperation with the charge of conspiracy. To exemplify concretely, observe the following portion of the trial council’s statement in Specialist Steven A. Ribordy’s court martial. The statement notes,

Specialist Ribordy didn't pull the trigger, but our—you know, the history of the last 100 years is replete with instances that prove the aphorism that ‘evil men triumph, because good men do nothing.’ Okay, we've decided long ago that simply standing by and not intervening and not stopping things is itself a step down that slippery slope toward evil. *But Specialist Ribordy is not guilty of standing aside, he decided to help out. So if evil men triumph because good men do nothing, all the more so when weak men join in.* That has got to be the message that this court sends. We have got to show Soldiers that we are serious when we say this. When we say, ‘Not only can you not do it. You can't participate in it and you've got to report it.’ *Too much of who we are as an Army depends upon the adherence of Soldiers, just like Specialist Ribordy, young men, to that ethical code that we've worked so hard to instill in them.* There is so much about this case that is truly a tragedy. It is sad. From beginning to end it is sad. And nobody expects Soldiers to fall in love with the enemy out there, but their lives meant shit to him; evidently the law meant shit to him; and that's why we are all standing here. So this court today has got to issue a sentence that makes crystal clear that it's not enough to say I didn't pull the trigger. *It's not enough to say I was a young Soldier and I really thought these were great guys, I really wanted to help them out* (ATC Statement in Ribordy’s Record of Trial, added emphasis).

The trial council confirms that Specialist Ribordy did not pull the trigger at the canal incidents. Further, he points out Specialist Ribordy should be convicted guilty, not “of standing aside,” but guilty for *cooperating*—because “he decided to help out.” The trial council brings to attention how so much of what structures the Army “depends upon the adherence of Soldiers” to Army values, which include “ethical code,” and also cooperation, loyalty, and helping one’s comrades. Basically, the USMS attempts to convict Specialist Ribordy for principles the USMS wants soldiers to embrace. These standards can be ambiguous, and often create double-binds for the soldiers.

Conversely to the ATC, the defense council for Specialist Ribordy’s court martial employs the idea of cooperation to defend the Soldier. The ADC’s statement notes,

When you consider the facts, and the facts are that Private Ribordy then—Private—followed the patrol, excuse me, to the canal. He wasn't sure of what exactly was going to happen that night at the canal. And he wasn't even sure where exactly they were going. As he pulled up to the canal, the first sergeant and the medic dismounted his vehicle. And he was told to, ‘Pull up. Turn around and pull security.’ And that's what that young private did. He gets out of his vehicle at one point and he sees his first sergeant standing over bodies. *Now he's faced with a decision he has to make in that—in that war-zone environment, he's got to decide what to do and it's a split decision that he's got to make and he goes with his loyalty. He sits here today and tells you he understands that was the wrong decision to make, but he made it. And he decided, ‘I'm going to help them. I'm going to get everybody out of here, as opposed to ‘I'm going to get back in my vehicle and wait.’* (ADC Statement in Ribordy’s Record of Trial emphasis added).

The words of the ADC statement imply more than what meets the eye. Although the ADC says Ribordy was “faced with a decision,” denoting rational choice making, the

embodiment of the ADC's rhetoric, collectively implies that Ribordy acted upon instincts. The use of the expression "war-zone environment" paints a picture which requires fast, instinctual action. Furthermore, to note that Ribordy confronted a "split decision" and "he goes with his loyalty," indicates, by the same token, that he went with his heart, or that he followed his gut. Specialist Ribordy's intuitive action, therefore, was to cooperate, to help his fellow soldiers, to integrate himself with the group; as supposed to not collaborate, detach himself, "get back in the vehicle and wait."

A statement by 1 LT David Nelson-Fisher illustrates another instance which depicts the social body of the USMS wielding its struggle for existence. 1 LT Nelson-Fisher tells a story to describe the conditions of the area near Baghdad where the Alpha Company was stationed. 1LT Nelson-Fisher states,

On one particular occasion Alpha Company was in a fierce battle with insurgents. The insurgents were actually charging Bradley fighting vehicles with their Aks. One of Alpha's medics saved an insurgent who had fired on them. This insurgent had his legs blown off and wounds in the chest from being fired at by US forces. In any event (...) everyone who had attacked them [American Soldiers], including the guy who got his legs blow off, were released from the DHA. This frustrated everyone.

In relation to this account and other "horror stories"⁵ experienced by the Alpha Company, 1 LT Nelson-Fisher states, "at some point a reasonable person is going to say 'fuck it' and do what they need to do to ensure the *survival of the unit*" (1SGT John Hatley Record of Trial).

1 LT Nelson-Fisher's words are profoundly Darwinian as they shed light on Darwin's understanding of struggle for existence. 1 LT Nelson-Fisher's expression

⁵ 1LT Nelson-Fischer literally uses the expression "horror stories"

indicates the unit's desire to endure vitality, as much as emphasizing the importance of success in leaving progeny, given that the life of the unit exceeds the life of individual soldiers. Moreover, this expression reflects the USMS's approach towards itself, as essential *sui generis*.

Darwin's discussion on struggle for existence also engages the "struggle between fellows," the "struggle between foes," and the "struggle with fate" (Park and Burgess [1921] 1969:514). The struggle with fate is peculiar because it involves the conflict between animate and inanimate things, the struggle for existence between two inanimate objects, and struggles with those forces that exceed one's control. For example, the battle between a plant that needs moisture and the land where the plant grows while the land endures a drought; or mountains resisting a natural disaster. The land undergoing a drought, a mountain range and a natural disaster are examples of "non-living" entities which Darwin approaches as living constituents. In a word, for Darwin, and many of his followers, all of which composes nature and the world, finds itself in a state of constant exertion and thrust, with and against, other entities.

This discussion becomes significantly appropriate in relation to the Abu Ghraib cases because it establishes a connection between the soldiers of the 800th MP Brigade and many of the factors that the soldiers had no ability to regulate. Among a long list of deficiencies, the anomie of Abu Ghraib particularly derived from unfulfilled basic human needs. The sworn statement of Abu Ghraib's supply officer SR Major Dinenna notes,

All of my cooks are in the compounds. Mechanics, we have 3, which only leave to for HHC. Admin, each... If I could back up, *nothing has been*

doctrine, since the day we hit the ground. We have 4 I/R control teams, however, at Camp Freddy, we were running 16 compounds. The math doesn't work. There are not enough I/R control teams, which have the specialized training, to run a compound. You then have to take your guard companies, or they may be combat support companies, train them OJT, because there's no time to have a day of training. That hasn't existed, since we took the facilities. Then, you have to fill in the holes. We have assumed a tremendous, outrageous, criminal amount of soldier safety risks in running these facilities. I have never seen anything... It is absurd, if I may be so blunt (Sworn Statement SR Major David William Dinenna, Taguba Report, added emphasis).

A statement provided by LTC Jerry Phillabaum in the Taguba Report notes,

I also pointed out corrective measures which were not complied with involved positioning of light sets to illuminate all dark areas that could provide an escape route for prisoners within the grid square of FOB Abu Ghraib and involved the number of personnel to assign to operate Camp Ganci compounds and serve as an interior FOB Abu Ghraib roving patrol. These corrective security measures could not be complied with because all available light sets were used to illuminate Camp Vigilant and Camp Ganci compounds and there was an insufficient amount of soldiers to meet doctrinal requirements for operating detention facilities at FOB Abu Ghraib. I made personal contact with the 800thMP Brigade S-4, MAJ Green, and S-3, NIAJ Cavallaro, to request additional light sets and soldiers. In December 2003 when the 320thMP BN located a vendor for light sets, Mal Green sent all the light sets to the 530thMP BN. MAJ Cavallaro repeatedly denied all requests for forces. During mid-November, MAJ Sheridan was assigned as my acting executive officer. On 19 November 2003, COL Pappas became FOB Abu Ghraib commander (LTC Jerry Phillabaum in the Taguba Report, added emphasis).

LTC Phillabaum further states,

In summary during this entire deployment, I was assigned missions without the resources to accomplish the missions by doctrine. A lack of unit equipment and vehicles existed until May. Other logistical issues were present throughout the deployment. There was a chronic shortage of personnel which necessitated 12 hour shifts with few days off. On the 320th MP BN staff, for the majority of the deployment I was without an executive officer, S-4, and command sergeant major. I relied heavily on MAJ DiNenna to run the day to day confinement operations so that I could concentrate on everything else. The "numerous" witnesses

referenced on report page 39 were statements made by CPT Hampton (Annex 64) and SGM Emerson (Annex 80) who worked for MAJ DiNenna that confirmed "day to day operations were ran by MAJ DiNenna." *My assigned missions were constantly changing, usually growing.* Over the course of the deployment, I had command and control often MP companies not counting the battalion RHC (LTC Jerry Phillabaum in the Taguba Report, added emphasis).

The Taguba Report elaborates on the inefficiencies of resources and lack of safety,

In addition I find that psychological factors, such as the difference in culture, *the Soldiers' quality of life, the real presence of mortal danger over an extended time period, and the failure of commanders to recognize these pressures* contributed to the pervasive atmosphere that existed at Abu Ghraib (BCCF) Detention Facility and throughout the 800thMP Brigade (Taguba Report added emphasis)

The soldiers that were the most affected by the situational conditions of the Abu Ghraib prisons, and consequently reprimanded for their behavior, did not have the ability to correct their circumstances. As a matter of fact, many of their superiors did not seem to have the ability to correct the circumstances. Figuratively, the overall position of the prisons was one in which "the struggle against fate" dominated the experience. Lack of basic needs and safety, deficiency in orientation, leadership and the failure sustain fundamental organizational structure are nonliving, inanimate factors. However, as Darwin points out, these nonliving elements constitute significant forces that affect the struggle for existence.

Darwin in his interpretation of organic life brings great insight into the human perspective. His understanding of the biological world posits a theory which can be applied to the social experience, particularly if one focuses on the affective aspects of the

social experience. To note the affective aspects of human affairs is significantly important because affective notions are those embodiments that link humans to the plant and animal worlds. As noted abstractly by the scholars of the green bible, plants and animals share “a struggle for existence [that] is *not merely analogous to, but fundamentally the same as, that which goes on in human life*” (added emphasis Thompson, J. Arthur in Park and Burgess [1921] 1969:512-513).

The remainder of this chapter will continue exemplifying the ways in which the USMS resembles a social (living) body.

The Social Body: Spontaneous Division of Labor

The generation of intellectuals inspired by Darwin’s thinking, viewed the social world as a collaboration of living organisms striving for life. In viewing society as an entity that is continuously animate, these scholars emphasized the role of affectivity in human affairs. Moreover, their discussions engaged instincts, emotions, stability, cooperation, and other constituents that direct towards an environment where bodily experiences are valued. Scholars from this philosophical vein depicted the mind as a tool of the body and remained wary of rationality’s triumph over affective embodiments.

The work of August Comte, who many refer as the father of Sociology, although written before Darwin, also approaches society as a living organism. While Comte thought of the “social organism” somewhat mystically similar to an individual—a person, Herbert Spencer—a contemporary of Darwin, conceptualized it realistically, as

an enormous animal, a leviathan (Lévy-Bruhl in Park and Burgess [1921] 1969:25). Both, Comte and Spencer influenced the work of Durkheim—the father of Functionalism, who openly contests the thinking of both of these scholars. The connection that most intellectuals today fail to acknowledge is that Durkheim was also a pupil of Alfred Espinas, who in turn was a student of both, Comte and Spencer. The work of Spencer specifically, had a greater impact of the writings of Talcott Parsons—another functionalist, who begins one of his most significant works, *The Structure of Social Action* (1937), with the question “who reads Herbert Spencer?” implying ironically, that in fact, he still did. While the tradition of Comte and Spencer generally highlights rational dispositions of social progress, other scholars from this lineage accentuate the importance of emotions.⁶ Durkheim and his followers are examples.

What is significant about these epistemological connections is the way in which the work of Darwin is interpreted and co-opted by classical scholarship and consequently transmitted to contemporary sociology. That is to say, if we take Darwinian ideas as pivotal roots of sociological thinking, we find at least two branches of functionalism to which these roots serve. On one hand there is Spencer the philosopher who equated “struggle for existence” with “survival of the fittest” in his interpretation of Darwin, and who applied these ideas to economic models (Spencer 1864). Spencer influenced the work of Talcott Parsons, a sociologist who was initially

⁶ Durkheim’s works, particularly *Elementary Forms of Religious Life* (1912) approaches modern “civilization” not too far off from traditional societies, observing the vast emotional, religious embodiments that compose contemporary cultures.

an economist, and from Parsons' work we arrive to the theories of Kingsley Davis and Wilbert E. Moore, Robert Merton, Gabriel Almond and Bingham Powell, and others.

On the other hand is Espinas—a student of both Spencer and Comte, who adopted classical Darwinian thought emphasizing the importance of cooperation. Espinas became Durkheim's teacher and through this tradition we find a radically different lineage of theories influenced by Darwin (Lukes 1985, Mestrovic 1988). Some of the successors of this branch include, Robert Hertz, Marcel Mauss, Thorstein Veblen, Park and Burgess, the Chicago School of Sociology, and American Pragmatism. For these scholars, the theories of Darwin remained joined to ecology, nature, and *the body*. Furthermore, these discussions continued emphasizing a discourse of cooperation. This dissertation takes into account much of the writings bequeathed by this cohort of scholars, weaving their theories to illustrate the importance expressive functions in the social body.

Ideas in Alfred Espinas' *Des Sociétés Animales* (1878) points out that society should be conceived as “*permanent co-operation* in which separate living beings undertake to accomplish an identical act” (Park and Burgess [1921] 1969:167). For Espinas, society is not limited to members of one species, but it is composed of different members of species where there is permanent joint activity—struggle, co-operation and adaptation. Espinas regards these relationships in terms of the interactions between plants and animals, animals and humans, and humans and plants—in a word, the interactions of all the elements of the environment as a whole.

Analogous comparisons can be made regarding the USMS as a social body. Observe for example, the different military branches and government agencies that work together in the global fight against terror. Different names, symbols and practices identify each. All are characterized by various ideological perspectives, and numerous specializations are linked to each kind. The various parts complement each other. For example, following the scandals of Abu Ghraib the White House gathered for a Press Briefing in which Mr. William Haynes noted the significance of working in teams of diverse specializations. Mr. Haynes' interview abstractly exemplifies the worth of cooperation among different species. The briefing notes,

Let me give you an example of some of those lessons, something that I think you will all understand quickly. As reporter, as you go out and talk to people you ask them questions. The best thing that you can do in asking those questions is know information about those people. How do you do that? The way that we were doing it was the interrogator was left to come up with his analysis. The best way is to get an analyst to go out and get the information on the people that you're going to interrogate and help set up a plan – something that we would call, as an example, *a tiger team, where an analyst and an interrogator would work together and have the full power of all of our intelligence community behind you* (General Counsel of the Department of Defense Mr. William Haynes, White House Press Briefing June 22, 2004, added emphasis).

Mr. Haynes elaborates,

This working group that got together included *very, very good lawyers and very, very good professionals in other fields. And they disagreed.* And you won't be surprised to hear the fact that *when you get more than one lawyer together, you sometimes get more than one opinion.* That certainly was and remains the case, particularly about some of the aspects of the legal analysis. *But I think that's healthy, and the Secretary thinks that's healthy* (Mr. Haynes, White House Press Briefing June 22, 2004, added emphasis).

Eugenius Warming elaborates upon the discussion of diversity and cooperation by bringing attention to these ideas as they apply to plant communities. In *Oecology of Plants* (1909), Warming notes the resemblance of plant groupings and human societies, as species that form a collective life must either follow the same economy, or be dependent on one another in order to sustain vitality. In other words, the community of plants must make relatively the same demands on its environment in terms of moisture, sunlight, water, soil, etc; or one of the species present must be reliant for its own existence upon another (Park and Burgess [1921] 1969). Consequently, Warming makes notice to how plant and human communities are composed by the diversity of form, and complexity of interrelations among the species. The best example that captures this phenomenon is the tropical rainforest, as it encapsulates the richest variety of species. Warming states, “on such soil one can scarcely speak of a competitive struggle for existence; in this case a struggle takes place between the plant and inanimate nature, but to little or no extent between plant and plant” (Park and Burgess [1921] 1969:178).

Warming further discusses that in the case of human societies the struggle for existence becomes more complicated. One of the reasons is the human species often makes similar demands “wanting the same dishes from the common table” (Park and Burgess [1921] 1969:179). Similarly, Durkheim’s discussion in *The Division of Labor* (1893), engages the idea of specialization amongst human groups, Warming emphasizes the importance of variation. Warming notes,

There are in every plant community numerous species which differ widely in the demands they make for light, heat, nourishment, and so on. Between such species there is less competition, the greater the disparity in their wants; the case is quite conceivable in which the one species should

require exactly what the other would avoid; the two species would then be complementary to one another in their occupation and utilization of the same soil (Park and Burgess [1921] 1969:180)

William M. Wheeler engages similar discussions in relation to animal communities. *Ants, Their Structure, Development, and Behavior* (1910) in particular, entails remarkable themes that engage the discourse of social structure, class and cultural groupings in the animal species, as it relates to the human species. Wheeler states, “*there is certainly a striking parallelism between the development of human and ant societies*” (added emphasis Park and Burgess [1921] 1969:182). Wheeler’s discussion elucidates the resemblance between ant societies and early anthropological findings about early human cultures. For example, the essay illustrates how elementary communities would differentiate in their economic development six types of production; namely, the sub-groupings of hunting, pastoral or livestock, agricultural, commercial, industrial, and intellectual undertakings. Wheeler points out that in ant societies, one finds the first three of these (Park and Burgess [1921] 1969:182). Wheeler states,

They hunt singly, and their battles are single combats, like those of Homeric heroes (...) they show more skill in architecture, may literally be said to have domesticated certain species of aphids⁷, and may be compared to the pastoral stage of human progress—to the races which live on the products of their flocks and herds. Their communities are more numerous; they act much more in concert (...) Lastly, the agricultural nations may be compared with the harvesting ants (Park and Burgess [1921] 1969:182).

⁷ Aphids do not attempt to escape from the ants or to defend themselves from them, Aphids respond to the solicitation of the ants, many species of Aphids live with ants and work for them, Aphids tend to be more productive when visited by ants, ants do not seize and kill Aphids as they may do with other insects, ants stroke the Aphids in a particular way to make the Aphids excrete honey-dew, ants protect Aphids (See more Park and Burgess for details)

Furthermore, Wheeler establishes that ant societies are matriarchal communities where “the males really take no part in the colonial activities, and in most species are present in the nest only for the brief period requisite to secure the impregnation of the young queens” (Park and Burgess [1921] 1969:182-3). The male ants have little to no effect in building the ant colonies, providing for the female ants, or even guarding the nest. In other words, the male form for this community of animals is *sexus sequior*, making the ant culture much resemble to the early human matriarchal societies described by anthropologists such as J. J. Bachofen. Wheeler notes, “hence the ants resemble certain mythical human societies like the Amazons, but unlike these, all their activities center in the multiplication and care of the coming generations” (Park and Burgess [1921] 1969:183). Whereas Wheeler refers to these matriarchal societies as mythical, for Bachofen, and other scholars, the progression of cultural evolution indeed begins with matriarchal communities and develops into patriarchal structures.

In examining the USMS as a social body, it is indispensable to call attention to one of the most influential works in the field of sociology, Emile Durkheim’s *The Division of Labor in Society* (1893). In *The Division of Labor*, Durkheim extensively describes society through the employment of nuances that depict society as a living organism. Durkheim uses terms such as “social molecules” (Durkheim [1893]1984:84), describes the laws in society as analogous to “the nervous system in the organism” (Durkheim [1893]1984:84:83), and establishes the understanding of the “collective consciousness.” The influence of Darwin is patent throughout.

For example, Darwin's understanding of co-operation amongst species emphasizes that diversity and specialization inhibit rivalry, resulting in greater possibilities for the organisms' happiness and expansion. Darwin states,

For instance, in the vertebrata to the coexistence of mammals and fish; amongst mammalian to the coexistence of man and the ornithorhynchus; amongst fish to the coexistence of shark and the lancelet (...) *But mammals and fish hardly come into competition with each other; the advancement of the whole class of mammals, or the certain member in this class, to the highest grade would not lead to their taking place of fishes* (added emphasis Park and Burgess [1921] 1969:520).

This Darwinian passage strokes closely to the heart of *The Division of Labor*. In fact, Durkheim discusses the idea of diversity and specialization by literally citing the work of Darwin. Durkheim quotes *The Origin of Species*, “on an Oak tree are to be found up to two hundred species of insects that have no contacts with one another save those good neighborliness. Some feed on the fruits of the tree, others on leaves, yet more on bark and roots” (Durkheim [1893]1984:209). Durkheim, in agreement with Darwin emphasizes interdependence through the distinction and differentiation of diverse groups that team-up together to maintain vitality—a process that entails spontaneous cooperation, and adaptation. Durkheim quotes Darwin further,

I found that a piece of turf, three foot by four in size, which had been exposed for many years to exactly the same conditions, supported twenty species of plants, and these belonged to eighteen genera and eight orders, which shows how much these plants differed from each other (Durkheim [1893]1984:209).

Alongside Darwin's passage on nature and cooperation, Durkheim suggests that if individuals and groups in society were to pursue their intuition, calling, vocation, in a

word, their *will*, the equilibrium of the group would care for itself similarly as it happens in the ecological world. The important element to always emphasize in relation to the works of Durkheim is the *spontaneity* of the acts. Durkheim states,

Men are subject to the same law [regarding nature]. In the same town different occupations can coexist without being forced into a position where they harm one another, for they are pursuing different objectives. The soldier seeks military glory, the priest moral authority, the statesman power, the industrialist wealth, the scientist professional fame. Each one of them can therefore reach his goal without preventing others from reaching theirs (Durkheim [1893]1984:209).

Durkheim, similarly to Darwin, alleges that individuals entail ontologically habits which tend towards spontaneous, cooperative adaptation. Durkheim suggests when the group forces the division of labor negative consequences follow, including anomie and anomic derivatives.⁸

The division of labor at the Abu Ghraib prisons posits some thought-provoking discussions regarding these ideas. As demonstrated, the social conditions for the soldiers at Abu Ghraib deteriorated group morale based on the lack of social cohesion, role confusion, and dissipation of values, norms and sanctions. Moreover, documents related to the trials verify that many of the interrogation techniques used at the prisons were officially approved by higher ranks in the USMS although they were not lawful,

⁸ Emile Durkheim elaborates his discussion of “forced division of labor,” *The Division of Labor in Society* (1893) pg. 310-322. Durkheim notes, “We are certainly no predestined from birth to any particular form of employment, but we nevertheless possess tastes and aptitudes that limit our choice (...) For the division of labor to engender solidarity, it is thus not sufficient for everyone to have his task: *it must also be agreeable to him*” (Durkheim 1893:311 added emphasis). “*Normally a man finds happiness in fulfilling his nature; his needs are proportionate to his means. Thus in the organism each organ claims only that quality of food consistent with its portion*” (Durkheim 1893:312 added emphasis).

and that the soldiers at Abu Ghraib in charge of gathering intelligence were using these techniques without the proper training. In other words, the division of labor at the prisons was arguably “forced” in various facets, and fundamentally anomic. Sworn statements by some of the “rotten apples,” Specialists Javal Davis, Sabrina Harman, and Jeremy Sivits explain with detail. SPC Javal Davis notes,

I witnessed prisoners in the MI hold section, wing 1 A being made to do various things that I would question morally. I was in charge of wing 3A-B, regular prisoners. In wing 1A we were told that they had different rules and different SOP for treatment. I never saw a set of rules or SOP for that section just word of mouth. I did see paperwork provided by the MI soldiers regulating sleep and meals for some of the MI hold prisoners (...) I witnessed one time I was coming to the section for some cheese and crackers that an inmate was standing on top of an MRE box, sand bag on his head, wearing a poncho style blanket with his arms outstretched to his sides. Corporal Grainer and SSG Fredrick were there in the shower room with the inmate at that time. On another occasion I witnessed some inmates being in-processed, but I noticed one masturbating against the wall with a sand bag on his head. Another inmate was on the ground in front of him kneeling with a sand bag on his head. The inmate on the floor looked like he was praying. I found the site of that disgusting. (Sworn Statement by Javal Davis emphasis added)

SPC Sabrina Harman states,

Q. Describe the incident with the detainee with the wires on his hands?

A. He is nicknamed Gilligan, he is currently on tier 3. He was just standing on the MRE box with the sandbag over his head for about an hour. I put the wires on his hands. I do not recall how. I was joking with him and told him if he fell off he would get electrocuted.

Q. Who took the pictures of this?

A. I took one and Fredrick took one.

Q. Why did you do this to the detainee "Gilligan"?

A. Just playing with him.

Q. Do you feel it was allowable to do this to the detainee?

A. We were not hurting him. It was not anything that bad.

Q. Was this your idea?

A. Just the wires part.

Q. Why did YOU have the detainee in standing on the box?

A. Just to keep him awake.

Q. *Did MI ask you to do this?*

A. *Not me personally. They were talking to Grainer. MI wanted to get them to talk. It is Grainer and Fredrick job to do these things for MI and OGA to get these people to talk. I do not recall anyone from MI or OGA saying this. (Sworn Statement by Sabrina Harman)*

SPC Jeremy Sivits states,

Q. What was Grainer's attitude during this event?

A. *He was joking, laughing, pissed off a little, acting like he was enjoying it.*

Q. What was Fredrick's attitude during this event?

A. *Same as always, mellow. He really was not saying too much. Just kind of standing there.*

Q. What was England's attitude during this event?

A. *She was laughing at the different stuff that they were having the detainees do.*

Q. What was Harman's attitude during this event?

A. *There was a few times she was smiling, there was a few times she had a look of disgust on her face. She did write the word rapist on the side of the leg of one of the inmates. She did this after she had found out from the processing sheets that he had raped someone. She wrote it with a dry erase black marker. She really did not say anything, she just wrote it down.*

Q. What was your attitude during this event?

A. *I was kind of surprised by the actions of Grainer and Fredrick. I was laughing at some of the stuff that they had them do. I was disgusted at some of the stuff as well. As I think about it now I do not think any of it was funny (Sworn Statement by Jeremy Sivits).*

As the sworn statements confirm, there were no written documents explaining the standard operation procedure for the prisons. The military intelligence team was guiding the members of the military police through word of mouth. More importantly the affective responses of the soldiers were not cooperating with the tasks of the

situation. That is to say, the soldiers' emotive reactions—being “pissed off” and having feelings *disgust*, as described in the statements, allude to the idea that these interrogation tactics did not originate from the soldiers spontaneously. Arguably, these situations exemplify an instance of forced division of labor. Moreover, none of the superiors took the time to notice the emotional stability of the juniors at the brigade.

Analysis of psychiatric test results, expert witness's statements and records of trial explicitly show that for at least for some of these soldiers, their roles at Abu Ghraib evidently were a product of a forced division of labor. The opening statement of Mr. Spinner, one of SPC Sabrina Harman's attorney states,

Because Specialist Harman was a reservists she was promoted from E-1 to E-4, so when you look—when you just look at this, right up front, well Specialist Harman, the temptation is to think that she has so much training, she has so much experience, she has so much time on active duty, *but the evidence is going to show that she went from E-1 to E-4. She's performing duties in Abu Ghraib for which she was never trained* (Record of trial for SPC Sabrina Harman page 524, added emphasis).

The defense is going to put on evidence that, in fact, *Specialist Harman was upset as early as the 20th of October 2003 about some of the things that she was seeing (...) and she started taking pictures to document what was going on. Not because she was part of a conspiracy, but because she was offended by what she saw and she hoped to be able at some point to prove it.* (Record of Trial for SPC Sabrina Harman page 526, added emphasis)

The defense is going to present evidence that Sabrina Harman, whether or not she put the wires on his finger is almost secondary that this was a joke, that *Gilligan understood it to be a joke* and that this was just part of a bigger relationship they had with Gilligan. They still had duties to do as soldiers and guards, they had to engage in sleep deprivation and this guy was still somebody who needed to be interrogated, but even *in that strange context of what—the events that occurred at Abu Ghraib there were actually relationship that developed with these inmates* (Record of Trial for SPC Sabrina Harman added emphasis page 537, added emphasis).

As the defense council notes, SPC Harman did not have the appropriate training to carry the tasks assigned to her. She was upset about the events of the prisons, wanted to report the abuse, and did report the abuse. In addition, she developed friendships with some of the inmates, and took to care for many of them. Among the pictures that were never released to the public, there are pictures of Sabrina smiling with the locals, posing with animals, and playing in the desert. These are elements of the stories about the rotten apples that often escape the discussions about the scandals.

Another testimony about SPC Harman elaborates on her ability to develop relationships and care for others. The record of trial describes with detail that SPC Harman was kind, soft spoken, a soft person, better suited as a relief worker than a soldier. The transcript notes,

Q. Did you have a chance to observe Special-Specialist Harman work as a soldier at Abu Ghraib, um, I'm sorry, at Al Hillah, is that correct?

A. Yes, ma'am.

Q. Okay, and she-she was *a very nice person, is that correct?*

A. Yes, that's correct.

Q. Okay, and *she got along really well with the local Iraqis, isn't that correct?*

A. [Laughed] yes, that's correct.

Q. Okay, why are you laughing?

A. Because-to elaborate on it, *she would have been better suited as a relief worker as opposed being a soldier.*

Q. And why do you say she would have been better suited as a relief worker?

A. Because *she was exceptionally nice to the Iraqis*, in my opinion----

Q. ----in what way----

A. ----put them first above us, I mean *she was just very concerned with the children and their living conditions and getting along with them as opposed to being a soldier.*

Q. Okay, and the—the conditions of the Iraqi children can you tell us a little bit about that?

A. Didn't get the proper medical care. I mean some of the third world stuff, living conditions, sewage in streets.

Q. Lack of shoes, lack of clothes?

A. Lack of shoes, lack of clothes, violent environment.

Q. Lack of food?

A. No, no lack of food.

Q. No lack of food----

A. ----no----

Q. ----okay. *And obviously she's a very soft spoken person?*

A. Yes.

Q. *And she's kind of a soft person in a sense where she's not very aggressive with people?*

A. Yes.

DC: Just a minute [confers with CDC]. Thank you. That's all, Your Honor (SPC Sabrina Harman Record of Trial).

The testimony of an expert witness also verifies the expressive dispositions of

SPC Harman.

Q. And focusing then a little more closely on Specialist Harman and given that you've had access to her psychological evaluation, apart from what you've described from a sociological standpoint, what can you say as an expert about *her particular psychological make-up and whether or not that was a factor here?*

A. Sure. Well I want to say that's striking to me in reviewing her case that on the 23rd of October she did report along with Megan Ambuhl a case of the person who was handcuffed so tight, but she was still at that point fresh into this situation, so the learned helplessness had not set in. So going to the other part of your question about the psychological report, the diagnosis that she was given by Dr. Donovan is Post--Traumatic-----

Q. -----and Dr. Donovan is a military doctor?

A. Yes. *It's Post--Traumatic Stress Syndrome and also she has what are known as dependency personality traits.* Dependency personality, I want to explain opinion, it's a kind of personality which is the opposite of sadistic. The opposite of a person without a conscience. The opposite of a person who is aggressive. In other words, in psychology we have what are called character or personality disorders, Narcissism, Sociopath, Sadists, she scored way below the norm of those. There's just no way that she's any

of that. Those are the people who we in ordinary language refer to as morally corrupt. Instead she scored above the average person in standing up and defying authority because basically she goes along with whatever else is going on. In a good way sometimes too, because one of the other interesting things about dependency personality and I think this jives with everything I seen about her helping with children and so forth. *In a good social environment they are very helpful because they want to make people happy.*

Q. And did you—does that—how does that relate to the testimony, I think worker than a soldier?

A. Yes, that struck me very powerfully when Sergeant Jones said that because I agree with that. *In the psychiatric literature somebody with a dependency personality traits, because they want to please others, because they want to make people happy, because they basically go along with things, I mean they would be perfectly suited for trying to bring joy and happiness to others. But they're unsuited when the situation is deviant because they don't have that something them. I think it was easier for her in the beginning, but then becomes even more*

Q. As an expert then you are able to give any insight to the court members with respect to the picture, which they have in evidence that shows the pyramid with naked bodies and Sabrina Harman smiling in that situation?

A. Yes. Basically it's not a sadistic smile. It is not the smile of somebody without a conscience who is enjoying it and I'm basing this on my knowledge of psychology. It is a smile of somebody who is pretending to go along because they are afraid.... based on my knowledge, based on the test, based on the circumstances interpret that smile as one of learned helplessness and dependency... (SPC Sabrina Harman Record of Trial).

In approaching the USMS as a social body it is critical to recognize the significance of affectivity and the role of expressive functions. While it is impossible to speculate whether or not the life of SPC Harman would have taken another course had she been given different tasks as a military personnel; the fact remains she was put in a situation where her most spontaneous faculties were not set up for success. Additionally, the CID sworn statements bring attention to a series of negative emotional

responses by the soldiers towards the abuse and interrogation techniques used at Abu Ghraib. These reactions are indicative of structural malfunctioning that forces division of labor and arrests the development of cooperation and stable adaptation.

The importance of affectivity and expressive functions further coincide with Durkheim's discussions regarding the individual's "natural" state, and the role of instincts in the human species. For Durkheim, as well as for other scholars who approach the human development from an emotive perspective, the moment organisms begin to "reason," and consequently rely on their rational capabilities rather than instinctual experience, the result is greater capacity for calculated longings and goal attainment, which Durkheim equates with a rise of unquenchable thirst of wants—*anomie*. It is evident throughout Durkheim's writings that with social evolution individuals become increasingly dependent on reason and efficiency. These habits frequently overpass the act of paying close attention to the signals of one's body. In the case of Abu Ghraib, and other sites of war crimes, the entire social body of the USMS failed to notice embodied indications of *anomie*, including soldier's PTSD levels, physical reactions to superior's ROEs, sleep deprivation, and controlled-substance abuse, to name a few examples.

Durkheim's approach to human societies parallels the development of plant and animal communities described by Darwin and others. Implicit in his writing, Durkheim posits that plant, animal and human societies share such correspondence precisely because these organisms are bound to a *will* struggling for existence. Discussion of the U.S military system as a social body demonstrates that the USMS also personifies these

characteristics. The employment of bodily rhetoric, observing the USMS as essentially *sui generis*, and discussions about the USMS's division of labor are instances that aid to corroborate this idea.

4. THEORIES OF MATRIARCHIES AND THE EXPRESSIVE ELEMENT

“Motherhood is the unifying principle, paternity the separating principle”—J.J Bachofen

“A symbol is expressive in this sense in so far as its meaning has reference not to other objects as objects but to the motivational state or states of one or more actors”—Talcott Parsons

Johan Jakob Bachofen (1815-1887) was a Swiss anthropologist and sociologist whose book, *Mother Right: An Investigation of the Religious and Juridical Character of Matriarchy in the Ancient World* (1861) is best known for his radical claims that matriarchies preceded patriarchies, and that matriarchal structures are the source of human society, religion, and morality. Bachofen was a contemporary of Charles Darwin, and like Darwin, Bachofen wrote in the German Romantic, counter-Enlightenment wave that inspired scholars like Friedrich Nietzsche, Lewis Henry Morgan, Thomas Mann, Friederich Engels, Erich Fromm, Rainer Maria Rilke, Joseph Campbell, Henry Adams, Carl Gustav Jung, Durkheim, and others.

The greatest common factor amongst these thinkers is that similar to the early, classical sociological writings discussed in the previous chapter, these scholars remained apprehensive of the victory of rational principles, over the emotional elements that compose the lived experience. The followers of Darwin, as well as the scholars who Bachofen influenced, tend towards theoretical discussions that emphasize the balance between the affective and rational dimensions of social structures.

This chapter elaborates on preceding discussions regarding the role of affectivity in the social body, focusing on Bachofen’s theory of mother right and Talcott Parsons’

understanding of the expressive dimension. Bachofen and Parsons' theoretical undertakings of the mother-consciousness and the expressive social functions, emphasize social cohesion, the relational aspects of social experiences, and concern for the well-being of the group.

Mutterrecht

It has been my experience that explaining Bachofen's work is to encounter resilience from a variety of audiences. Frequently, the reaction to these ideas are received first by perked ears and a look of interest, which are followed rather quickly by a general, "but that is only a theory" kind of response. It seems that even when students, colleagues, family members or other, show a natural curiosity towards the thought of mothers and women "ruling" over social existence, before patriarchal civilization, a universal tendency rises to suppress such ideas which reject the all-comfortable worldview of patriarchal orientation. Interestingly, these same individuals hardly would object if I noted the work of Marx and Engels regarding material development; Freud's observations of the child's attachment to the mother and the father respectively; or mentioned the first types of societies were largely peaceful, ritualistic, tradition oriented, and that in many of these cultures, women were regarded as having special abilities in relation to magic, healing, cycles of life and corporal energy. In many ways, Bachofen's theory of mother right is no different than these other abstractions; however, rationalistic

thinking—specifically the way it approaches the labels, women, men, matriarchy, patriarchy, hinder the symbolic contribution of Bachofen’s thinking.

Bachofen’s work on mother right tells a version of historical development, which depicts the genesis of civilization starting from a state that honors expressive elements over instrumental proceedings. While Bachofen does not use this language to illustrate his theory, the theoretical punch-line is rather basic: *affectivity precedes rationality*. Bachofen approaches these ideas in terms of cultural movements. Consequently, these cultural movements Bachofen attributes to the mother principle, and the father principle.

Unlike the English word *right*, the idiom *recht* in German connotes various meanings including, rights, justice, titles, privileges, advantages and prerogative to which a person is entitled. Therefore, to suggest “mother right” marked a cultural stage of civilization, is to propose a series of specific characteristics embody the collective consciousness of the social experience. As noted by Erich Fromm—another follower of Bachofen’s scholarship, Bachofen’s most noted discovery is not the basis for which one can argue that matriarchies preceded patriarchies; but rather, how mother right depicts a period of time when the collective consciousness of cultures resembled the love of a mother or its psychological equivalent (Fromm [1994] 1997).

Admittedly, there exists a spectrum of what constitutes motherhood and the mother love—there are great mothers, good mothers, bad mothers, neglectful mothers, and other variations relating to these. So how does Bachofen establish “mother love” in terms of the everyday ambiance that orients social structures? Several characteristics compose the embodiment of the mother right’s collective consciousness. These

depictions also parallel the descriptions of society as a living organism discussed in the previous chapter. In fact, strikingly are the similarities that exist between Bachofen's discussion of mother right, and the way in which classical Sociology notes the workings of society as a social body. The most notable association between mother right and classical thinking regarding social structures is the emphasis on spontaneous, material, bodily constitutions. These components also resemble Parson's understanding of the "expressive" function.

In the course of his examination of ancient cultures, Bachofen assimilates the motherly principle with nature, corporal life and spontaneous performance. In addition, Bachofen gulfs away these elements from intellectual, rational and mechanical formations. For Bachofen, these latter social qualities take place in successive stages of social development. Bachofen notes, "maternity pertains to the physical side of man, the only thing he shares with the animals" (Bachofen [1861]1967:109); "mother right is grounded in the material nature of woman (...) woman is equated with the earth" (Bachofen [1861] 1967:123); "in a word, matriarchal existence is regulated naturalism, its thinking is material, its development predominantly physical. Mother right is just as essential to this cultural stage as it is alien and unintelligible to the ear of patriarchy" (Bachofen [1861] 1967:92). Bachofen further notes,

[Mother Right is] product of a cultural period in which *life had not yet broke away from the harmony of nature, it share with nature that unconscious lawfulness which is always lacking in the works of free reflection. Everywhere there is system, everywhere cohesion*; in every detail the expression of great fundamental law whose abundant manifestation demonstrate its inner truth and natural necessity (added emphasis Bachofen [1861] 1967:76).

Similar to ecological formations, Bachofen depicts the motherly love inclusive of universal qualities, in harmony with nature, corresponding of social cohesion, and unrestricted from rational reflection. Bachofen notes, “the love that arises from motherhood is not only more intense, but also more universal” (Bachofen [1861] 1967:80); “the maternal principle, like the life of nature, knows no barriers” (Bachofen [1861] 1967:80). Bachofen elaborates, “the idea of motherhood produces a sense of universal fraternity among all men, which dies with the development of paternity” (Bachofen [1861] 1967:80); “the family based on *father right is a closed individual organism*, whereas the matriarchal family bears the typically universal character that stands at the beginning of all development and distinguishes material life from higher spiritual life” (added emphasis Bachofen [1861] 1967:80).

Furthermore, Bachofen brings attention to how cultures where the collective consciousness emblemizes a mother-orientation, the individuals of that society also extend emotional bonds that create equality, fraternity, and unifying harmony. In these cultures, Bachofen explains,

Every woman’s womb, (...) will give brothers and sisters to the children of every other woman; the homeland will know only brothers and sisters until the day when the development of the paternal system dissolves the undifferentiated unity of the mass and introduces a principle of articulation (Bachofen [1861] 1967:80)

From a psychological frame, the expression of unconditional love and unreserved affirmation generates a form of emotional security and confidence that cannot be achieved in the shadows of “patriarchal systems” which promote competition, hierarchical structures, and divided preference (Fromm [1994] 1997). As noted by

Fromm, “the matricentric complex, (...) is characterized by feelings of optimistic trust in mother’s unconditional love, far fewer guilt feelings, a far weaker superego, and a greater capacity for pleasure and happiness” (Fromm [1994] 1997:41). In addition, these traits in the individual are accompanied by “*the ideal of motherly compassion and love for the weak and others in need of help*” (Fromm [1994] 1997:41 added emphasis).

These feelings of compassion and passivity, which are homologous to natural formations, often are accompanied by feelings of altruism and bountifulness, given these sensibilities are part of natural systems also. Bachofen highlights that mother-centered societies closely follow all *unconscious* laws of nature, which spontaneously guide life without mechanical decrees. The collective consciousness of mother right cultures surrender to nature and biological foundations as opposed to intellectual proceedings, paying close attention to the signals emitted by the body, and function in accordance to the cycles of life. These corporal patterns of existence subsume all somatic undertakings from birth to death. Bachofen notes, “the matriarchal people feel the universe of all life, the harmony of the universe, which they have not yet outgrown; they are more keenly aware of the pain of death and fragility of tellurian existence, *lamented by woman and particularly the mother*” (Bachofen [1861] 1967:91 added emphasis).

Bachofen’s discussion of death is always particularly captivating because it brings attention to the termination of material existence, which is equally lamented and celebrated by traditional people. In *The Elementary Forms of Religious Life* (1912)⁹,

⁹ Emile Durkheim cites the work of Bachofen in *The Elementary Forms of Religious Life*, “Bachofen (1815-1887) postulated the existence of matriliney (reckoning descent

Emile Durkheim brings attention to this phenomenon as well. Durkheim discusses “piacular” ritual enactment in rudimentary forms of cultures, pointing out the significance collective lamenting, rituals of death, pain and misfortunes have on societies that are closer to the mother principle than to patriarchal civilization in the spectrum of cultural progress (Durkheim 1912). To great extent, the descriptions given by Durkheim and Bachofen about primordial societies embody many Romantic elements; namely, in their attitude towards the past, as it seems their discussions laud the prominence these cultures place on ritual enactment and preservation of traditions. Bachofen notes, “the whole life-style of a nation can be seen in its attitude toward the world of the dead. *Worship of the dead is inseparable from respect for one’s ancestors, and the latter is inseparable from love for tradition and a past-oriented outlook*” (added emphasis Bachofen [1861] 1967:22).

Both, Bachofen and Durkheim acknowledge the bondage that exists between the first forms of culture and religious practices. Bachofen confides, “woman is more steadfast than man as a keeper of religion (...) *most specially in religious matters and in the preservation of ceremonial*” (added emphasis Bachofen [1861] 1967:86).

Perceptibly, the discussion of “religion” in the present context corresponds to the enactment of rituals and ceremonies, more than theological questions of discarnate existence. “Spiritual” undertakings for Bachofen do not develop until patriarchal developments; and for Durkheim, religious behavior is bound to spontaneous communal

through the female line) and matriarchy or mother right, a stage he envisaged as standing between primitive promiscuity and patriarchy” (Durkheim 1912:6)

gatherings that take place in ritualistic fashions for traditional and modern societies alike.

Associated to this discussion, Durkheim largely disserts about the symbolic meaning and use of blood in these rituals. In *The Elementary Forms* Durkheim employs the discussion of blood to consider piacular rites, religious atonements, expiatory rites, ritual shedding, the life principle, sacredness, and communion of the whole, to share a few examples (Durkheim 1912). Durkheim emphasizes, “human blood is such holy thing that, (...) it is very often used to consecrate the most respected instruments of the cult” (Durkheim 1912:136); “there is no religious ceremony in which blood does not have some role to play” (Durkheim 1912:137). Durkheim’s observation of the collective representations of blood and its uses, implicitly reveals the importance corporal constituents bestow on traditional cultures. Bachofen notes, “*no era has attached so much importance to outward form, to the sanctity of the body, and so little to the inner spiritual factor*” (Bachofen [1861] 1967:92 added emphasis).

Contemporary, neo-Enlightenment critiques of Bachofen’s theory reject his allegations that matriarchies preceded patriarchies. The consequences of this neglect lead to the immeasurably abandonment of Bachofen’s tangible and symbolic contributions to the social sciences. More importantly, this neglect dismisses the impact Bachofen’s work had on other, much celebrated, scholars such as Henry Morgan, Nietzsche, Thomas Mann, Marx and Engels, Fromm, Henry Adams, Durkheim, Robert Hertz, Jung, Thorstein Veblen, Ferdinand Tonnies, Pitirim Sorokin, David Riesman and others.

For example, Fromm largely incorporates Bachofen's theory of matriarchy into his version of psychoanalysis to discuss the mother consciousness and the father consciousness, and the effect these have on the individual's outlook on life and love (Fromm [1994] 1997). Veblen adopts Bachofen's theory of the primacy of matriarchy into his theory of social evolution, and he draws from Bachofen to allege the leisure class is a return to the predatory habits of the barbarian stage in which women were regarded as articles of desire (Mestrovic 1992). We can presume that Riesman's friendship with Fromm, and his admiration for Veblen, in some way lead him to the work of Bachofen. Bachofen's ideas are implicitly depicted in *The Lonely Crowd* (1961), where Riesman brings attention to the "tradition-directed" social character type, which closely resembles Bachofen's matriarchal cultures. Furthermore, Riesman's depiction of the "other-directed" personality type, can be read as a representation of a collective consciousness composed of expressive elements. This idea coincides with Bachofen's presumption that patriarchal societies would experience a fall back to Dionysian embodiment.

Bachofen's influence runs through Ferdinand Tonnies, who posited a social evolution from a matriarchal *Gemeinschaft* to a patriarchal *Gessellschaft*. Tonnies depicts these abstractions by comparing *Gemeinschaft*—community to the relationship between a mother and child, and a bride (feminine). Tonnies regards the emotional links in *Gessellschaft* as cold and artificial; and his representation of civil society is a groom (masculine) (Tonnies [1887] 2001). With time, the work of Tonnies highly influenced both Sorokin and Parsons. Sorokin's theory that societies evolve from idealistic

(matriarchal) to sensate (patriarchal) types follows Bachofen's overall trajectory.

Similarly, Parsons posits two fundamental dimensions found in all societies that he termed "expressive" and "instrumental"—the pages to follow shall elaborate on these conceptual categories.

In *The Origins of the Family, Private Property, and the State*, Engels specifically makes note to Bachofen to discuss matriarchal inhalation as the landmark for one of the most devastating events in human history. More interestingly is the relationship between Karl Marx and Bachofen, who not only lived roughly during the same period of time in Europe, but also were affiliated with the University of Berlin the year Marx entered the institution, 1836. Marx and Bachofen were both students of Friederich Karl von Savigny, and shared common backgrounds in anthropology and in the historical school of law.

Bachofen's work influenced Nietzsche's notion of Dionysian and Apollonian artistic impulses; and Durkheim's depiction of society as a "womb" from which all things are born (Durkheim 1912). Henry Adams's, *The Education of Henry Adams* (1907), *Primitive Rights of Women* (1876), and *Mont-Saint-Michel and Chartres* (1905) allude to the work of Bachofen in a series of ways, specially method and content (Adams 1876), and regarding the dialectic struggle between the male and female principles in the Middle Ages (Adams 1905, Partenheimer 2006).

As noted previously, the importance of these epistemological assumptions rests on the ability to make helpful connections about the foundations, roots, origins, of present theoretical undertakings that are elaborated and perpetuated in the textbooks and

classrooms of our culture. Philosophical ideas are relational. They are constituents of a greater body of knowledge, not singularly authored by a brain in a vacuum.

The Expressive Element

A considerable list of contemporary scholarship has made its greatest allocations in the critique of “structure” by prompting debates about the role of language and its power over social constructions. Postmodernists will argue that the words Truth, History, Mankind, Knowledge, Gender, Sexuality, Feminism, and so forth, come loaded with meaning other than the notions the “author” intends to communicate. This theme in academia is referred to as “the death of the author.” As a result, new words are created, or highlighted with footnotes and asterisks to specify what account the discussion aspires to evoke. In many ways the postmodernists, in their best attempt to celebrate the abstract, wind up narrowing language to the particular to convey only what is intended by the individual thinker. For instance, there are scholars who refuse to use the words “disseminate” or “denote” give their composition, and instead adopt the conjunctions “germinate” or “connote,” as they allegedly provoke different constructions of culture. Outwardly, the words disseminate and germinate can be used to express similar ideas, however a closer linguistic examination of these terms indicate that germinate tends toward a discourse which highlights women’s capabilities, while the word disseminate perpetuates patriarchal contingency. Similar is the debate about the words “denote” and “connote” in relation to inherent versus assigned qualities of a text. While the utterance

“denote” expresses that an object, subject, text, or idea, entails characteristics that are congenial to its form; the phrase “connote” indicates the external actor imposes these qualities onto the subject matter. Issues of this sort are frequently labeled as “language games.”

The postmodernist’s arguments about language can be provocative; but what is the purpose of employing language that is only particular to the appointed author, if it has little dialogue with the collective? In the pages to follow, I bring attention to the Parsonsian terms “expressive” and “instrumental”, and go beyond Talcott Parsons’ discussion of these categories to note how these expressions embody a constellation of ideas. The greatest strength of these social functions, as described by Parsons, is that they bestow astonishing rhetorical flexibility regarding the discussion of emotional and rational qualities, and yield to a refreshing approach to the Parsonian discourse.

Following Darwinian scholarship, the basis of Parsonian philosophy assumes that all social structures tend toward homeostasis¹⁰ and are self-correcting systems. As such, Parsons believed that even dysfunctional societies, similar to a living organism, would eventually accord and restore equilibrium on their own. For Parsons, comparable to Durkheim’s conceptualization of organic solidarity, social systems are composed of two key elements—interdependence and differentiation. Parsons discusses these terms in relation to social roles. Moreover, these social roles are regarded as *instrumental* activities and *symbolic* activities that keep social structures balanced (Bourricaud 1981).

¹⁰ First defined by Claude Bernard, a contemporary of Charles Darwin who influenced the work of Emile Durkheim and other early sociologists. The idea of homeostasis implies that a living organism has properties that help regulate its internal environment to maintain a stable, constant condition, balance, at equilibrium.

In the Parsonian discourse, the ideas of the *symbolic* social role and *the expressive dimension of society* embody an analogous understanding. Both of these categories largely attend to the affective experience of social interactions, and they counterbalance those qualities that contribute to goal-achievement and task-accomplishment.

In *Social Structure and Personality* (1964), Parsons provides a definition of what he proposes as the expressive/symbolic social role. He notes,

What I shall call an ‘expressive’ as distinguished from a cognitive symbol. This is always an aspect of the meaning of any symbolic object, but *we will speak of an expressive symbol when this aspect has primacy over the cognitive*. A symbol is expressive in this sense in so far as its meaning *has reference* not to other objects as objects but to the motivational state or states of one or more actors (Parsons 1964:57).

In other words, we can approach the expressive social role as activities, qualities and sensibilities that embody predominance over cognitive and rational elements. The expressive dimension of social structures evokes ‘motivational states’, it arouses feelings in other objects; it tends to affectivity, and other sensations relating to emotional security, cohesiveness, integration, and such experiences which pertain to the corporal, animal side of social beings. Expressive forces largely coincide with classical discussions of the man as animal, society as a body, and Bachofen’s discourse of the mother consciousness.

François Bourricaud discusses the relationship between the expressive and instrumental social roles as two constituents that cooperate to complete the fullness of human interactions. Bourricaud’s reading of Parsons provides a very tangible interpretation of Parsons’ ideas. Bourricaud exemplifies the collaboration of the two

social forces regarding the interactions between a doctor and a patient,

The doctor-patient relationship is neither purely technical nor purely economic and cannot be reduced to a relation of exchange. The fees paid to the doctor do entitle the patient to claim a certain portion of the doctor's time and attention. But health matters always involve an expressive dimension, at once personalized institutionalized. Consider, finally, the norms that govern the medical profession: these are compounded of criteria of several kinds, involving more than one type of rationality.

That the rationality implicit in therapeutic action is not reducible to technical or economic logic is, of course, clear, but that is not all. No one criterion is responsible for the form taken by therapeutic rationality, which is rather the result of a *combination* of criteria. The medical profession embodies rationalities of several different kinds. To begin with, medicine is an applied science: what it does may therefore be justified on the grounds of efficacy. The doctor claims not only to possess objective knowledge of disease but also to be able to cure the sick. He practices an art or a technique and is interested in "basic science" only insofar as it has therapeutic application. But the doctor is not a technician in the same sense an engineer who builds a bridge. In many cases, but far the most common and important ones, the patient can be cured only if he cooperates with the doctor in his treatment—first by going to see him, and then by following his advice, that is by displaying confidence in him. Then, too, the importance of psychosomatic and other factors relating to mental health shows that the efficacy of therapy depend not only on technical control over a cause-and-effect sequence but also on the interpretation and manipulation of certain symptoms by both the doctor and the patient. *Along with technico-instrumental rationality, medical practice makes room for a symbolico-expressive rationality* (added emphasis Bourricaud 1981:43-44).

While Parsons discusses the expressive function as a role that conjures motivational states, Parson describes the instrumental function as one that is interested primarily with the relationships between the group and its 'external' environment. The instrumental social role is 'external' in that it emphasizes situations outside of the body and bodily experience, emotional and psychological. In addition, the instrumental social

role emphasizes adaptation and goal attainment (Bourricaud 1981, Lackey 1987, Wearne 1989). In other words, whereas the expressive function is associated with *solidarity*, *harmony*, and *cohesion* of the group (relational, bodily undertakings), the instrumental function is associated with *cognitive*, *rational*, and *pragmatic* dealings (Bourricaud 1981, Lackey 1987). Bourricaud points out,

We can analyze the expressive/instrumental dichotomy in functional terms. Instrumental activity involves a combination of adaptive and goal-seeking functions (...) Adaptive behavior on the part of the actor is carried on in conjunction with goal-attainment by the collectivity. Expressive activity involves the integrative (...) and latent pattern-maintenance (...) functions. It is broadly integrative, aimed at establishing group solidarity and, from the standpoint of the individual, at bringing about role-adjustment by matching motivation to role requirements (Bourricaud 1981:88)

To provide a concrete example of how these categories collaborate for the balance of social situations, let us consider for a moment the relationship between a group of soldiers and their leader. The group of soldiers and their leader find themselves in a mission involving a sporadic insurgency that results in one of the soldier of the group getting severely hurt. Quickly after the shootings and commotion die out, the leader of the group tends to the hurt soldier and calls for medical help immediately. This specific course of action entails the instrumental function of the situation because there is a process of adaptation in the realization of urgency, and the leader proceeds with the necessary steps towards goal-attainment in helping the soldier who is hurt. The instrumental social role is fundamentally rational and cognitive.

Parsons advances that equally important to these 'instrumental' proceedings is the 'expressive' functions that provide stability and wholeness to the situation.

Consequently, the leader of the unit, and the other soldiers who form this group, would show the feelings of sympathy, care, and emotional support to the injured soldier (and to each other). In other words, communicate, verbally and nonverbally, expressions of cohesion and solidarity. Bourricaud explains, “we could analyze the expressive/instrumental dichotomy in terms of the patterns variables, namely, affectivity/affective neutrality and universalism/particularism” (Bourricaud 1981:88).

A 1LT from Alpha Company generates a flawless exemplification of this dynamic without knowing the theoretical abstractions he alludes. 1LT David Nelson-Fischer describes 1SGT John Hatley’s leadership as the following,

Hatley had charisma but the reason he was so loved is that he would do whatever he could to accomplish the mission and while at the same time do everything possible to bring back all of his guys alive. He had the perfect balance of those two things (Record of Trial for 1SG Hatley, added emphasis)

This short narration captures Parsons’ ideas as it corroborates to illustrate how 1SG Hatley embodied characteristics of goal-achievement, task-oriented leadership, as well as care and love towards his unit and fellow men. The key word in 1LT Nelson-Fischer’s story, as well as Parsons’ understanding of social experience, is balance.

Furthermore, Parsons’ discussion of the expressive and instrumental dimensions of society can be additionally characterized in relation to the family life—this is perhaps its most common employment, as if forms the foundations for Parsons’ theories of socialization and personality development (Lackey 1987). Pat N. Lackey discusses Parsons’ expressive/instrumental abstractions with the following example,

A cognitive differentiation of love and care broaden his [the child's] perspective about the mother-child relationship. Eventually, he cognitively identifies two functions which his mother performs in his behalf. Her taking care of his needs is an instrumental function; her loving him is an expressive function. The cognitive differentiation of these two types of activities is an occasion for him to begin separating adaptation problems from integration problems. The caring activities are related to his problems of adapting to the environment. The integration problem stems from love and care relationships between mother and child (Lackey 1987:134).

Lackey further notes, “instrumentally, there is a need for adequacy, and (...) expressively, there is a need for security. Security is manifested in (...) receiving and giving love and support in social relationships (...) Adequacy denotes a need to perform in accordance with standards” (Lackey 1987:137). As Lackey points out, the fundamental aspects of the expressive and instrumental functions include security, love, support and relationships; and adequacy, performance and standards, respectively.

The instrumental and expressive functions become particularly fitting to our discussion by thinking about the military and the metaphorical use of a family unit. Considerably, many soldiers in the military think of each other as ‘family’, whether this refers to the soldier’s unit, brigade, battalion, company, or platoon. Many sociologists do not yet recognize this in the discourse of sociology and the military. Similar to a family, and to the parent-child relationship depicted by Parsons, and Lackey, the soldiers need to receive care for their basic needs just as much as they need feelings of security and integration from their superiors.

According to Parsons, the interrelationship of these sensibilities—“adaptation” and “goal attainment” on the one hand, and “integration” and “pattern-maintenance” on the other, enables the social body to sustain balance while preserving stability (Parsons

1964, Savage 1981, Bourricaud 1981, Lackey 1987, Wearne 1989). In the family life structure, the instrumental characteristics—adaptation and goal attainment, often are associated with the father role; while the expressive dimension—integration and pattern-maintenance, are linked to the mother. Parsons associates the expressive feminine role to mothering and other domestic responsibilities that contribute to the emotional support and the sense of belonging in the family as a group. Conversely, Parsons interconnects the instrumental masculine role, to the man's (traditional) responsibility to earn a living for the family, in addition to other rational, goal-oriented activities. The social dynamics at the Abu Ghraib prisons illustrate elements of both expressive and instrumental functions; although in this case these two pattern variables partake in a larger array of social dysfunction (Caldwell and Mestrovic 2008b).

It is important to emphasize that while Parsons and others discuss the social roles expressive and instrumental in relation to the gender roles feminine and masculine; Parsons' theoretical argumentations about these pattern variables go beyond the division of labor between the sexes. Parsons treats the instrumental and expressive social functions as abstract characteristics of situations, activities, social structures, and other social phenomena. Both men and women have the ability to embody social roles that are mutually expressive and instrumental. The examples of the doctor-patient interactions described by Bourricaud, the military unit and their leader in a moment of adversity, and thinking of the military as a family structure, are illustrations. In other words, it is important to advance these Parsonian categories with flexibility and broadness to avoid

abstracting these social roles as generalizations that are rigorously attached to sex or gender.

Expressive Letters to Kelly

The following constitutes a series of letters written by SPC Sabrina Harman, to her life-partner Kelly. The letters depict some of the conditions of the Abu Ghraib prisons, mention the juvenile detainees, some of the initial abuse, and SPC Harman's apprehension towards Abu Ghraib. The letters state,

Kelly,

Its 9:00 pm and we can hear shots—no white lights are allowed to be on at night no leaving the building after dark. I hope we aren't here long! We drove in and two helicopters were landed taking prisoners off.

I'm scared of helicopters because of the dream. I think I wrote it down before. I saw a helicopter and it looked like the tail was swaying back and forth then it did it again then a huge flame/round shot up and it exploded. I turned around and we were under attack, I didn't have my weapon (gun) so all we could do was hide under these picknick tables. So back to the prison . . . we get to our buildings and I step out of my truck right in front of a picknick table.—I almost freaked out. *I have a bad feeling about this place. I want to leave as soon as possible!* We are still hoping to be home X-mas or soon after.—

I love you.

I'm going to get some sleep.
I'll write you again soon.

Please don't give up on me!

Sabrina

(Sabrina Harman Letter to her life-partner Kelly, written on the first night at the Abu Ghraib Prisons, added emphasis 2003)

On the first night at Abu Ghraib, SPC Harman notes “I have a bad feeling about this place.” Drawing from Darwin and his followers, Durkheim, Bachofen and Parsons’ understanding of the “expressive” function as an undertaking that relates to the affective; SPC Harman’s letter to Kelly illustrate a general anxiety towards her surroundings. On a different letter Harman narrates,

Kelly,

The lights went out in the prison so here we were in the dark—in the prison. *I have watch of the 18 and younger boys.* I hear, misses! Misses! I go downstairs and flash my light on this 16 year old sitting down with his sandal smacking ants. Now these ants are Iraqi ants, LARGE! So large they could carry the family dog away while giving you the finger! LARGE. And this poor boy is being attacked by hundreds. All the ants in the prison came to this one boy’s cell and decided to take over. All I could do was spray Lysol. The ants laughed at me and kept going. So here we were the boy on one side of the cell and me on the other in the dark with one small flashlight beating ants with our shoes. . . . *Poor kids.* Those ants even I’m scared of.

So that was the start of my shift. They’ve been stripping “the fucked up” prisoners and handcuffing them to the bars. It’s pretty sad. I get to laugh at them and throw corn at them. *I kind of feel bad for these guys even if they are accused of killing US soldiers.* We degrade them but we don’t hit and that’s a plus even though I’m sure they wish we’d kill them. They sleep one hour then we yell and wake them—make them stay up for one hour, then sleep one hour—then up etc. This goes on for 72 hours while we fuck with them. Most have been so scared they piss on themselves. Its sad. It’s a little worst than Basic training ie: being naked and handcuffed.

. . .

But pictures were taken, you have to see them! A sandbag was put over their heads while it was soaked in hot sauce. *Okay, that’s bad but these guys have info, we are trying to get them to talk, that’s all, we don’t do this to all prisoners, just the few we have which is about 30-40 not many.* The other night at 3, when I wrote you, the firefight . . . 3 killed 6

injured—Iraqis. . . .

It's time to wake them again!!! (Sabrina Harman Letter to her life-partner Kelly, added emphasis Dated October 20, 2003)

Later that night, SPC Harman writes again. The letter states,

Okay. I don't like that anymore. At first it was funny but *these people are going too far*. Ended your letter last night because it was time to wake the MI prisoners and "mess with them" but it went too far even I can't handle what's going on. I can't get it out of my head. I walk down the stairs after blowing the whistle and beating on the cells with an asp to find "the taxi cab driver" handcuffed backwards to his window naked with his underwear over his head and face. He looked like Jesus Christ. At first I had to laugh so I went to and grabbed the camera and took a picture. One of the guys took my asp and started "poking" at his dick. Again I thought, okay that's funny then it hit me, that's a form of molestation. You can't do that. I took more pictures now to "record" what is going on. They started talking to this man and at first he was talking "I'm just a taxicab driver, I did nothing." He claims he'd never try to hurt us soldiers that he picked up the wrong people. Then he stopped talking. They turned the lights out and slammed the door and left him there while they went down to cell #4. This man has been so fucked that when they grabbed his foot through the cell bars he began screaming and crying. After praying to Allah he moans a constant short Ah, Ah, every few seconds for the rest of the night. I don't know what they did to this guy. The first one remained handcuffed for maybe 1 ½--2 hours until he started yelling for Allah. So they went back in and handcuffed him to the top bunk on either side of the bed while he stood on the side. He was there for a little over an hour when he started yelling again for Allah. Not many people know this shit goes on. *The only reason I want to be there is to get the pictures to prove that the U.S. is not what they think. But I don't know if I can take it mentally. What if that was me in their shoes. These people will be our future terrorist. Kelly, it's awful and you know how fucked I am in the head—Both sides of me think it's wrong. I thought I could handle anything. I was wrong* (Sabrina Harman Letter to her life-partner Kelly, added emphasis also dated October 20, 2003).

Illustrations of the affect again are present in this letter to Kelly. It is peculiar that SPC

Harman employs rhetoric associated with reason, "I don't know if I can take it

mentally," "you know how fucked up I am in the *head,*" "both sides of me *think* it's

wrong,” yet she brings attention to “*both sides*” of her being, as if she acknowledged a dichotomy of forces, one of which goes beyond intellectual capabilities and alludes that SPC Harman “knows” with her body.

SPC Harman: An Expressive Figure in Dysfunctional Abu Ghraib

Bachofen’s theory of mother right and Parsons’ expressive and instrumental concepts collaborate with early sociological understandings that approach society as a social body. These theoretical undertakings account for the importance of affectivity in the social experience, focusing on the role of emotions, bodily reactions such as trust, fear and anxiety. Consequently, these theories highlight the significance of spontaneous behavior, and tend towards an implicit discourse of human vulnerability. The thesis of this work focuses on the USMS’s systematic neglect of these functions.

Repeatedly, public discussions extended by major news media and other sources frame military misconduct in terms of the lack of dignity and respect American soldiers have towards the enemy. Furthermore because it is easier to single out blatant misconduct, war crime discourse often notes the atrocities committed by the “instigators” of deviance, rather than holistically observing the social milieu of the acts. In other words, the relationships between American soldiers and the U.S military system, which conceivably lack aspects of similar negligence, often remain overlooked. Scant publicity exists on many of the conditions faced by military soldiers while fighting the war on terror abroad.

Another dimension that public discourse misses quite frequently relates to narrations that provide multiplicity of truth with which to approach news stories about these issues. The tale of the Abu Ghraib “rotten apples” is an archetypal example. The conditions of the Abu Ghraib prisons were deficient of expressive functions in every way imaginable. As noted, the prisons were severely overcrowded, did not have appropriate lighting, lacked basic living supplies, the troops were tired and undertrained on many of the tasks assigned, the prisons faced mortar attacks on a daily basis, and leadership was unstable. The soldiers incriminated for the detainee abuse at Abu Ghraib were labeled “sick” and “sadistic” without a chance to consider alternative “brandings” such as, overstressed, traumatized, shellshock.

Among the convicted “rotten apples,” at least one soldier—SPC Sabrina Harman, exemplified expressive, motherly, qualities that never reached the broadcasted narratives of Abu Ghraib. In the Canal Killings case, 1SGT John Hatley subsumes the “motherly,” expressive role. A different chapter of this work is devoted to a more adequate discussion of 1SG Hatley. Moreover, SPC Harman reflects many of the qualities Bachofen and Parsons describe in relation to affectivity, maternal nurturing and care. Mestrovic, one of the expert witnesses at SPC Harman’s trial notes,

It seemed difficult to prosecute Harman. According to her fellow soldiers she had not hit anyone; she did not yell at anyone; she did not engage in any behavior that could be termed ‘sexual and physical abuse’ at Abu Ghraib. On the contrary, she made sure prisoners had their eyeglasses and medicine; she got some of them blankets; she reported some of the abuse she saw, albeit to no avail (...) She was the gofer on tier 1-A who ran errands for the male soldiers (...) She *did* walk out the door *some* of the time the abuse occurred, and she *did* report some of the abuse (Mestrovic 2007:119).

Referring to SPC Harman Mestrovic states, “my first impression was that this is one of the most shy and inhibited persons I had ever met” (Mestrovic 2007:120). He elaborates,

Tests results showed that she was not sadistic, that she did not have a personality disorder (the personality disordered are sadistic and cruel as a long-standing character trait, but this was not Harman’s problem), and that she was suffering from depression, dependency, anxiety, and PTSD. In plain English, these terms meant that Harman was an extreme follower, very scared, very sad, and very stressed—and the psychiatric tests suggested that she was all these things at Abu Ghraib (Mestrovic 2007:121).

Mr. Spinner, one of the attorneys in SPC Harman’s Defense Council, notes in his opening statement to the court,

With respect to this specification, there will be evidence presented by the defense that shows that *Specialist Harman actually cared about inmates and tried to help inmates. And on occasion went to limits to see that they got proper care, safeguarded, and medical treatment.*

Now, was she there on November 4th when Gilligan, as you'll hear the name that he was called is Gilligan, and he was made to stand on the box and the wires were put on his hand? Yes, she was there, we're going to concede that. Now, we're not going to concede something that you may wonder like, well, surely Mr. Spinner has lost his mind. We're not going to concede that she put the wires on his hands. Despite the fact that-I'll concede the government has a statement that she said she put wires on his hand-on his fingers or whatever, but we're not going to concede that. And there's going to be some evidence and some testimony that's going to refute that.

Additionally, you're going to learn more about Gilligan than just this hooded man with wires standing on a box. *You're going to find out that actually Specialist Harman developed somewhat of a friendship with Gilligan.* That, in fact, he achieved sort of a trustee type status in that part of the prison. That you can't look at this one snapshot in time, however terrible it may look, *and it's all about those relationships* (...) The defense is going to present

evidence that Sabrina Harman, whether or not she put the wires on his fingers is almost secondary that this was a joke, that Gilligan understood it to be a joke and that this was just part of a bigger relationship that they had with Gilligan. They still had duties to do as soldiers and guards, yeah, they had to engage in sleep deprivation and this guy was still somebody who needed to be interrogated, but even in that strange context of what-the events that occurred at Abu Ghraib there were actually relationships that developed with these inmates. In fact what you're going to find out is some of these detainees were given-many were given enduring names, like Gilligan, Taxicab, some of them not so enduring, primary example “shit boy”, you may hear about that one, why he got that one, but some of these people weren't just a number and they all weren't, you know, suspected terrorists, but there were relationships beyond what is shown in the pictures that the government has put before you (Sabrina Harman, Record of Trial, emphasis added) .

Consistently, the promulgated tales of Abu Ghraib, and other cases of our discussion, render to the linguistic structure of the prosecuting council—representing the USMS, and not the contesting narrative of the trials. Further dialogue amongst the members of the court discusses SPC Harman’s expressive way of relating to others. The record of trial states,

TC: Sir, with regard to the merits, essentially what we have are two detainees who are going to say the accused did not abuse me and it’s simply a relevance objection.

DC: Your Honor, it’s far more than the accused did not abuse me. *Specialist Harman, while she was at Abu Ghraib, despite allegations, worked out of her way to treat these detainees humanly.* She herself got in trouble numerous times because she gave them—

TC: --it’s not focusing on what Specialist Harman did, I’m focusing on what those people will say.

DC: That’s what these people will say, Your Honor.

MJ: Will they say that she didn’t—well, Major Holley says that they will say when asked she didn’t abuse them

DC: And it doesn’t stop there though, that’s just a very short way of the way they want—

MJ: --where would be the relevance of findings?

DC: The relevance, Your Honor, is that in fact she—

MJ: --what—

DC:--*her reputation was not such that she would be abusive to the detainees.* That she was—

MJ:--have you talked to these detainees?—

DC: I haven't personally talked to these detainees, Your Honor, but, um--.

(...)

MJ: So how do you know what—and were they ever asked about what is her reputation for--?

DC: Not by me, personally Your Honor. Your Honor, other teams have gone to interview these people and Specialist Harman's name was mentioned.

MJ: Do you have any evidence that these people will give an opinion as to or reputation evidence as to Specialist Harman? That's my question.

DC: Your Honor, we do have some written statements by these detainees.

MJ: And do they say—you're not answering my question. You want to introduce character evidence of the accused—

DC: --yes, Your Honor—

MJ: That's what I hear you telling me

DC: Yes, Your Honor.

MJ: Okay, and character evidence can come in one of two ways, reputation or opinion, true?

DC: Yes, Your Honor.

MJ: Okay. And my question is a simple one. Do you have any evidence that these people will provide an admissible opinion or reputation evidence as regard to Specialist Harman?

DC: I believe so Your Honor.

MJ: How do you know they'll say anything then?

DC: *Because my client has spent a lot of time with these people, Your Honor, and they have told her how grateful they are that she went out of her way to get them clothing when clothing was taken away, that she gave them food* (SPC Sabrina Harman Record of Trial, added emphasis).

In this segment of the transcript, the record of trial shows Mr. Spinner attempting to show “expressive” evidence at the court-martial. Why is it expressive? The evidence Mr. Spinner struggles to bring in the proceeding, relates to various statements given by

detainees asserting SPC Harman did not mistreat them. On the contrary, these statements will verify that SPC Harman cared for the detainees, helped the detainees, and treated the detainees humanely. However because these statements were not collected by CID or government officials in charge of the investigations, and not sworn under our cultural standards, the testimonies were not considered valid. In other words, the record of trial show “standardization” and “efficiency,” principles that are instrumental, trump expressive values.

Subsequent testimony in the court-martial, given by SSG Ivan Fredrick, one of the “rotten apples,” attests that SSG Fredrick put the wires on the detainee nicknamed “Gilligan,” not SPC Harman. The statements notes,

Q. Now, over time, with respect to Gilligan was he given any kind of special privileges or treatment?

A. Yes sir, after about a week there we found out that he was not involved in what CID was thinking so he was allowed to have more cigarettes. He was given some Arabic food. And they would allow him to take out the trash and he could smoke and clean up the place for us (...)

Q. Now, in that regard, you are testifying as part of a plea agreement?

A. Yes, sir.

Q. And you are-and you did plead guilty to maltreating Gilligan, didn't you?

A. Yea, sir.

Q. And to be able to get through your plea-and your plea agreement in part, was to get the government to drop some charges against you?

A. Yes, sir.

Q. And it was also to limit the sentence that you laced?

A. Yes, sir.

Q. And so for you to get the benefit of the bargain you had to admit to maltreating Gilligan?

A. Yes, sir.

Q. And if you said anything to the judge inconsistent with maltreating Gilligan, then your plea bargain would not have been successful?

A. Correct

Q. Now, in that respect, you said or I believe on your direct examination that you put wire-or wires on Gilligan?

A. Yes, sir.

Q. But did you not see Sabrina Harman put wires on him, correct?

A. No, sir.

Q. And you believe it was one of the other guards that put wires on him?

A. Yes, sir.

Q. *So to the best of your knowledge Sabrina Harman did not put any wires on Gilligan?*

A. *Not that I remember.*

Q. The primary point of that was sleep deprivation, correct?

A. Yes, sir (SPC Sabrina Harman Record of Trial)

Additional testimony by another of the soldiers who served with the 800th MP Brigade at Abu Ghraib—SPC Megan Ambuhl, describes SPC Harman. This statement in particular brings attention to Sabrina’s “motherly” qualities regarding children and adults. SPC Ambuhl’s testimony states,

Any time we’d stop the kids would come just—you wouldn’t see anybody on the streets and then they come like from I don’t know where, just the people, the adults, anywhere from the smallest kids to the oldest person. If it was a time when she wasn’t around they would be Sabrina, Sabrina from the—you know the farthest stretches of our area that we ... know. They were wondering how she was doing or why she wasn’t with us, you know, where she was and how she was doing (SPC Sabrina Harman Record of Trial, emphasis added).

A variety of photographs depicting SPC Harman with local Iraqis, children and families, Sabrina taking care of injured detainees, also exploring Iraqi panoramic sites, never made it to her court-martial, or the public eye. SPC Harman, along with the other soldiers involved in the cases of abuse at Abu Ghraib, were boxed-in and labeled “rotten

apples.” This label is stigmatizing and abstracts the soldiers from their human, affective constituents.

5. COLLECTIVE REPRESENTATIONS OF THE EXPRESSIVE FUNCTION IN THE USMS

What defines us is our spirit and love for our country, and that, sir, (...) that's something that will never be taken away—Specialist William B. Hunsaker

“As I see my son, he is an American Hero”—1 SGT John Hatley’s Mother

In his discussion of Bachofen, matriarchies and patriarchies, Erich Fromm notes that while Catholicism exhibits many characteristics that are patricentric—such as God the Father, the incarnation of a Son, a hierarchy of male priests and other representations, the role of Catholicism’s matriarchal elements are undeniable (Fromm [1994] 1997). Fromm points out that in conjunction to those constituents that appear male/father-centered, the role of the Virgin Mary, the church as a psychological symbol of the Great Mother, and a series of other characteristics figuratively translate to the embodiment of a mother cult. While the work of Fromm on this subject matter does not develop to discuss how the collaboration these collective representations creates a ‘balanced’ religious organization for Catholic systems, the work of Schoenfeld and Mestrovic (1991) looks at these relationships a bit closer.

Schoenfeld and Mestrovic argue that religious collective representations of feminine/expressive and masculine/instrumental are fundamental aspects of religious collectivity, in particular because they reflect important aspects of culture. These scholars note, in agreement with Durkheim, Adams, Veblen and others, how the advancement of modernity has slowly effaced many ‘expressive’ representations that are venerated, creating ‘religious’ systems that are unequally misbalanced by

masculine/instrumental embodiments (Schoenfeld and Mestrovic 1991). The discussions of Fromm, Schoenfeld and Mestrovic, examine religious collective representations based on the culture of 'theological' foundations; however the employment of Durkheim's definition of 'religion'/'religious' enables us to advance this dialogue in relation to military organizations.

Durkheim's conceptualization of religion and religious behavior provides a rich basis for discussions of collective habits and practices, organization and structure, and social behavior. The goals of this chapter are twofold. First, it brings attention to how the social body of the military system is similar to a 'religious' organization; and second it discusses the parallels that exist between the USMS and matriarchal principles. In this chapter I argue, similar to Fromm's examination of Catholicism as a 'matriarchy', how the military as an organization despite its andocentric characteristics, embodies a series of unconscious matriarchal/expressive components. I shall conclude this discussion by illustrating a series of these. For the purpose of this chapter I will focus strictly on expressive functions as they relate to the U.S military and the cases of misconduct already noted. This chapter brings special attention to the role of love and affectivity in the soldiers' experience.

Contemplating the USMS as a Religious Organization

When the ideas of religion and the military are sparked in the same dialogue, the discussions are often intricate, philosophically rich and perplexing to say the least. Contemporary discussions about this matter tend to emphasize the role of ‘religion’ more often than in previous periods—regarding United States conflicts, given that the present wars with Afghanistan and Iraq have derived, at least in some part, from departing religious ideologies. When such debates take place, it seems that cultural absolutism reigns both ends of the spectrum regarding this matter, inasmuch as political leaders often forget that views on democracy, the economy, gender issues, and so forth, are intricately knitted to *other* cultural values that cannot be divorced from religious origins.

Durkheim’s understanding of religious behavior and religious practices, provides a helpful conceptualization of ‘religion’ that enables sociological thinking to go beyond what is obviously religious, and unveil additional cultural foundations. It is important to emphasize that Durkheim alleged that “nearly all the great social institutions were born in religion” and that religion “gave birth to all that is essential in society” (Durkheim 1912:421). Consequently, for Durkheim and his followers—Marcel Mauss, Robert Hertz, Jean Piaget, Claude Lévi-Strauss, Robert Bellah, Steven Lukes, Mestrovic and others, ‘religious’ elements embody almost all organizations and interactions of the lived experience. Durkheim notes,

A religion is a unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden—beliefs and practices which unite into one single moral community called a Church, all those who adhere to them (Durkheim 1912:44).

Conceptualizing religion from a Durkheimian perspective bestows bountiful possibilities for the application of ‘religion’ as a tangible phenomenon in relation to subjects varying from sports, family gatherings, academic traditions, political parties, and the military, to name a few examples. Let us observe what happens when the words ‘religion’ and ‘Church’ in Durkheim’s definition, are swapped with ‘Army’ and ‘military’.

A[n] ‘Army’ is a unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden—beliefs and practices which unite into one single moral community called [the] ‘military’, all those who adhere to them.

Is it fair to say that Durkheim’s words provide a sound definition for what constitutes, at least in part, the notion of an ‘Army’? Admittedly, examining the USMS as a religious organization could indeed raise an arena for potential controversy and misunderstanding. However, the insights that can be gained from adopting this approach are perceptibly indispensable. The USMS is an organization filled with beliefs and practices in relation to entities that are set aside from ordinary experience; it is filled with codes and symbols, rules and regulations that orient the lives of those individuals who are part of this organization.

For Durkheim, religious organization falls into two fundamental groupings, ‘beliefs’ and ‘rites’ (Durkheim 1912). Durkheim explains that ‘beliefs’ pertain to symbolic representations—values, special ideas the group holds to high esteem; and ‘rites’ refers to those actions in which the values of the group are celebrated (Durkheim

1912). On the whole, the most important components of a religious organization, according to Durkheim, are listed as follows, 1) a *group* which shares, 2) *values* and *beliefs*, which unify the group, and consequently 3) engage in *rituals* that express through action the values and beliefs of the group. Durkheim further theorizes these values, beliefs, and practices contain an understanding about things that are sacred and things that are profane. Durkheim notes, “a Church is not simply a priestly brotherhood; *it is a moral community*” (added emphasis Durkheim 1912:42). Furthermore, ‘morality’ from a Durkheimian perspective tends toward a discourse that implies *solidarity*. In other words, for Durkheim and his followers—morality, translates into a unifying principle.¹¹

With these ideas in mind, we can subsume that the military and any religious institution share similar structures. For example, similar to the Catholic Church, and a long list of other churches, the military structure is composed of a hierarchical chain of command. Historically, the leadership of men has headed this chain of command; and even after women’s admission to the U.S military, it appears that a gender divide is still a ubiquitous characteristic of today’s USMS. Caldwell and Mestrovic further exemplify these social facts in the examination of courts-martial rhetoric. These observations relate to the way in which the abuse at Abu Ghraib was approached by the military court system, often dichotomizing social roles, the acts of the soldiers, and the soldiers’

¹¹ It is important to juxtapose Durkheim’s understanding of morality as a unifying principle to Bachofen’s conceptualization of the mother-consciousness. These theoretical undertakings, similar to classical structural-functionalism and Parsons’ expressive function, all emphasize the *cohesion* of the group as an essential characteristic of the social body.

experiences in terms of ‘the masculine’ and ‘the feminine’ (Caldwell and Mestrovic 2008b).

Furthermore, comparable to a church, ritualistic enactment and ceremonial behavior are significant constituents of the military. Beginning with traditional armies to existing military practices, warfare rituals guide the group’s structure—values, norms and sanctions. For example, in traditional societies playing music, offering sacrifices and adorning the body with war paint, before and after combat, was a common ritualistic practice. Tattooing in particular has been warrior’s observance since the origins of warfare. Still today, the art of tattooing before entering and after coming back from deployment is practiced regularly among American soldiers. The Abu Ghraib “rotten apples” each got a tattoo of a rotten apple and their trial number representing the label given to them. Tattooing rituals show to serve a purely expressive function, as this activity tends to the affective and cultural aspects of the individuals in the group.

Additional rituals pertaining to the military can be discussed in relation to social interactions, military training, promotion as well as demotion ceremonies, courts-martial, military processions, funerals, and hazing rituals. Hazing rituals are known amply for creating solidarity between the men and women in a series of organizations. In the military, these rituals include, ‘blood pinning’; punching personnel who has earned a promotion; force-feeding repulsive aliments; duck-taping soldier to a chair; and countless others. Hazing rituals maintain a great deal of secrecy, as elements of mystery sustain part of the ritual itself. While many of these ceremonies may appear cruel and brutal to the outsiders, Durkheim as well as the soldiers involved in these practices,

would more likely argue these rituals help build morale in the group, in addition to creating feeling of effervescence, solidarity and cohesion. While many of these ‘rituals’ exist outside of the military cosmos, it is important to note that within the military structure these social phenomena is considered sacred within its context.

Alongside these rituals, military individuals also abide to a long list of moral codes and belief system, which regulates the conduct of the group. Arguably, the standards of uniform enforcement, ROEs, SOPs, and deferring to a chain of command, also entail ritualistic instances. These moral codes also include universal laws to which all military forces should obey, such as the Laws of Armed Conflict which includes The Hague and the Geneva Conventions, and other ethic principles of humanitarian law to which soldiers are obliged to follow. In addition to these, each branch of the USMS incorporates its own value system for the members of the group. The Seven Army Values—Loyalty, Duty, Respect, Selfless Service, Honor, Integrity and Personal Courage, and The Navy’s core values—Honor, Courage and Commitment, are examples. These codes of honor exist in the written form, as well as in spirit. That is to say, many other codes of honor abound soldiers to foster fraternity, alliance, and a sense of brotherhood/sisterhood; some of these are not necessarily written.

Durkheim points out that the relationship between the group’s rituals and belief systems are always joined to elements, physical and ideological, which are considered ‘sacred’. Considerably, the American flag and the National Anthem are collective representations that embody sacredness for any member of the United States, but predominantly for members of the USMS given their closeness to these totems. The

collective representations of an American flag or a bold eagle may raise a particularly special meaning for those individuals who are part of the military because military personnel live to defend the values for which these representations stand. Additionally, each branch of the Armed Forces has its own flag, song, badges, medals, emblems, logos, chants, and uniform. All these entities, along with the soldiers' weapons, are approached with the highest reverence. These symbols are not merely material objects; they are the personification of a moral force, which contribute to the solidarity of the members in the group. While conducting military investigation about the prisoner abuse in Abu Ghraib the USMS took away several privileges from the "rotten apples" including their weapons. This was humiliating and created division in the group. Furthermore, this incident illustrates the sacredness of weapons, to a military soldier.

Record of trial states,

Q. At any point did that embarrass and humiliate you and Specialist Harman?

A. It--?

Q. His behavior?

A. Yes, ma'am.

Q. Now, at some point weapons were taken away from you, and Specialist Harman and the other seven?

A. Yes, ma'am.

Q. Can you tell us a little more about that?

A. I believe it was March 20th, our charges were preferred and on that same day they took away all of our weapons.

Q. When you say weapons are you taking about M16?

A. And then M9.

Q. And the M9----

A. ----Yes, ma'am.

(...)

Q. Okay, and how did this make you feel?

A. Embarrassed.

Q. Why?

A. Because we were singled out. When—usually at chow time there was a line of soldiers and, I mean, if nobody has anything to do then they turn around and look and see what, you know, someone is saying, hey there soldier, what are you doing without your weapon, that kinda of---.
(Megan Ambuhl’s Testimony in SPC Sabrina Harman Record of Trial)

Contemplating the USMS as a Matriarchal Organization

A collection of Erich Fromm’s work examines the embodiment of ‘mother-centeredness’, or matriarchal elements, in seemingly patriarchal societies (Fromm and McCoby 1970, Fromm [1994] 1997). In different instances Fromm observes how in cultures that would be generally considered male-centered/father-centered, the psycho-social role of the ‘Great Mother’ entails great cultural significance. For example, Fromm notes how in the Catholic Church—a religious organization directed by male priests, the role of the Virgin Mary takes similar prestige as God the Father, and God the Son. Fromm points out, “the Virgin Mary and the Church herself psychologically represent the Great Mother who shelters all her children in her bosom” (Fromm [1994] 1997:42). Fromm further notes that even ‘maternal’ elements are attributed to God himself regarding love, mercy and kindness (Fromm [1994] 1997). Similar remarks are noted by the work of Schoenfeld and Mestrovic, previously referenced.

According to Fromm, these relationships observed in the Catholic Church are correspondingly predominant in the social character of cultures that may appear outwardly patriarchal, but retain strong connections to tradition, rituals, and other expressive elements (Fromm and Maccoby 1970). Fromm points out that many of these matriarchal elements embraced by the collective, are adopted by the culture in ways that

are unconscious. In other words, despite the external depictions of patriarchal supremacy, in Mexico and the Catholic Church, there exist strong currents of matriarchal constituents, which the group accepts *unconsciously*. Fromm explains,

In Mexico we find that the father principle is undermined and at war with the mother principle. It is, in appearance, a strict father-centered society. In law and custom the man rules. Women are looked on as inferior and weaker. But it is also evident that interwoven with this patriarchal structure is a matriarchal system. It is manifested in a number of ways. First of all, *in the family system* the main figure of attachment, regardless of the individual's age, is his mother. (...) To hurt or offend the mother is perhaps the most real and severe crime, although not in legal terms nor even in terms of what villagers consciously think about crime. (...) Many Mexican men feel insecure, afraid of their wives, and instead of being in command they depend on their women (Fromm and Maccoby 1970:114-115).

Fromm's overarching discussion about the unconscious matriarchal currents of patriarchal systems implicitly returns to bring attention to the significance of the 'Great Mother', which stands in the midst of the structure. For example, in the Catholic Church the representation of the 'Great Mother' is more easily spotted in the veneration of the Virgin Mary, the Church as a mother, an 'expressive' Jesus, female saints, and the Holy Spirit, to name a few examples. In the social character of Mexico these associations are more complicated. Nonetheless, Fromm regards the representation of the 'Great Mother' in relation to the emotional attachment to the women, and in particularly to the mother (Fromm and Maccoby 1970).

In order to fully discuss the embodiments of the 'Great Mother' in the USMS, it may be helpful to note a few brief remarks about this concept. First, it is important to call attention to the fact that the idea of the 'Great Mother' is commonly distinguished in the field of Anthropology, and Religion, including the work of Bachofen's Mother Right

(1961). However, the concept of the ‘Great Mother’, as employed by Fromm, Erich Neumann, David Riesman, Mestrovic and others who interrelate psychoanalytical thinking in their observations of social phenomena, refers to C.G. Jung’s discussion of the mother archetype, and anima and animus (Jung [1938] 1982).

Jung’s references to the Great Mother are often associated with the notion of ‘the mother archetype’ and the psychological relationships this one posits on the psycho-emotional development of the individual. Jungian thinking places great emphasis on the role of the mother archetype, because for Jung, the child’s relationship with the mother precedes any other form of attachment, and consequently becomes the most special of all affections. Jung notes, “because the child lives at first in complete participation with her [the mother], in a state of unconscious identity,” the mother becomes “the psychic as well as the physical precondition of the child” (Jung 1959:36). According to Jung, this relationship between mother and child, which develops much earlier than the date of the child’s birth, bestows the individual with a series of ‘preconditions’—known as Jungian archetypes, which include the shadow, the persona, the anima, the animus, and some of their representations—the mother, rebirth, the spirit, the trickster, and others (Jung 1934).

Progressively, as children develop and begin to experience the world that surrounds them, those archetypes, which the mother bears in the child, expand in complexity. For example, the simple ‘mother archetype’, which at the beginning the child only associates with the mother, transforms into a symbol that the individual is able to link to other elements of mothering including, grandmothers, godmothers, teachers,

and other representations such as ‘mother nature’, ‘Church’, ‘mother country’ and the ‘mother tongue’. Jung notes,

Other symbols of the mother in a figurative sense appear in things representing the goal of our longing for redemption, such as Paradise, the Kingdom of God, the Heavenly Jerusalem. Many things around devotion or feelings of awe, as for instance the Church, university, city or country, heaven, earth, the woods, the sea or any still waters, matter even, the underworld and the moon, can be mother-symbols (Jung 1959:15)

Jung refers to the intricate interlacing of primal feelings and recognitions about the mother, to later life experiences that are mothering, as the ‘mother complex’ (Ford 2004). Jung describes the positive aspects of the mother complex as ‘identical’ to the ideal type of ‘mother love’. He notes, “this is the mother-love which is one of the most moving and unforgettable memories of our lives (...) the love that means homecoming, shelter, and the long silence from which everything begins and in which everything ends” (Jung 1959:26). In other words, the psychological expansion from the basic mother-archetype to the positive aspects of mother complex entails the unconscious recognition of other motherly elements aside from one’s mother. It is here we find the powerful realm of the ‘Great Mother’, in representations of mothers other than the mother itself—the supra-mother, the mother of mothers, the motherly love, and unconditional attachment to name a few examples

Furthermore, the Jungian archetypes, which are part of the individual’s psyche, also constituent elements of the collective unconscious. In contrast to the personal unconscious, which connotes the individual’s repressed memories, desires, and wishes; the collective unconscious may be conjured in the observation of collective patterns,

ideas, values of the group, stories, art, and symbols (Ford 2004). Bachofen's theory of mother right, Fromm's discussions about the Catholic Church and Mexican village, Neumann's critique of history, art and culture (1996), and Mestrovic's work *Habits of the Balkan Heart* (1993), are examples that call attention to the 'Great Mother' in relation to the collective unconscious and social character. These discussions bring to mind the movement of the unconscious in the collective spirit. They illustrate how groups, religious structures, and entire cultures, recognize, and to respond to the supremacy of the 'Great Mother.'

A careful examination of the USMS as a religious organization reveals a series of characteristics that engage traces of mother-centeredness and matriarchal elements. These expressive constituents regard collective representations of the 'Great Mother' and derivatives of its bearing. The remaining of our discussion focuses on three fundamental attributes of the USMS that indicate its ties to matriarchal currents. Namely, the role of America—'motherland' as a representation of the 'Great Mother'; the significant role of emotional bonds between soldiers, who often consider themselves family and share acute love for one another; and finally, the role of the mothers and wives of soldiers, who implicitly play a significant function in the military culture.

America: The Great Mother

Depictions of the ‘Great Mother’ as country of birth or ‘motherland’ are noted often as instances of archetypal embodiment, but seldom are these examples explored in greater depth. As referenced previously, the notion of the ‘Great Mother’ regards to a series of elements associated with fertility and fruitfulness, as well as a signifier of characteristics that include wisdom, mercy, benevolence, and love. Jung illustrates the qualities of this archetype, “maternal solicitude and sympathy; the magic authority of the female; the wisdom and spiritual exaltation that transcend reason; and helpful instinct or impulse; all that is benign, all that cherishes and sustains, that fosters growth and fertility (Jung 1959:16).

Jung’s representation of the ‘Great Mother’ archetype entails a rhetorical sequence that echoes prior discussions regarding Darwin, Bachofen, Durkheim, the Chicago Schools of Sociology, and the way in which these theorists approach the lived experience. Jung, as well as the rest of the scholars mentioned, tends towards a sociological discourse that emphasizes elements that ‘transcend reason’, ‘instincts’, ‘impulse’, and references which highlight ‘nature’, ‘sustainability’ and ‘growth’. In a word, Jung and the others, conceptualize their notions of structural systems with terminology that is inclusive and reaffirming of affective/expressive elements. The notion of the ‘Great Mother’ is not an exception to these patterns of discourse.

References to the ‘Great Mother’ as a constituent of the collective unconsciousness and the social character of a group, indicates the presence of matriarchal currents in the social system. Bachofen illustrated this phenomenon in his

discussion of ‘mother right’, the worship of female goddesses, ‘Mother Earth’, and the veneration of a long list of expressive elements that are associated to the mother principle. Similarly, Fromm’s depiction of the ‘Great Mother’ situates the social character of a seemingly patriarchal Mexican village to the group’s collective reception towards women, particularly wives, mothers, and grandmothers. Adams, Neumann, Mestrovic and others, propose similar ideas in their critique of culture, social character and modernity. In other words, these scholars bring attention to the role of the Madonnas and their derivative collective representations, in relation to culture, ‘progress’, and the obliteration of expressive embodiments. In the case of the USMS, one of the personifications of the ‘Great Mother’ can be noted regarding the group’s collective reverence towards the United States of America, and arguably the Army/military.

As Jung and his followers point out, representations of the mother archetype can express itself in a variety of ways; the moon, still waters, earth, the darkness, representations of the ‘left’ (Bachofen [1861] 1967, Jung 1982, Hertz 1960), towers¹², flowers, city, and one’s country, are examples. Fromm brings attention to how these representations once were symbols of power and honor, and progressively have become characters, which suffer from patronizing ascendancy. Fromm contends,

This reaction formation (distorting the original relationship to one’s mother) is also extended to other mother symbols, such as country, nation, and the soil; and it plays an important role in the extremely

¹² While the symbol of a tower may appear to connote a ‘masculine’ representation, given the phallic formation of its structure, Jung traces the representation of towers to the mother archetype in literary works which include the Litany of Loreto, Songs of Songs, the work of Dante, and Goethe (Jung 1982).

patricentric ideology of the present day. Mother and her psychological equivalents have not disappeared in these ideologies, but they have changed their function from protecting figures to figure in need of protection (Fromm [1994] 1997:41).

Despite Fromm's critique of contemporary relationships to mothers and fathers, and their psychological equivalents, I believe there is something to say about the way in which men and women, particularly children of the military, feel towards their country. Drawing from the work of Bachofen and Durkheim, the concepts of 'blood-bond' and 'clanship', correspondingly, indicate that since time unmemorable the collective representations of 'country', 'nation', and 'soil', have been symbols indicative of protection. That is to say, these archetypal characters that embodied symbols of power and authority in earlier cultural phases, have been symbols for which the collective simultaneously is protective. To reiterate, I agree with Fromm only to the extent that the collective representations of country and soil may have been regarded with greater esteem in times past, however the ideas of blood-bond or clan solidarity show these symbols additionally have been representations of collective safeguarding.

References to the United States as an unconscious representation of the 'Great Mother' can be depicted in the rhetorical orientation of military personnel during courts martial. The officials, the soldiers, the prosecuting and defense councils, and other members of the military involved in the case, allude to the representations of home soil with high eminence. Often times in the trials, the depictions of the United States embody such personification that the collective representation of 'country' takes on a force equivalent to family. As a matter of fact, the soldiers in the trial frequently mention family—using the literal meaning of that word, in association with United

States *and* the Army, which corresponds to another representation of the ‘Great Mother.’

The statements of the soldiers are not only expressive, in terms of their emotional movement, but they also ‘expressive’ in that they comprise the themes of ‘shame’, ‘humiliation’, ‘tradition’, and ‘pride’, all elements which belong to the matriarchal principle. Sociologist David Riesman (1959) explores these emotive reactions in relation to the ‘tradition-directed’ social character, which implicitly originates from mother-centeredness. In one of the most touching statements of the data available, given by Specialist Ramos, the soldier states,

Your Honor, I sincerely apologize to *my family, my fellow soldiers, my unit, the Army, and my country* for all the damage and effects that my actions have caused. I know my actions have caused a great deal of *shame*.

I can never undo what I did, but if I could, I would. I’ve learned from my mistakes, and I’ve learned from the mistakes of others—of my leaders and my peers. Regardless, I now humbly take responsibility for my actions. I understand that my role in this conspiracy is worth the proceedings against me here today. *I understand that I should be punished, and I accept any punishment that you deem appropriate.*

But I humbly ask you that you let me stay in the Army.

I love the Army.

Even with the knowledge that I was enlisting in an Army at war, *I signed up happily because I wanted to serve my country. I knew that I was dedicating my life to a higher calling.* I was proud to do so.

I enjoy all the traditions of the military.

Your Honor, again, I humbly accept your decision, but *please let me stay in the Army so I can continue to serve my country as a soldier.* (Added emphasis Article 39 (a) Specialist Ramos 91-92)

The diction of this soldier’s speech is far from stereotypically masculine. Considerably,

this apology presents a pattern of undeniably romantic themes that include, the soldier's deep regret, his feelings of 'shame', feelings of 'love' for the Army, a response to a 'higher calling', and receptivity for servitude. These characteristics generally are not coupled with masculine principles, but rather interlaced with the ideal type docility of the female form. The soldier's emphasis in wanting to stay in the Army to serve his country, further illustrate the love and attachment for the 'Great Mother'.

Another statement given by a soldier from a different court-martial illustrates similar discursive patterns. Comparable to Ramos's testimony, this statement further calls attention to sensibilities of remorse, acceptance for punishment, pride in the military, and love for country. Specialist William B. Hunsaker states,

I'd just like everybody to understand that despite what happened, I don't—I made a bad choice that day. I know what I did was wrong, and there's no excuse for that.

I accept full responsibility for that.

Nobody forced me to pull the trigger that day. *That was the choice that I made, but I chose a lesser evil for a greater good.*

I chose to take these men's lives and hoped that they would never have the chance to take American lives because I honestly believed these men were Al-Qaeda or foreign Army there to hurt us, and to prevent any future occurrences, but they didn't go anything to any of us.

I shouldn't have done it, and I took it my owns, but I did, and I'd just like to—I just want the court and everyone to know and understand that *despite of what happens here today and any other time that the faith and love for my country and that I have for the Army will never falter.*

My whole life my family said I hold no grudges because no one forced me to do this. I'm totally at fault for what I've done, and *I accept any punishment you give today*, but I do, like everyone else, sir, that *what amount of time that you give me won't take away the fact that I am a U.S. Army Infantry Soldier. I serve the 101st, and I serve proudly, and still*

will serve proudly whether I'm in prison or not. That's just what I'll always be.

A Soldier is not defined by a signature, or paperwork, or this uniform he wears. *What defines us is our spirit and love for our country, and that, sir, no matter how much time you give me or whatever punishment you give me, that's something that will never be taken away.* (Added emphasis Specialist Hunsaker 264-265)

A thematic examination of these, and other personal statements made by soldiers on trial, reveal more matriarchal characteristics than most would expect. First, the soldiers present an apology which addresses their families and other fellow soldiers—motifs which the soldiers in trial often associate with the Army and country—representations of the ‘Great Mother’. Second, in these apologies, the discourse for regret and acceptance of punishment are common—denoting shame and guilt for the acts committed. Arguably, these feelings of shame and guilt regard to emotions aroused by the betrayal of the mother representation. Shame is particularly so since this sensibility constitutes a great part of ‘tradition-directed’ cultures, such as the military.

Furthermore, these statements embody a vast representation of love. The expression of love in these soldiers’ rhetoric, articulates itself as substantially ‘unconditional’. Specialist Ramos begs the Military Judge to let him stay in the Army and he refers to his role as a soldier in terms of a ‘higher calling’. He specifically utters the words, ‘I love the Army’. Specialist Hunsaker notes that he will ‘proudly serve’ even from prison, and affirms that soldiers are defined by the ‘spirit and love’ for their country—‘something that will never be taken away’.

The Love for Fellow Soldiers

A plethora of research regarding military sociology and military history, including the works of Samuel Stouffer, S. L. A. Marshall, Edward Shils, Morris Janowitz, Roger Little, Charles Moskos, Leonard Wong, and Mestrovic, support the notion that a soldier's concern for personal survival while in combat, is greatly diminished by the strength of the emotional bonds that exist in the soldier's unit (Wong 2006). In other words, time and time again research findings illustrate that cohesion, particularly the affective, emotional bonds between soldiers, is a fundamental component of combat motivation (Stouffer 1949, Marshall 1947, Wong 2003).

Samuel Stouffer's *The American Soldier* (1949) explores the attitudes of World War II soldiers regarding these matters. Stouffer, a sociologist associated with the Chicago School scholars, shows how soldiers' most fundamental drive during the war was finishing the war to have the ability to return home. In addition, Stouffer brings attention to how World War II soldiers claimed that the second most important source of encouragement, and primary combat motivation, was the strong group ties shared within the group (Stouffer 1949).

The work of S. L. A. Marshall illustrates similar findings. Comparable to Stouffer, Marshall emphasizes the significance of emotional attachment between soldiers during the Second World War. Marshall notes, "battle morale comes from unity more than from all else and it will rise or fall in the measure that unity is felt by the ranks" (Marshall 1947:138). Marshall further notes, "he [the soldier] is sustained by his fellows primarily and by his weapons secondarily" (Marshall 1947:43), "men do not fight for a

cause but because they do not want to let their comrades down”(Marshall 1947:161).

Marshall’s discussion additionally develops to correlate the actions of men (in the military) to animals and their instinctual proceedings. Marshall points out,

Man is a gregarious animal. He wants company. In his hour of greatest danger his herd instinct drives him toward his fellows. It is a source of comfort to him to be close to another man; it makes danger more endurable, like hugging a two-inch sapling while sitting out an artillery barrage (Marshall 1947:141).

Implicitly in these words, Marshall brings attention to characterizations of the human condition which reveal some expressive dispositions of the social being. Marshall notes how men need the company of ‘another’, and not because men are socialized to be communal, but rather, because men are like animals and thus follow their instincts. Marshall’s observation echoes the argumentations discussed by Darwin and his followers, who often associated the affective experiences of humans with plant and animal structures. Marshall’s discussion of instincts—which relate to the affective experience, is not exclusive to the cited passage, as he extensively notes ‘human nature’ in relation to ‘combat’, ‘the battlefield’, the soldier’s resistance to ‘natural timidity’, physical strength and tiredness, and predispositions towards ‘cohesion’ to name a few examples (Marshall 1947).

Other scholarly work which explores the subject of affection between soldiers regards to the observations made by Shils and Janowitz which examine why German soldiers would continue fighting despite the fact it was obvious their army was losing the war; the work of Roger Little regarding combat motivation in the Korean War; the work of Charles Moskos and Viet-Nam War soldiers; and the research of Leonard Wong in

relation to United States' conflict with Iraq (Wong 2003). The discussions of these scholars relentlessly emphasize, unit's solidarity, the interpersonal relationships between fellow soldiers, attachment, social and emotional bonds, and a series of other affective connections, which illustrate that soldiers fight for each other above other reasons.

These 'emotional bonds' and 'affection' shared by military men (and women) as depicted by Stouffer and the other scholars to follow, illustrate, in more than one way, the importance of 'affectivity' even in institutions as rigid and male-oriented as the military. I focus on the andocentric characteristics of the army, despite the fact that currently women are allowed to serve as soldiers, for several reasons some of which have already been addressed. First, because men have dominated the military as a culture for thousands of years, and consequently patriarchal ideas form the foundations for its structure. Second, because the research of Stouffer and others, which relates to our discussion, specifically concerns the emotional bonds shared between male soldiers. And finally, because a large body of research supports the claim that even with the presence of women in the military, the armed forces today, still remains an exponentially macho-centered institution (Caldwell and Mestrovic 2008b).

Precisely because the military is often associated with patriarchal, father-centered, contentions, questions tending to the role of emotions between soldiers should be provoked in contemporary scholarship; in particular if the embodiment of these affective ties are indicative of matriarchal currents. I note the idea of matriarchal currents because these 'emotional bonds' often seem to be associated with psychological representations, which equate to familial relationships. The unconscious love for the

‘Great Mother’ in the expression of its derivative mother archetypes—country and Army, is an example. Assimilating the Army and fellow soldiers with family is another. These instances illustrate characteristics of mother-centered cultures, as explained by Bachofen and others, in relation to the veneration of the mother and the blood-bond relationships that dwell in matriarchal societies.

The work of Mestrovic examines aspects of this type of emotional attachment, depicting the ties that bind one of the soldier’s in trial and his fellow comrades. The love for the army is additionally discussed in this passage. Mestrovic points out,

According to the psychiatrist, Clagett has a “desire to care for” his mother and he has a “good nature.” Moreover, she writes that “*patient has relied on the Army as his primary family* and support system and feels betrayed yet again by another “family system.” I learned from speaking with Clagett that he was emotionally and physically abandoned by both his father and mother (...) A psychological conclusion that is consistent with the psychiatrist’s report is that Clagett has “abandonment issues” and would most likely avoid doing anything that would hurt his relationship with his most important “family” and support system—the Army. In effect, *the Army had become a substitute for his family* (added emphasis Mestrovic 2008:135).

Admittedly, not all soldiers in the military experience the kind of life trauma that leads to ‘abandonment issues’ as in the case of Private First Class Corey Clagett; other soldiers involved in cases of military misconduct appear to have exceptionally supportive family circles. However, as Mestrovic notes, soldiers in the army often see other fellow soldiers as ‘family’ and as the most important form of ‘support system.’

The following sections from Specialist Steven A. Ribordy’s ROT, provide further evidence to our discussion. The subsequent dialogue takes places between Specialist Ribordy and the assistant defense counsel of trial. The transcript notes,

- Q. Specialist Ribordy, how many Soldiers did your company lose in this deployment?
- A. We lost six from just our company, ma'am.
- Q. How about from your unit?
- A. From the unit, I'm going to say, between 40 or 50, ma'am, I'm not quite for sure on the exact number.
- Q. Did you lose any close friends?
- A. *Yeah, I lost six brothers, I mean we were all family.* (Added emphasis Ribordy 147)

Specialist Ribordy's answer to the defense counsel is not characterized by abstract language that requires interpretation to decode the meaning of Ribordy's response. His words to the counsel are lucidly straightforward as he notes that his fellow soldiers are family to him. The ROT further advances,

- Q. So, Specialist Ribordy, what did you mean by that phrase that "that was the only thing that you could do"?
- ACC: Your Honor, at that time it's that I felt—I mean, it wasn't the only thing that I could have done, but at that time I felt to myself that, you know, I want to help my guys out. I want to keep these guys out of trouble, so that's why I did what I did.
- MJ: Okay, so you're saying that it was the only thing you could do because of what? Is it—because of what anyone else was doing, or?
- ACC: Negative, Your Honor. *Just because of the way I feel for my guys, I mean, they're family.*
- MJ: Are you saying *because of the loyalty* to the other members of your unit that was the only thing that you felt like you could do?
- ACC: Yes, Your Honor. I had—I've realized that I had the choice and I did make the incorrect choice (Added emphasis Ribordy 154).

It is noteworthy to point out that Ribordy's rhetoric does not make use of similes such as 'like' or 'as' to express his feelings towards fellow soldiers. In other words, Ribordy does not phrase his statement so that it communicates these soldiers are 'like' family, or 'as' family to him. In both instances, Ribordy's expressions specifically state that his fellow soldiers *are* family to him. In addition Ribordy employs the words 'I

feel’ to speak about his sentiments towards ‘his guys’—literally indicating a connotation of bodied affectivity. Furthermore, when the Military Judge asks Ribordy if he proceed with his actions—despite the fact they were unlawful, based upon ‘loyalty’ to the other members of the unit, Ribordy reaffirms his response with a ‘yes’. This response reverts back to an earlier statement made by Ribordy in which he notes, “I was loyal to my guys and will always be loyal to them” (Ribordy 149). Embedded in this statement, Ribordy asserts that his loyalty and devotion to his fellow soldiers, which evidently overrides other regulations, orders and decrees, including lawful military conduct.

Continuously, the transcripts of the trials depict the feelings of loyalty and trust that bond soldiers. The dialogue that follows, further illustrates these ideas. This exchange of questions and answers pertains to the direct examination of Staff Sergeant Crandon Mahoe, regarding his fellow comrade—Specialist Ramos, who pleaded guilty of conspiracy. The transcript states,

- Q. I understand. So, during that time, between January of 2006 until February of 2007, you worked closely and directly with Specialist Ramos?
- A. Yes, sir.
- Q. Describe the work that you observed him doing?
- A. He was a soldier that didn’t need much supervision. He could always accomplish missions and tasks that were set for to—for him, and you could always depend on him to accomplish that task.
- Q. And did you depend on him?
- A. Yes, sir.
- Q. If given the opportunity, would you depend on him again?
- A. Yes, sir.
- Q. Do you trust him?
- A. Yes, sir.
- Q. And you’re aware of what he pled guilty to here today?
- A. Yes, sir.
- Q. And that doesn’t change your opinion?
- A. No, sir.

Q. Why?

A. *Because of that trust that we established when we conducted field training exercises and stuff like that, and that is pretty strong* (Added emphasis Ramos 73-74).

These emotional bonds shared by soldiers in the military, as noted by Stouffer and his followers, depicts a group of relations, which are both, expressive and matriarchal—characterizations that are not often coupled with men, masculinity, or military personnel. These relationships are expressive because they entail components of affectivity, and a will that challenges instrumental, rational, conditions. In addition, these relations can be conceived matriarchal because they embrace aspects of unity, solidarity, and cohesion, which Darwin, classical sociological thinking, Bachofen, Fromm and other scholars associate with nature, spontaneous formations, and the mother principle. Bachofen notes, “the members of one clan stand to one another in the closest relationship, *as blood kindred of the first degree*; they are all brothers, all sisters (...) *Union comes from the women’s side, disjunction from the side of the man*” (Bachofen 1861:139).

The Soldiers’ Mothers

Fromm’s discussion about social character and mother-centeredness in a Mexican village accounts for the role of mothers and wives in the community as an indicator of matricentric sensibilities. Fromm describes that in this culture the mother is the main figure of attachment and is bowed a kind of respect that often makes men feel

'insecure,' 'afraid' and 'dependent' on them (Fromm and Maccoby 1970). In addition, Fromm illustrates how the women of these communities often "run" the family, although the males, in fact, appear to be the head of the household. In other words, Fromm attributes great esteem to the mother representations, in a seemingly patriarchal environment, to argue that a great deal of "unconscious" mother-centeredness sustains cultures that one usually associates with the male principle.

This chapter has illustrated that similarly to Fromm's examples of the social character of some patriarchal communities and the structure of the all-patriarchal Catholic Church, the military also entails a series of critical matriarchal, expressive, currents worthy of examination. Some of these constituents regard to the representations of America and the Army as the 'Great Mother,' the significantly acclaimed relationships between soldiers, and lastly, the role of the soldiers' mothers in times of war.

The representations of soldiers' mother in times of war have been noted by a long list of scholars in relation to cultural symbols, which attempt to discuss the archetypal 'patriotic mother.' These representations range from the well-known 'Republican mother' in early American History, to the 'Redemptive mother' after the Civil War and the images of 'the mother as mother' between World War I and World War II (Garner and Slattery 2010). Women's ability to enlist in the Army, to some extent, has changed these collective representations. Currently, depictions of women as soldier, and mother as soldier, would not be uncommon illustrations of military ads and the feminist discourse. With this in mind, it is important to emphasize our discussion

attempts to examine matriarchal principles as embodiments of love, mercy, compassion—components of the lived experience that entail affectivity, expressive undertakings, spontaneous collaborative structures, and principles which denote unity, care, and solidarity. In other words, while we are concern with the role of actual soldiers' mothers in times of war, the overarching idea of our analysis is to explore characteristics of the mother principle—the motherly love.

The motherly love, as explained by Bachofen, Fromm and others, entails a lot of elements, which this discussion has already taped into, including cohesion, loyalty, universality and somatic components. The motherly love refers to unconditional affection; it embodies *agape* realization. It is almost a cliché, in the sense that it never gives up, it never loses faith, it endures all things. Admittedly, I speak of these sentiments in their ideal form, however it is evident that characteristics of the motherly love are observable in the concrete. For example, retired Senior Chief Jim Murphy while pleading the government to bring back the Gold Star symbols—established to honor the mothers of soldiers who serve or have died during wartime, told the following story,

My father tells a story from his childhood during World War II. An Italian woman moved in across the street but she was not welcomed by her new neighbors because we were at war with them. Surely sensing this uneasiness, she immediately hung her service flag, with two gold and three blue stars, in the front window. My grandmother and others displayed an immediate outpouring of support, for she shared with them the sacrifice of a child's service (Murphy 2011:3)¹³

¹³ The Gold Star Mothers' symbol was instituted in 1928. It includes a service flag with stars embroidered on a white background bordered in red. Blue stars represent a child serving during times of war, and gold stars represent the death of a child killed in action. Today the flag's appearance is regulated by Title 36 United States Code, Sections 179-

The tale Mr. Murphy used in his speech to persuade Congress about the significance of the Gold Stars service flags, illustrates the characteristic of universality embodied in the motherly love. As this short story shows, mothers, despite considerable differences, seem to be able to connect in a special way regarding feelings towards their children.

The work of Mestrovic based on his experiences as a war crime expert-witness, delineates similar observable patterns. For example, Mestrovic notes the astronomic effort coming from the mothers of soldiers convicted of war crimes, who relentlessly contacted lawyers, expert-witnesses, the media, and high-ranking officials in the military to intercede for their sons (Mestrovic 2009). Mestrovic specifically tells about his dialogue with one of the mothers—Fran Hunsaker, who researched, called and waited at the lobby of a military base in order to speak with a high profile Colonel involved in the case, Col. Michael Steele (Mestrovic 2009). Mestrovic further notes the words of a different mother, who similar to Fran Hansaker, persistently petitioned the government's compassion towards her son. Mestrovic narrates,

The soldier in question in the “Nightline” segment was “our accused,” as CPT Rutizer referred to him, namely—Corey Clagett. Clagett's mother came on the air: “I have begged God, I have prayed. I stood out in the rain for an hour and half just talking to him and telling him, ‘I will never ask him for anything, ever. But Please bring my son home’ (Mestrovic 2008:63).

According to Mestrovic the role of mothers in this war has been underestimated.

In fact, many mothers and wives have been the ones to organize movements, meetings,

182 (36 U.S.C. 179-182), and the flag and a related lapel pin are controlled by the Institute of Heraldry under the Secretary of the Army (U.S. Naval Institute Proceedings; Jan2011, Vol. 137 Issue 1, p14-14, 1p).

and other social activity to bring attention to the importance of these cases. These women have held media interviews, publically expressing their love for their sons and husbands, by asking the government for clemency on the trials. In addition, many of these women participated in the actual courts martial processes. During the trials, mothers and wives offered personal testimonies about the soldiers, and collaborated with other procedures in order to achieve the highest degrees of leniency from the Jury and Judge.

An analysis of these personal testimonies, as well as some of the cross-examination statements, illustrates a harmonious level of consistency regarding the way these mothers and wives express themselves about their sons and husbands. Patterns of emotional support, unconditional love, pride, family values, and other expressive, matriarchal elements characterize the women's addresses to the court. For example, when the civilian defense counsel asks one of the mothers about the soldier's 'family support,' the mother advances the following response. She states,

Awesome family support. Friends, everybody, they haven't had any negative feedback from Wasilla at all. His family just, you know, we believe in Jeremy, and we love Jeremy, and we know he went to war for a reason, and we don't know what happened to him over there, but we love him, and every one of his sisters, his brother, we never questioned him, we just know we love him, and we all want him home (Morlock 102)¹⁴

Jeremy Morlock's mother, Audrey Morlock, speaks as a representative for the entire

¹⁴ Before the civilian defense counsel approaches the Ms. Audrey Morlock, the ATC (assistant trial counsel) asks the mother to state her 'home for record', which is followed by a 'pause'. The CC then asks the mother if she has any 'Kleenex'. These inklings may be indicative of the mother's emotional state when taking the stand (Record of Trial for Jeremy Morlock 101-102).

family—sisters, a brother, ‘everybody’; in other words, she is the matriarch. Contained in her statement, are indicators of unconditional trust—not just from her, but all the people she represents; ‘*we* believe in Jeremy,’ ‘*we* know he went to war for a reason’, ‘*we* don’t know what happened (...) but *we* love him,’ ‘*we* never questioned him.’

The use of the pronoun *we*, to articulate the collective feelings of a family towards the soldier on trial is also part of other mothers’ rhetoric. When the civilian defense counsel asks Fran Hunsaker if she would like to say anything else to her son or the judge before stepping down from the stand, Hunsaker’s mother states,

Bill *we* love ya, and *we’re all* very proud of you for what you've done, and I want my son back. He has so much more to offer. He really does, and he won't be making any mistakes, I promise you, and he does have a lot of integrity, and he does what he says he's going do to. That's all.
(Hunsaker 263)

Mrs. Hunsaker’s testimony, similar to the statements of other soldier’s mothers, expresses feelings of pride and confidence in the potential her son has to offer. The statement of Sergeant Michael Leahy’s mother embodies a similar aesthetic. She expresses,

As I sit here today before you I’ve tried to think of how, as Mickey’s mother, I can convey what a wonderful person my son is (...) I am asking you, the jury, as his mother to give my son a chance to continue his future (...) He has fought for our country and I am very proud of him. As I see my son, he is an American hero (Leahy 817-818).

Both of these mothers’ testimonials illustrate a great deal of motherly tenderness. The use of the word ‘mistake’ in Mrs. Hunsaker’s statement to refer to her son’s actions and Leahy’s mother employment of the diminutive ‘Mickey,’ connote these women still view their son as children—small children. In addition, both of these mothers bring

attention to how they are proud of their sons. Not only do they utter the words ‘proud,’ but also Leahy’s mother goes on to say she believes her son in a ‘hero.’

Of the wives who served as witnesses in the courts-martial, Sergeant Leahy’s wife—Mrs Jamie Leahy, provides a statement, which entails intricate themes about mothering. Leahy’s wife begins her statement crying¹⁵ and praises her husband—the soldier on trial, noting that he has always been “loving,” “supportive,” her “best friend,” bringing a “deeper sense of meaning and purpose” to her life, and making her a “better person” (Record of Trial for Leahy 819). Particularly striking about the narrative Jamie provides for the judge and jury, is her desire and mutual struggle of becoming a mother. Jamie shares with the participants of the court,

Since September of last year we have been pregnant twice and both times ended in miscarriages early on. This past year has been extremely hard on both of us and by far the most stressful times we’ve ever known (...)

However, not once has my husband’s character changed. He is still the same loving and supportive husband he’s always been, if not even more so today.

We have continued to try and get pregnant and have been praying for a healthy pregnancy. We recently discovered that I am six weeks pregnant. I pray to God that this time we will have a healthy pregnancy and that Michael will be there with me to share all the memories and experiences of our first child and the ones to follow.

There exists a variety of ways in which one can interpret the reasons why Jamie includes these deeply personal experiences as elements of her statement for clemency. With that said, I must return to the theorists of our discussion—Bachofen, Jung, and Fromm, to note that the ‘motherly love’ is an affection universally understood. While Jamie has not

¹⁵ ROT states “[Crying]” (Record of Trial for Leahy 819)

lost a son in the same way some soldier's mothers have lost children, she tells us about her experience losing two pregnancies—twice she has lost the growth of a possibility. In unconscious ways, Jamie communicates to the members of the court she relates to the sufferings of a mother. In addition, consistent with the other mothers' testimonies, Leahy's wife notes that her husband is a good man, that there is great potential in him, that he is loved, and that she is proud of his actions. Jamie's account concludes,

My husband is a good person and an excellent Soldier who deserves all that life has to offer. He has only ever tried to help and better those around him and himself. I love my husband very much, and I am very proud of him and all of his accomplishments (Record of Trial for Leahy 819-820).

Additional Testimony

The following e-mail is one of many clemency letters sent on behalf of 1SGT John Hatley. This letter in particular was presented to the members of the court as part of 1SG record of trial. The letter states verbatim,

Dear Sir,

I know your time is extremely valuable and limited, so I will try to be brief.

My name is Tamara Lopez. I am the wife of SSG (P) James Lopez, former squad leader for 3rd Platoon, Charlie Company 1-18 Infantry, Schweinfurt, Germany.

Sir, I am writing to you in reference to Master Sergeant John E. Hatley, former 1SG of Alpha Company, 1-18 Infantry in Schweinfurt, Germany. Though I don't know John Hatley personally, I do know his wife, Kim, as well as many personal friends of MSG Hatley.

It has come to my attention that MSG Hatley was recently on trial, convicted and sentenced to life in prison with the possibility of parole. I also understand his only request was to be allowed to finish his 6 months of active duty upon his release, so as to have served a full 20 years in the US Army.

Sir, my husband also served in OIF 06-08 In Baghdad, Iraq. It was a torturous 15 months, not just for the Soldiers, but for the Families as well. We went through several months where no more than 10 days passed by before we'd either receive a new BCT Fallen Soldier message, or notification of a Fallen Soldier's memorial. I personally watched entire lives and homes shattered by the horrible effects of war. I watched a close personal friend struggle through an explanation of why Daddy was never coming home to his children. I watched her bravely hold her head high even as she buried her hero, her husband, SGT Sacilio Cuellar.

The only thing that kept most of us going through each long day to an even longer deployment, was our FAITH and PRIDE in our unit and its leadership. We knew the day we sent our Soldiers off to Iraq that It wouldn't be easy. We never counted on it being that difficult though. And through it all, a large number of wives knew we had a friend and confidante just a phone call away. Her name is Kim Hatley.

Sir, Mrs. Hatley is strength personified. Her love for our Army, our Soldiers and our Families would astound you. She was confident enough in the Army, our Soldiers and our Families because of the man she married, Master Sergeant John E. Halley. His name was always on her lips, his smile always in her thoughts and his love always in her heart. She shared this with everyone she came across. Through her faith in MSG Hatley, we had faith in our own husbands.

It is because of her love and loyalty to MSG Halley that I am writing you now. Sir, please consider clemency for this fine Soldier. The Army would not be the greatest in the world if not for men like him and his superior leadership and love. We are all faced with difficult decisions throughout our lives, but I hope my words to you today will ease some of the hardships of the decision you must make involving Master Sergeant Hatley and his wife, Kim.

Thank you again for your time in reading this.

With utmost respect,

Tamara Lopez

6. THE DISCONNECTED SOCIAL BODY: NEGLECT OF EXPRESSIVE FUNCTIONS IN THE U.S MILITARY

“Primary leadership task involves engaging in caring actions that validate team members and their individual needs and concerns...”—Joint Mental Health Advisory Team VI, Operation Enduring Freedom, 2010

The neglect of expressive undertakings can be discussed in a variety of ways, and further understood as any social practice that abandons the affective needs of group cooperation. These expressive social functions are faithfully wed to Bachofen’s description of the mother principle—unconditional love and support, compassion, loyalty, respect towards the corporal aspects of life, and universality (Bachofen 1861). These antecedents additionally overlap with theoretical discussions about spontaneous division of labor and group coexistence extended by Darwin, Tonnies, Durkheim, Fromm, the Chicago School of Sociology, Mestrovic, and their followers. For the USMS in particular, the neglect of expressive dealings ranges from the negligence of communication between lower ranking soldiers and higher ranking officers, unit cross-leveling, which hinders the emotional bonds of love and trust that unite fellow soldiers, to the USMS’s (re)deployment policies, military rhetoric that embodies dehumanizing language about the enemy, creating a symbolic reality for soldiers in which combatants are to be seen as a pray—always subject to killing, and ambiguous ROEs that present a double bind system for soldiers. The Levin-Macain Report, Harrington Report, Fay Report, Taguba Report, Article 32 of the courts-martial at hand, an array of sworn testimonies and other documents bring attention to these deficiencies and a score of

other objectives that illustrate the overall negligence of the USMS as it relates to enactments that uphold balance between the expressive and instrumental dimensions of its structure.

The inability to achieve the balance between the expressive and instrumental social components parallels Durkheim's original understanding of “anomie” or societal “derangement” (Durkheim [1897] 1951:257, Mestrovic and Caldwell 2006). Moreover, the oversight of expressive elements that support cooperation, group cohesion and a constructive culture for the U.S Army shows to have become a rule that is a “lack of rule” in present USMS practices (Durkheim [1897] 1951). This chapter further discusses these ideas, and more acutely examines the neglect of expressive functions in relation to the USMS’s command climate and the USMS’s courts-martial processes.

The Neglect of Expressive Undertakings as a Rule that is ‘Lack of Rule’

The contemporary understanding of anomie, as explained in many classrooms and sociology textbooks, describes the classical concept as a state of normlessness. However, this explanation of anomie is arguably inaccurate, a poor understanding of Durkheim’s thinking. Durkheim’s original definition of anomie, which is not austere defined in any specific text but rather implied in various discussions of Durkheim’s body of literature, approaches the idea of anomie as societal derangement, a form of “social disorganization” (Durkheim 1893). For Durkheim, anomie occurs when abnormal, pathological rules are treated as if they were normal rules, functioning in sync

with the rest of society's norms, values and beliefs, even though they are actually out of sync. In other words, anomie takes place when the absence of regulations, boundaries and consistency, becomes the rule, not the exception of social environments (Mestrovic and Romero 2011).

The chaos at Abu Ghraib, Operation Iron Triangle, the Baghdad Canal killings, and the Afghanistan “kill team” murders, are full of systematic patterns that illustrate this idea of rules that are a ‘lack of rule.’ In Javal Davis’s court-martial, Mestrovic explains,

People [soldiers] were not certain who was in charge. People were not certain whether they were MPs or MIs what they were supposed to do or not do and what the other side could do or could not do. That is, MPs were not certain what MIs could do or not do and visa versus. The dog handlers, it is stated in the reports were not sure who owned the dogs, they were not sure what methods to be used in making use of the dogs. The filing system that was used on the prisoners was as decided in reports, inadequate. The system by which sure they would make decisions about when to release detainees who were not a danger or who were not of any intelligence value was inadequate. The MPs, the report stated explicitly were not trained for working inside a prison. The kind of MP work that they were doing before was combat support. So they were not even trained in the norms, values, sanctions, and beliefs of their particular job that they were supposed to do. Major General Faye uses the word “role confusion” which is exactly sociological. “Role confusion” is when you’re just not sure what your job is, which is again tremendously stressful. The interrogation manuals and techniques were either out of date or, according to the other reports, they were rescinded many times or there was confusion about which ones to use. So there was confusion, that’s a word that comes up a lot in these reports. There was confusion about methods, styles, procedures, roles, so that’s just a brief indication of the massive amount of social disorganization that I saw here. In other words, people were not certain what was expected of them, what was expected of the others, what they were supposed to do, and how they would do it. (Mestrovic Testimony in Javal Davis Court Martial pages 7-9:16-6).

As described by the expert witness, role confusion and contextual ambiguity, alongside

lack of proper training, supply shortage and collective stress—social qualities that are not normative, were such pervasive characteristics of Abu Ghraib that their aberrance became normalized in the social climate of the prisons. In other words the ‘lack of rule,’ became the rules by which the soldiers abided. As Mestrovic notes, “the things that were happening at Abu Ghraib, and other cases after can be considered as events that are ‘outside the law and above the law,’ (the words of Major General Fay), which practically explains what sociologists call anomie” (Mestrovic Testimony in Javal Davis Court Martial pages 9-10).

Similar patterns of derangement took place in Operation Iron Triangle as the soldiers of this mission faced several expositions of confusion. First, the ROE “kill all military-age males” was intrinsically unlawful; more importantly, the overall social climate of Charlie Company was one in which unlawful killing was more of a motto than an abnormality. Sworn statements made by soldiers of this company depict the overwhelming poisonous culture of Charlie Company. Soldiers wrote on their sworn statement,

Myself and other snipers have *felt unsafe* about working with Charlie Company. I feel that most of the company has been brainwashed throughout the deployment to *kill more whenever possible*. I feel that the problems are caused by the ISGT and CO. Every meeting I’ve been to involving Charlie Company *their ROE has suggested killing locals who don’t appear to be a real threat*. Such as killing locals who are unarmed but might leave the general area. Charlie Company’s ISGT has the mentality that all locals should be killed. He has said that all Iraqis should be killed to me several times while I have ridden with him in his HMMWV. *I have felt unsafe working with Charlie Company because of the company killing innocent civilians and creating stories to cover them up...* One story was about Charlie Company killing three locals in a

tomato truck. What really happened was the gunner was nervous behind the .50 caliber machine gun and killed 3 civilians. After 3 civilians were killed the LT of the platoon shot out both tires so it would appear that the vehicle wouldn't stop after having its tires shot out and that it forced them to use lethal force...

CCO's ROE has been the only company authorized killing civilians who are unarmed or don't appear to be a threat but are leaving a general area or are military age. As opposed to other companies where the local would have to pose a threat (Sworn Statement by David Chavez added emphasis).

I was told that ISG Geressy had taken a dead Iraqi male and placed him on the hood of the HMMWV and take him to the family members. He then removed the Iraqi hand from the body bag and slapped a local national guard with in and told them this was what is going to happen to you...

Because we sent the sworn statements up through the chain of command and we sat around and waited. Nothing happened. We continued to try to get someone to listen to us. We don't trust the battalion. We were glad when this office contacted us. The atmosphere in the battalion is bad. Charlie Company has done a lot of things and when they write sworn statements for 15-6 investigations they write them all together (Sworn Statement by Curtis S. Balance added emphasis).

Charlie Company has a kill board and they keep track of how many kills they have within the company... ISG Geressy's tone in the majority of the missions is to kill...

Upon the arrival at the gas station during Operation Iron Triangle, I was riding in the second vehicle in the order of movement... After dismounting, 7-8 soldiers, including myself, were headed into the actual gas station to clear it. I noticed a man in a white man dress sitting on the curb. This man clearly posed no threat to the Coalition forces. From behind me, I heard ILT Horne's voice and he said, "That guy, kill that guy right there!" ...

Upon entering, we saw 5-6 male local national who were standing around talking. *These individuals were clearly posing no threat to Coalition forces.* To the best of my knowledge, it was at or about this time when I

head ILT Horn say “*kill them, kill them all*” or “*Kill them, kill everyone in there*” (Sworn Statement by Jason Alan Stachowski added emphasis)

Evidently, to kill locals that pose no threat—the lack of rule, becomes the rule in this circumstance. The ambiguity of boundaries, confusion and unlawful ROEs, which are treated as if they were lawful—characterizations that can be described as pathological in relation to Army values, abound in the culture of the group. Subsequently, the anomalous is treated as normative, and the results are anomic ranging from soldiers feeling unsafe, scared and confused, to most unfortunately, being prosecuted for criminal behavior.

Examining anomie as a rule that is ‘lack of rule’ in the USMS in various ways resembles personality disordered individuals, or a dysfunctional, negligent family. For example, if the USMS were a person it would explain itself, regarding these incidents of military misconduct, loaded with double standards, contradictions and cognitive dissonance. It would note that because the USMS is the USMS, it is allowed to break the Geneva Conventions and other international human rights standards. In addition, it would assert that even though the USMS does not support crimes of war, it will harshly prosecute others who behave as they do. Psychiatric literature on this type of mentality is overflowed with analyses of similar statements used by personality disordered which capture the phrase, “rule that is lack of rule” (Mestrovic and Romero 2011).

More importantly, the cases in this analysis are increasingly reminiscent of families where accounts of parental negligence, abandonment and harsh punishment (to

avoid using the term “abuse”) take place. The cultural patterns of the USMS exemplify units where expressive functions, Bachofen’s archetypal mother principles, are absent altogether. These patterns of ‘expressive’ negligence in relation to soldiers, ROEs, commanding policies and overall demeanor—the ‘lack of rule,’ seem to be the ‘rule’ which move the USMS, at least in part.

The Neglect of Expressive Undertakings in the USMS’s Command Climate

The words ‘command climate’ are intimately sociological. These words sustain interchangeability with other common sociological phrases such as social environment, social milieu, social atmosphere, and even culture. Fascinatingly, the question of ‘climate’ as it pertains to leadership and the upper-ranking military personnel is of interest in an array of military investigations, sworn statements and court-martial documents. AR 15-6 investigations carried before court-martial proceedings, such as the Fay Report and Taguba Report in the case of the Abu Ghraib trials, aim to examine a list of topics relating to the relationships between the members of a unit with a focus on the commanding staff. Not every case of military misconduct results in an AR 15-6 investigation. Commonly speaking, these types of investigations are ordered at the discretion of the commanding general of the base from which the army unit came. In the case of Iron Triangle the AR 15-6 was kept secret, and the one for the Afghanistan murders was known only to the defense team.

An analysis of the AR 15-6 investigations for the Abu Ghraib cases, and an

assortment of sworn statements and other documents for the Iron Triangle, killings at the canal and Afghanistan murder cases show that consistently, the command climate of the USMS units dealing with military mischief lack inclusion of expressive values. In other words, the data pertaining to the trials of our analysis is replete with patterns of negligence regarding social principles that concern physical and psychological care of soldiers, effective communication between officers and soldiers, collective responsibility, and a culture that fosters cohesiveness and trust.

The Taguba Report, for example, brings attention to COL Thomas M. Pappas, Jerry L. Phillabaum, Commander of the 320th MP Battalion, and SGM Marc Emerson for a list of leadership deficiencies including failing to properly supervise their soldiers and not “*visiting*” Tier 1 of the Hard-Site at Abu Ghraib (Taguba Report added emphasis). Visiting—conversing, dropping in, checking on, coming around, strikes particularly close to discussions of bad parenting where the parental figures in the home, resided obliviously to their children whereabouts. The Taguba Report further points out,

There is abundant evidence in the statements of numerous witnesses that soldiers throughout the 800th MP Brigade were not proficient in their basic MOS skills, particularly regarding internment/resettlement operations. Moreover, there is no evidence that *the command, although aware of these deficiencies, attempted to correct them in any systemic manner* other than ad hoc training by individuals with civilian corrections experience. (Taguba 2004, added emphasis)

The training that was accomplished at the mobilization sites were developed and implemented at the company level with little or no direction or supervision at the Battalion and Brigade levels, and consisted primarily of common tasks and law enforcement training. However, *I found no evidence that the Command, although aware of this deficiency, ever requested specific corrections training* from the Commandant of the Military Police School, the US Army Confinement Facility at Mannheim, Germany, the Provost Marshal General of the Army, or the US Army

Disciplinary Barracks at Fort Leavenworth, Kansas. (Taguba 2004, added emphasis)

With respect to the 800th MP Brigade mission at Abu Ghraib (BCCF), I find that there was clear friction and *lack of effective communication* between the Commander, 205th MI Brigade, who controlled FOB Abu Ghraib (BCCF) after 19 November 2003, and the Commander, 800th MP Brigade, who controlled detainee operations inside the FOB. There was no clear delineation of responsibility between commands, little coordination at the command level, and no integration of the two functions. Coordination occurred at the lowest possible levels with little oversight by commanders. (Taguba 2004, added emphasis)

During the course of this investigation I conducted a lengthy interview with BG Karpinski that lasted over four hours, and is included verbatim in the investigation Annexes. BG Karpinski was extremely emotional during much of her testimony. *What I found particularly disturbing in her testimony was her complete unwillingness to either understand or accept that many of the problems inherent in the 800th MP Brigade were caused or exacerbated by poor leadership and the refusal of her command to both establish and enforce basic standards and principles among its soldiers.* (Taguba 2004, added emphasis)

In addition I find that psychological factors, such as the difference in culture, the Soldiers' quality of life, the real presence of mortal danger over an extended time period, and *the failure of commanders to recognize these pressures contributed to the pervasive atmosphere that existed at Abu Ghraib (BCCF) Detention Facility and throughout the 800th MP Brigade.* (Taguba 2004, added emphasis).

The declarations in the Taguba Report account a chain of command responsible for a group of soldiers which the media and a long list of sources noted to be “sadistic,” a few “rotten apples.” But how would the United States government and Americans themselves approach a case of deviant group, whose parents did not check on them routinely, were aware of their children’s academic deficiencies and did not seek to help with homework and school projects, did not communicate effectively, refused to acknowledge that at least in part, their children’s situation was related to their parenting

style and negligent family climate, and above all, felt unaware that psychological stress and feeling unsafe for extended periods of time would have an impact on their children's behavior?

The Fay and the Tabuga reports illuminate allegations of an unhealthy social climate at Abu Ghraib. This is a profound sociological insight because it focuses on the social origins of the abuse and not on the personal motives of the soldiers. Furthermore, the expressive functions noted in these investigations are shown to be unfailingly absent from the interactions between commanding staff and subordinate soldiers at Abu Ghraib. The neglect of expressive undertakings manifests itself as the rule that is lack of rule, widespread in the USMS's command climate. Additional review of evidence pertaining to the other cases where military misconduct takes place illustrates similar anomic patterns.

I invite the reader to return to the parent figure-children metaphor, or suppose the following interaction takes place between members of the same organism—two body parts, or a group of cells working together. The subsequent excerpt derives from a sworn statement given by a soldier working in the Operation Iron Triangle mission.

Colonel Steele came over to the bodies and picked one up by the head and then dropped it (...) Col. Steele then got out a Gerber [knife] and cut off one of the blind folds around the dead man's head and he cut off the zip ties too. Two direct quotes I do remember Colonel Steele saying at about that very moment where Colonel Steele put his boot on one of the dead Iraqi's head and posed for a picture. "I guess we'll have to say these guys tried to escape," in a sarcastic tone. He also went on to say, "Good job but we need more bodies" (Sworn Statement by Jonathan Porter)

This statement depicts how the parental, authority figure sets an example and encourages behavior that contradicts the value system the “family” (USMS) extends. If thought as units of the same living organism, or body parts of the same anatomical embodiment, the analogy further sustains meaning. Sociologically speaking, it is exceptionally difficult to isolate members of a group as if they did not share the same social environment, as if the more powerful players of the group did not have more influence on the other members of the assemblage.

Additional statements from Charlie Company soldiers bring attention to the poisonous command climate of this unit. The description of the ‘parental,’ authority figure in the narration below is reminiscent of personality disorder individuals, namely pathological narcissists. Narcissism in the collective sense can be used to understand Durkheim’s description of anomie (Mestrovic in Veblen 2003:10). Moreover, narcissism as an individual trait manifests itself in parenting as embodiments that are alienating, manipulative, exploitative; in a word “abusive” (Summers and Summers 2006). The CID interrogation states,

Q: Do you think the command clement [phonetics, ‘climate’] is a case for Charlie having so many deaths or detainee abuse allegations?

A: I am not sure it’s the battalion but I do think Geressey and Hart have created the climate

Q: Why do you say this?

A: *Geressey attitude is everyone is fucked up but him. He says things that are very negative. It is always about killing somebody or the company is getting picked on. He does not take responsibility for their actions and they can not do no wrong in MAJ Delvaux’s eyes. Charlie Company has a kill chart in their Command Post. I heard Geressy asked one of the platoons what was up and why didn’t they have as many kills as the other platoon (CID Statement of Curtis S. Ballance, taken at Tikrit CID Office, Iraq added emphasis).*

Psychology literature on Narcissistic Personality Disorder is replete with studies that bring attention to the poisonous climate of families headed by NPD parenting. “People who tolerate bad boundaries and the subsequent violations are very much like the narcissistic and parental alienator” (Summers and Summers 2006:401). Additional discussions of NPD parenting further note,

When narcissistic parents are too absorbed with their own preoccupations to spend time with their kids, they often raise narcissistic children, or at least children with profound narcissistic vulnerabilities, such as shame-sensitivity and the inability to manage intense negative feelings or to control their own aggressive impulses. Several years ago, *a study of elementary-school-aged boys showed that those who were already identified as aggressive were less skillful than their more docile peers at accurately interpreting the behavior of others their age and were more likely to read intentional hostility into an ambiguous situations and respond with a preemptive strike* (Hotchkiss, 2002:99 added emphasis)

The CID statement proceeds,

Q: Do you think MAJ Delvaux withheld the sown statements provided by your platoon members?

A: That is a tough question. I think if they did get passed up my platoon members would have been interviewed. He may have not received them. I don't know.

(...)

Q: Do you have anything else to add to this statement?

A: *My soldiers just want their stories told. They provided statements and no one has interviewed them. They did not see what happened to the 4 detainees but they can tell you that Charlie Company has done things that on this mission and others that are criminal. This investigation in just one of the many that I think they are covering up and not doing the right thing. I never worked with them. I think they use the ROE as a means to kill people. Everyone does not deserve to be killed because they breached a convoy or because they are not actively resisting. They also could not be doing anything and are killed because the ROE said shoot all military aged males. But that does not give anyone an excuse to do so* (CID Statement of Curtis S. Ballance, taken at Tikrit CID Office, Iraq added emphasis).

Records of trial further note poisonous aspects of the command climate in Charlie Company including a “kill board” that kept track of the number of “kills” of the unit. The “kill board” served as means of as a motivational tool. Other “motivational” incentives for Charlie Company included kill knives. The record of trial also brings attention to the possession of unauthorized weapons in the unit. The testimonies of various soldiers from Alpha Company state,

Q. Did you—*were you ever in Charlie Company CP where you saw a board listing the number of KIAs in the unit?*

A. *Yes, sir.*

Q. What was that?

A. What do you mean, sir?

Q. Tell me what the board consisted of.

A. *It was broken down into platoons, and other units that might have been working in our areas, and it even went as far as to label the cat that we have running around on our pad as to how many kills each individual platoon had, sir.*

Q. Who posted those?

A. I really couldn't tell you, sir.

Q. But it was in the company CP?

A. Yes, sir.

Q. The commander saw it?

A. Yes, sir.

Q. First Sergeant saw it?

A. Yes, sir.

Q. *Pretty much anybody in the company that went in there saw it.*

A. Yes, sir (Corey Clagget Record of Trial added emphasis).

Another testimony notes,

Q. Have you ever seen any other authorized weapons in—with members of Charlie Company?

A. Yes.

Q. Such as?

A. There was an unauthorized 9 mil--millimeter weapon with Sergeant Sullivan.

Q. How about first sergeant?

A. No.

Q. Did he ever have a weapon in his CHU?

A. He did have a weapon in his CHU. He had a 9 millimeter. I believe it was a British stun gun.

Q. Not authorized?

A. No.

Q. Not issued?

A. Not issued (Corey Clagget Record of Trial)

A different sworn statements states,

Q. Talk—in the company CP [Charlie Company] *there was also a board with a number of Iraqis killed, correct?*

A. Yes.

Q. How long had that been there?

A. Approximately from January to June.

Q. Okay, who were some—and what did that depict? What did that board depict?

A. *It depicted a number of AIF that the company had killed.*

Q. Who updated that board?

A. Various people did. I added some numbers to it; First Sergeant Eggresses, Sergeant First Class Newman, and other individuals, I don't know. It was updated every now and then.

Q. And based on what information—what information would you use to update that board?

A. *If we had someone that we killed that displayed hostile threat or hostile intent, then we added that to the board.*

Q. Were there any women and children included on that board?

A. I believe there was at one time, and they were taken off because it was in bad taste, so they were taken off the board, taken off the kill count, and retabulated.

Q. *And at one point wasn't there a kill count that included at least one pregnant woman that was killed in a suburban one or two clicks outside Brassfield-Mora??*

A. I don't remember if that woman was included or not.

Q. *Okay, and that was—those were individuals killed by Charlie team?*

A. *Yes* (Record of Trial for Corery Clagget).

The USMS's AR 15-6 investigation concerning the Maywand District killings in Afghanistan, also known as the Twitty Report, provides the following information to describe the command climate of the Stryker Brigade Team. Many of the Twitty Report's illustrations are uncannily reminiscent of the Taguba Report prepared to discuss

the scandals of Abu Ghraib. The lengthy account extends a multifaceted list of anomic phenomena including ,

Additionally, as commander, COL Tunnell mainly commanded through his staff, direct interaction was infrequent at best. Battalion level input was rarely sought in my opinion, and brigade commander feedback was routinely funneled through his staff. His lack of interaction stretched deeper than just the tactical arena as well. Throughout my tenure working for COL Tunnell, he never once counseled an individual from my unit on their efficiency report when he served as the individual's senior rater (Troop Commanders, Squadron S3, and Squadron Executive Officer). COL Tunnell expressed to me that he was not required to counsel or mentor them; it was strictly the rater's responsibility. In my view, COL Tunnell's direct interaction, understanding, and personal knowledge of the individuals he senior rated within my unit was poor at best and truly less than the professional standards set by the U.S. Army. Additionally, as a self-proclaimed A-social individual, COL Tunnell refused to interact with his subordinate commanders and leaders outside of an official military setting. Informal mentoring and counseling in an Army unit is imperative to unit cohesion, bonding, and building trust among each other. His demeanor in this capacity set a tone throughout the SBCT [Stryker Brigade Combat Team] (Twitty Report added emphasis).

The senior level command climate of 5/2 SBCT for the time period that I investigated could best be described as one of frustration and confusion at the Battalion and below levels, primarily caused by a failure of the Brigade Commander to adequately communicate his vision as to how his counterguerrilla tactical approach fit within current Army counterinsurgency operations. This failure of communication, combined with an inability to effectively communicate and thus get along with higher and sister commands resulted in additional frustration within the SBCT. While this frustration and confusion was found throughout the SBCT, there is no causal relation between the command climate and the alleged criminal activity, including murders, by several Soldiers within 3/B/2-1 IN (Twitty Report added emphasis).

However, many of his [COL Tunnell] subordinates characterized him as introverted, stubborn, unapproachable, close-minded, and as a person who thinks that he knows more than most. COL Tunnell had limited social interaction with his officers and NCOs. He rarely counseled or mentored his subordinates, conducted hail and farewells, or participated

in team building events. Because of the lack of interaction, many in the command started to perceive COL Tunnell as unapproachable. As a result, confusion and frustration over his counterinsurgency philosophy starts to surface in the command. Additionally, many who had been exposed to COL Tunnell's philosophy from the beginning were already growing tired of hearing about it, seeing the debate over counterinsurgency versus counterterrorism approaches as wasted intellectual energy over what was really just a matter of semantics (Twitty Report)

Comparing the overall satisfactory standards and discipline in the SBCT and considering the environment within which the platoon was operating, 3/B/2-1 IN had significantly lower standards and discipline than other units within the SBCT. In fact, the platoon's standards and discipline were so alarming that one might question how the company and battalion levels of command did not know of many of the incidents that occurred within the platoon. However, upon further investigation, one would find that many of the incidents were not reported above platoon level (Twitty Report)

The Twitty Report notes the following list of misconduct issues in the Stryker Brigade.

The Twitty Report states the majority of these were not reported higher in the chain of command.

- One of the platoon's Soldiers negligently discharged his M203 Grenade Launcher with a high explosive (HE) round, destroying a CHU on FOB Ramrod. The Soldier failed to clear his weapon when returning back to the FOB and his squad leader failed to conduct the proper leader checks to ensure all weapons were cleared prior to re-entering the FOB upon completion of mission. The incident was reported to the company and battalion leadership (Twitty Report).
- At least one Soldier in the platoon allegedly shot several dogs and chickens while on patrols in the Afghan villages. The dogs did not pose a threat to the Soldiers, and they were apparently killed unnecessarily (...) I found no evidence that the incidents were reported to the company and battalion leadership (Twitty Report).
- Soldiers in the platoon defaced one of the many portable bridges the unit constructed for crossing irrigation ditches within their AO by painting the word "Crusader" on the structure. The 2-1

Battalion XO discovered the incident and had the Soldiers remove the graffiti from the Bridge (Twitty Report).

- During an EOF incident on Highway 1, the platoon opened fire with approximately six to eight Soldiers including four M249 Squad Automatic Weapon (SAW) gunners, killing an unarmed man in a field. The battalion leadership determined that the EOF was justified. However, the platoon used excessive force to kill the Afghan local. The incident indicates a lack of fire control and discipline from the platoon (Twitty Report).
- The entire platoon was found asleep by the 2-1 IN Battalion operations NCO while they were conducting operations off of FOB Ramrod. Apparently the platoon's Soldiers had completed a mission and decided to stop for a rest break and all of the Soldiers fell asleep without establishing a guard watch. The incident was not reported to the company or battalion leadership (Twitty Report).
- CPT Ligsay and SFC Bruno allowed Soldiers to maintain HE grenades, RPG rockets, mortar rounds, claymores, Det Cord, and C4 in their sleeping tents and CHUs (Twitty Report).
- Members of the platoon were allowed to call each other by their first name regardless of rank. Two Soldiers interviewed said that the platoon's privates and specialists routinely called NCOs by first names and that the NCOs did the same with the junior Soldiers (Twitty Report).
- The Afghan locals complained to the battalion leadership about the platoon's behavior while they were on patrol in local villages. The platoon was accused of kicking in doors of homes and being disrespectful to the populace by yelling and saying derogatory comments (Twitty Report).
- The platoon was known to have poor uniform standards (commonly mentioned-trousers un-bloused, sleeves partially rolled-up, unshaven). While this was an overall brigade problem, 3/B/2-1 IN was commonly mentioned during interviews (Twitty Report).
- CD At least fifteen Soldiers in the platoon allegedly participated in the smoking of hashish, and some of the Soldiers traded

prescription drugs amongst each other with the intent of becoming intoxicated. I found no evidence that the platoon, company, and battalion leadership were ever aware of their Soldiers' drug use until reported late in the deployment (Twitty Report).

- A review of the CID file indicated three additional acts of indiscipline: One Soldier allegedly stored severed fingers in his CHU, allegedly removed from one of the Afghan locals who he is accused of murdering. I found no evidence that the platoon, company, and battalion leadership were aware of the fingers (Twitty Report).
- Soldiers in the platoon allegedly photographed a dead enemy combatant and sent the pictures to family members and friends via the internet. Soldiers also apparently traded the photographs amongst themselves as war trophies instead of safeguarding the pictures for evidence or storyboards (Twitty Report).
- One or more Soldiers allegedly stabbed a dead enemy combatant with a knife and several posed with the corpse for photographs and video, including CPT Ligsay (Twitty Report).

In addition to the investigation itself, the content of the Twitty Report can be examined at large based on the expert witness's account found in Corporal Jerney Morlock's record of trial and a number of sworn statements from that unit. The sworn statements for the investigation further validate the expert witness' account, giving prominence to the absence of sociability, circulation and interpersonal exchange between Colonel Tunnell and his staff. The following interaction takes place between the civilian defense counsel and the expert witness in the court-martial of Corporal Jeremy Morlock's.

- Q. Well, I said, Sergeant Gibbs came down from *Colonel Tunnell's personal security detachment* --
- A. Yes.
- Q. So, what did he bring with him that is part of that dysfunction?

- A. Yes. The report, and the lieutenant colonels told me that mentoring, *there was a lack of mentoring, there was a lack of interest or circulation*. I can be very specific about this. Colonel Clarke told me that he saw Colonel Tunnell only four times during the entire deployment. However, he was visited weekly by the general staff of General McChrystal. So, again, I see a real polarity here between values and orientation with Colonel Clarke, who is 108 kilometers away from Ramrod, he's closely aligned with the core COIN values, and very -- there were no problems with Colonel Clarke's units. Now, similarly, I found and I, you know, to both means, that *Colonel Tunnell's favorite battalion was 1-17. He went there weekly. They were his favorite because they were the most aggressive, and they also took the most casualties. Well, they also had some of the lowest ratings found in the command climate surveys. Up to 50 percent of the various companies reported that they felt their company was not ready for the mission. They had some of the biggest complaints about morale. So, the mechanism that I see here is that where Colonel Tunnell basically had a lot of interaction, there were a lot of problems (...)* He gave examples of a man left behind. He gave examples of -- he gave me quite a few points about tremendous problems. He also told me about other questionable deaths, in his opinion, that occurred in 1-17. So, the answer to your question is, *wherever Colonel Tunnell seems to have been a point of contact, through Sergeant Gibbs, or through 1-17, or Captain Quiggle, problems arose, because he seemed to have transmitted his dysfunctional perspective on things as opposed to the COIN doctrine* (Jeremy Morlock ROT 141-142 added emphasis).

The expert witness further notes,

It's really, again, a leadership issue. But, to be more specific, to answer your question, again, the 15-6 report focuses on the *lack of mentoring*. Corporal Morlock is a young man. He requires mentoring, but it's not just my personal opinion, it's that this is Army doctrine. From what I've read, *leaders are supposed to circulate, leaders are supposed to mentor*. I asked the lieutenant colonels how often they had interactions with Colonel Tunnell, even they, as lieutenant colonels, Colonel Demaree said he did not once have lunch or dinner with Colonel Tunnell. Lieutenant Colonel French said twice. Colonel Clarke said not once. In other words, *there was lack of mentoring from the top, all the way down to the bottom*, because that was the tone that was set, and I have seen that in the report over and over again. *Basically, when people came back from missions, they saw being on the FOB as downtime, but not as time to de-process, to*

do PT, to talk with their platoon leaders. This was not seen as a set of norms and values that was promoted by the brigade, or therefore, levels below (Corporal Jeremy Morlock ROT 143-144 added emphasis).

The lack of expressive functions from the commanding staff exhibits itself in a series of patterns that neglect the affective needs articulated by soldiers. These “needs” include a longing for safety, mentoring, direct “social” interactions, unswerving communication, definition of clear boundaries, consistency in the command, and openness to the collective concerns of the group. These expressive notions coincide with qualities of the mother consciousness, which Bachofen, Fromm, Durkheim, Mestrovic and others describe as imperative component of the social. Psychiatric literature further supports these claims implicitly observing the importance of the mother consciousness in times of war; or to put it in different words, the significance of stable emotional roles in times of war (Ferrier-Auerbach 2010).

Psychiatric and health reports issued by the Army depict stunningly similar findings. The Mental Health Advisory Team (MHAT) Operation Iraqi Freedom (OIF)¹⁶ reported suicide rates higher than recent Army historical rates in the year 2003, which steadily escalate in the MHAT reports for 2006-2011. The MHAT reports for 2006 specifically note that “good NCO leadership was key to sustaining Soldier and Marine mental health and well-being” (MHAT 2006:4), and listed NCO leadership, officer leadership, training and unit cohesion as “protective factors” of the soldiers’ mental health (MHAT 2006:7). Additionally, these reports noted “general resentment towards

¹⁶ Operation Iraqi Freedom (OIF) changed its name to Operation Enduring Freedom (OEF)

the senior leadership in the enforcement/establishment of basecamp rules” as one of two issues that severely affected morale in the unit (MHAT 2006:17). The MHAT further reiterated these findings in 2007 and 2008.

The most recent J-MHAT reports continue to stress the importance of leadership in relation to the unit’s well-being stating that “unit factors such as small-unit leadership (NCO and Officer), cohesion, and readiness are directly related to unit well-being, and often place a role in attenuating the link between deployment stressors and behavioral health outcomes” (MHAT 2011:31). The report further notes, “effective leadership can serve as a protective or buffering influence that reduces the amount of acute stress Soldiers report” (MHAT 2011:31). Finally, the J-MHAT provides the following list of qualities to discuss leadership issues. The list notes,

- **Leader competence/tactical proficiency:** Soldiers and NCOs valued competent leaders who were tactically proficient and would not subject them to unnecessary risk. Leadership functions where these comments emerged included: Compose Teams, Establishing Expectations and Goals, Manage Team Boundaries, Challenge Team, and Solve Problems.
- **Advocacy:** Soldiers and NCOs both wanted leadership that had the moral courage to stick up for them. Leadership functions where these comments emerged included: Compose Teams, Provide Feedback, Manage Team Boundaries, Challenge Team, and Provide Resources.
- **Communication:** Soldiers and NCOs wanted to have information relayed to them that was clear, concise, and relevant. Leadership functions where these comments emerged included: Define Mission, Establishing Expectations and Goals, Structure and Plan, Sensemaking, and Monitor Teams.
- **Self-serving:** Soldiers and NCOs did not appreciate leaders who were self-serving or maintained double-standards. They felt that

bullets on an NCOER/OER or missions in search of CABs put Soldiers at unnecessary risk. Leadership functions where these comments emerged included: Establishing Expectations and Goals, Perform Team Tasks, Provide Resources, and Social Support Climate.

- *Compassion*: Soldiers and NCOs wanted to know that their leaders cared and would look out for them when needed. That their leaders would take care of their Soldiers before taking care of themselves. Leadership functions where these comments emerged included: Manage Team Boundaries, Provide Resources and Social Support Climate (MHAT 2011:48-49, added emphasis).

According to these findings, soldiers who perceived their “NCOs felt empowered to enforce them universally and the Junior enlisted understood that their goal was to uphold high standards,” also felt the needs listed above were fulfilled; while soldiers who felt “double standards, lack of consistency in the enforcement of Army standards, and expectations that kept changing” and the “Junior enlisted saw this lack of consistency as a failure by NCOs to communicate clearly the standards of conduct and performance” did not (MHAT 2011: 42).

Further Illustrations

The remainder of this chapter illustrates further instances of poisonous command climate in the USMS. From the records available, the following statements arguably comprise some of the most disturbing testimonials made by American soldiers about their experience in the U.S military. The first of the statements, narrates under oath the experience of PFC Justin A. Stoner while he served at the 5th Stryker Brigade. The

second statement describes SPC William Hunsaker's experience while the USMS prepared his court martial.

The following statements embody the USMS's expressive negligence in relation to the body. Thematically, these statements account for discussions of "body parts," which are essentially "expressive" given the connections between the expressive pattern variable and Bachofen's understanding of corporal/material constituents. These sworn statements bring attention to soldiers' use of drugs and alcohol—bodily-consumed substances; the "beating" a fellow soldier for whistle blowing; using cut-off human "fingers" as means of intimidation; discussion of prescribed medications to help bodily injuries; discussion of brain damage and concussions; descriptions of solitary confinement conditions; and the use of "shackles" to shame the soldier undergoing military investigations. The significant pattern among these, is the U.S military unflinching neglect to notice soldier's expressive needs, which require human care in various forms.

The sworn statement of PFC Stoner notes,

We deployed as a unit in July 2009. Around the end of October, my squad leader left the platoon to join B Company as the 1st platoon, Squad leader. *As soon as he left, the drug use and alcohol started up right away.* I went on leave for about a month as of October 31st 2009. *When I returned almost everybody had already done or was still doing Hash.* Around New Year's of 2010, *alcohol started getting mailed to us, it was just coming in the mail.* I ignored it and I felt it wasn't my business to get involved as long as it didn't affect me. The more time I spent in the platoon I started to notice a specific group of people that got away with everything they wanted and controlled pretty much everything the platoon did. They were the ones that were basically heading the whole drug and alcohol use (...) the inner circle of people consisting of CPL MORLOCK, SSG BRWL, CPL QUINTAL, SPC MOORE, SSG GIBBS, SGT JONRS,

SPC WINFIELD and SPC KELLY (Sworn Statement of PFC Justin A. Stoner, emphasis added).

The statement further states,

I knew my leadership was already aware and would not do anything. When I say my leadership I mean my squad leaders, so I went to an E-7 who knew the platoon, I didn't want to make a big deal about it. I went to SFC BATES and complained the drug use and he assured me that he already had an idea about it and he would be willing to take care of the issue. He also assured me that my name would not be mentioned (...) A day goes by and the inner circle found out that it was me and decided that the best means of dealing with it was 10 collectively beat me. SGT GIBBS, SOT BRAM, SPC KELLY, CPL QUINTAL, CPL MORLOCK, SOT JONES and SPC MOORE came to my room mid-afternoon, around 1230-1300, on 5 May 2010 and started questioning me on whether I had said something or not. SOT BRAM started off by pinning me against the wall by my neck. Somebody, I don't know who specifically, grabbed my ankles and dragged me to the floor. While on the floor they collectively stomped, kicked and punched me everywhere on my body below the neck. They intentionally made it so that there were no visual signs that anyone could see if I was out. Before leaving the room somebody made a threat that if I said something they would just kill me out on mission (Sworn Statement of PFC Justin A. Stoner, emphasis added).

SFC Stoner's statement further states,

About hour or five hours go by and CPL MORLOCK and SSG OIBBS came back into the room, they calmly sat down and ask me how my day was going. SSO GIBBS then proceeded to roll out a set of fingers onto the floor. MORLOCK looked at me and said if I don't want to end up like that guy then he suggests I shut the hell up and it wouldn't be an issue for him because he already had enough practice. Then they left the room. I also I also want to say that while I was in the room after being beaten they had guys posted outside my room to make sure that I didn't leave and go and tell someone what had just happened, I know this because I could hear them walking around talking, that is not normal for them because they don't leave their rooms unless they really have to. As soon as I went to the SOM about the whole incident they took me off the FOB. After I went and saw SOM they sent me to medical to get photos and an evaluation done (Sworn Statement of PFC Justin A. Stoner, emphasis added).

PFC Stoner elaborates,

The reason that I am worried or felt the need to say something is because the platoon has a reputation of going out and finding the right person and finding the means to kill them without reason, specifically the inner circle guys, especially CPL MORLOCK. He has three prior kills that none of which I believe were actually justified. MORLOCK and PFC HOLMES, when they are out at a village, wonder off and kill someone and every time they say the same thing, about a guy throwing a grenade but there is never proof. It is possible that it is staged because we have plenty of grenades on our flicks. Basically I do believe MORLOCK would kill me if he had the chance, I also know that the other guys that made the threat with him would go along with it (Sworn Statement of SFC Justin A. Stoner, emphasis added).

It is critically significant to bring attention to a number of elements in relation to PFC Stoner's statement. Moreover, it is important to contextualize the command climate of the 5th Stryker Brigade and the effects this kind of social environment has on soldiers like CPL Morlock. During CPL Morlock's trial, Dr. Mestrovic, who served as an expert witness for the court-martial, explained some of the ideological difference between COIN and the Counter-guerrilla doctrine, and how these differences in the brigade's leadership produced dysfunction throughout the entire unit. The following cross-examination takes place with the expert-witness and Mr. Spinner, the defense attorney. The record of trial states,

Q. Let's be clear now, General McChrystal's side is?

A. COIN

Q. And Colonel Tunnell's side is?

A. Counter-guerrilla. And they are incompatible according to the Twitty report [Brigadier General Stephen Twitty's AR 15-6 Investigation on 5/2 Stryker Brigade Combat Team], and according to the battalion commanders I interviewed.

Q. Explain how they are incompatible?

A. They are incompatible in that, according to the report, and according to these battalion commanders, Colonel Tunnell was only focused on the aggressive offensive aspect, and not on the defensive as well as the strategic hold and other governance aspects of COIN. In other words, COIN is an interrelated system

which includes some offensive, but is meant to be -- U.S. Soldiers are basically ambassadors of the United States, and that was not a concern or a priority for Colonel Tunnell. So, in that sense, it's like Team A, Team B, and I'm not inventing these terms, that comes in statements in the 15-6. It was like, "choose your sides." You were either on Colonel Tunnell's side, or you were on the side of the chain of command. And that caused confusion down the ranks, down from battalion, to the company commanders, to the sergeants. And then that impression, which I got from the 15-6, was confirmed to me by the battalion commanders. I can give you an illustration, if you would like?

Q. Yes, please.

A. In the 15-6, it basically said that the units performed COIN not because of -- but to spite Colonel Tunnell. I asked Lieutenant Colonel Demaree about this, and he said, indeed, at the NTC, that he handed in two separate reports. One was to appease Colonel Tunnell, and the other one was to appease the NTC trainers, and they were totally different (SPT Morlock Record of Trial).

Dr. Mestrovic's statement describes a command climate of absolutism, which describes an inherently misbalanced climate. The leadership of the 5th Stryker Brigade, instead of cooperating like a social body, is split and disconnected creating a dysfunctional environment. These conditions can, and often do exacerbate levels of stress and PTSD, from which SPC Morlock suffered.

In addition to the anomic command climate of the 5th Stryker Brigade, SPC Morlock had been "cross-leveled" a variety of times. "Cross-leveling" is a dangerous practice in military units because it breaks-up strong relationships between soldiers and disrupts social cohesion. Moreover, "cross-leveling" generates anxiety in the same way life transitions, such as moving to a new city, or state, changing jobs, and losing or gaining new members in the family generate anxiety. Except this in this case, the soldiers face war. Record of trial also notes, that SPC Morlock regularly consumed Hashish, used a variety of prescribed medication to help his injuries, and had suffered brain damaged. Record of trial states,

He [SPC Morlock] was being medically evacuated due to his injuries (...) he suffered concussions from various explosions (...) he was being removed and being evaluated for traumatic brain injury and head injury due to concussions. (...) *SPC Morlock was taking medication at the time, in the video he said he was on Ibuprofen, Flexeril, Trazodone, Penagra, a nausea pill, and sleeping aids.* He was on Ibuprofen, he was taking Flexuril, a muscle relaxer, he was on Trazodone, (...) the Penagram was for nausea. He had mentioned a small pink pill, (...) that was *Ambien* (Record of Trial for SPC Jerney Morlock).

The descriptions of SPC Hunsaker's imprisonment conditions while the USMS investigated his case depict astonishing circumstance for evident elevation of human stress an anxiety. The court-martial transcript notes,

Q. And during the period prior to the Article 32 Investigation, what were the conditions of your confinement? Can you describe what the living circumstances were like?

A. *I spent the first 5 weeks in a 7 by 7 steel cage.*

Q. And how was the cage itself set up? What was your living space like in that space?

A. *The cage in itself was probably 7 feet by 7 feet, and when you include the metal bench, I guess you could say, that holds your sleeping mat on there, and the toilet, you had approximately maybe 3 by 5 feet worth of, if not less, of moving room.*

Q. *How many hours a day did you spend in this 7 foot by 7 foot cage?*

A. *About 23 hours a day.*

Q. And during the other hour within the 24-hour period, how was that spent?

A. Depending who was on guard, I would either spend the whole hour in the gym or on the phone, which included my shower time and there were some guards that, you know, "I have got to have you back in there early." So sometimes I would spend about 40 minutes outside.

(SPC Hunsaker's Record of Trial)

The transcript further states,

Q. At the time that you were returned to COB Speicher for the Article 32 Investigation, how were you confined while you were at COB Speicher?

A. We were all segregated into separate tents at Tent City, just down the street from TDS, and *we had to spend most of the entire time, unless we were with our lawyers or at the 32 hearing, in shackles, which includes*

the leg chains, the handcuffs, and the blue box with the belly chain attached to it, which included also sleeping in them when we were in the tent.

Q. Just to be clear, you said that you were required to sleep in these restraints as well?

A. Yes.

Q. After the Article 32 Investigation was complete, where were you-- were you returned to Kuwait for confinement there?

A. Yes.

Q. And what were your conditions like at that time?

A. I spent about another day in the cage and then they moved me to a tent that was blocked within a chain link fence with concertina wire around the top of it, and I stayed in that tent by myself, isolated. I spent 23 hours a day in there also. I was let out for 1 hour to eat and for recreation (SPC Hunsaker's Record of Trial)

The expressive negligence of human experience of SPC Hunsaker, while he was held captive by the USMS is patent throughout this excerpt of the court-martial transcript. The use of harsh solitary confinement conditions, and employment of shackles as a form of inducing shame, is not restricted to the case of SPC Hunsaker. Other members of the USMS accused of military misconduct have shared similar experiences.

7. OSTRACIZING FATHER FIGURES: OTHER INSTANCES OF EXPRESSIVE NEGLIGENCE IN THE USMS

“I challenge you to imagine the frustration felt after being engaged in firefights for several hours with the enemy and capture them only to have them released 2-3 days later because you're being told the holding area needs more information on them”¹⁷—1 SG John Hatley

This chapter provides further illustrations of USMS expressive negligence, focusing on the Baghdad Canal Killings. This chapter pays particular attention to the story of 1SGT John Hatley, a loved and admired military soldier who served as a father figure for many men in his unit. Similarly to previous discussions of SPC Sabrina Harman, an expressive figure at the Abu Ghraib prisons, 1SG Hatley was also an expressive leader for the Alpha Company. This chapter discusses 1SG Hatley’s expressive leadership and draws attention to 1SG Hatley’s demeanor in relation to Bachofen’s understanding of the mother consciousness. This chapter concludes with a sworn statement made by a *different* father; namely, SPC Adam Winfield’s dad. The statement notes the USMS’s lack of response to Mr. Winfield’s various attempts to report incidents of military misconduct taking place in the 5th Stryker Brigade. Mr. Winfield’s efforts were avoided by personnel in the Pentagon and U.S senate, allegedly because there was no proper SOP for dealing with civilian’s reports of war crime.

¹⁷ “The Killings at the Canal: The Army Tapes” (2009) CNN online streaming (<http://www.cnn.com/SPECIALS/2009/army.tapes/>).

Father as “Mother”

The infamous “Canal Killings,” which aroused a peculiar interest in the news media leading to the CNN special “The Killings at the Canal: The Army Tapes” (2009), publically narrated the crimes of 1st SGT John Hatley, SG. 1st Class Joseph Mayo, and SG. Michael Leahy. The CNN special aired in a series of segments and tried to capture the soldier’s stories from a quasi-romantic perspective by including interviews with the soldier’s wives and former army friends. Less than three minutes into the first of the segments, the narrator stated an insightful remark that never made its way back to the discussion. The voice-over recited, “Joshua Hartson was 19 when he served under 1st SG Hatley who he considered a father figure” (CNN 2009). According to the CNN story, Hartson was one of the soldiers present the day the crimes were committed. Hartson, who exhibit visible signs of emotion and stress, shared with the CNN cameras,

Nobody knows what we’ve all been through. Watching people die. I think people should show respect to these guys [Hatley, Mayo and Leahy] to anybody that serves over there. Just that, they are American heroes. And nobody will ever understand that, unless they’ve been there with them (CNN 2009)

Similar to the CNN’s depiction of 1st SG Hatley as an expressive, father figure, and Hartson’s statement to the cameras, a plethora of sworn testimonies and affidavits for the trials of Hatley, Mayo and Leahy, agree that the soldiers of Alpha Company felt much respect and admiration towards 1st SG Hatley. To exemplify, SGT Tim Rawson testified he went out with SG Leahy and the 1st SG Hatley on a couple patrols and “trusted them with his life, still trusts them.” (Record of Trial for 1SG Hatley). SGT Rawson further noted that he “would still go out with those guys even knowing what

they are accused of” (Record of Trial for 1SG Hatley). In addition, SGT Rawson said he would follow 1st SG Hatley “*anywhere*” (Record of Trial for 1SG Hatley added emphasis). Other testimonies note,

Like I said, I was an E-2 at the time, I was a young private that got put in *with a highly respected first sergeant* that I've been in difficult situations with where it was, you know, you make the wrong decision and lots of people die. And I've trusted, just as everybody else in the company and our battalion, *every decision that he [1SG Hatley] made was the correct one* (SPC Ribordy Record of Trial).

1SG Hatley is the type of guy that everyone follows no matter what he does (Leahy Record of Trial).

Q. When you were his gunner—did he counsel you when you became his gunner?

A. Yes, sir.

Q. What did that counseling consist of?

A. About how he did things differently.

Q. What did you take that to mean?

A. That he would do things that other NCOs wouldn't normally do.

Q. Did you have an opportunity to see some of that in action?

A. Yes, sir.

Q. Give us an example—just one example of this stuff that he would do that was different.

A. *When driving down the road, if there was something suspicious that might look like an IED, we would drive over it.*

Q. Is that what you were trained to do?

A. No, sir.

Q. What were you trained to do?

A. Stop and have an EOD called up so they can assess the situation.

Q. So why did your HMMWV do that?

A. *It was the attitude of, “If it's my time to go, it's my time to go.”*

Q. *That was whose attitude?*

A. *At first, it was First Sergeant Hatley's; and then it just bled—or we splashed in it.*

Q. So he had mentioned that attitude before?

A. Yes, sir.

- Q. We're talking a lot about First Sergeant Hatley. Describe him.
 A. *He's a man that he put out—*
 Q. *Did you respect him?*
 A. *Yes, sir.*
 Q. *Did you like him?*
 A. *Yes, sir.*
 Q. *Did you like being his gunner?*
 A. *Yes, sir.*
 Q. *Did you find him to be a good leader?*
 A. *Yes, sir.*
 Q. *Did he lead you?*
 A. *Yes, sir.* (SPC Ramos Record of Trial, added emphasis)

2LT Edgard Lunaogando's testimony about 1SG Hatley notes,

If you work with him [1SG Hatley] even one day, you will completely understand why. *You will feel safe with this man at all times.* You will feel that everything the he says is right. He is that type of person – he has that much power over you. *It is indescribable. It is hard to say "no" to a man you admire so much, a man that you know would sacrifice his life in an instant to save yours. 1SG Hatley made you feel like he looked at you like one would look at a younger brother, or a son. He cared about you. You could not help but look at him as role model, as a mentor, as a father figure.* Leahy really admired this man (Record of Trial for 1SG Hatley, added emphasis).

2LT Lunaogando further describes 1SG Hatley,

1SG Hatley was a person that everyone admired. I went out with 1SG on several missions in Iraq. I cannot describe how this man makes you feel. You have nothing to fear when you are with him. You have nothing to fear because he is absolutely fearless – he does not fear death. *You always feel safe with 1SG Hatley. 1SG Hatley saves soldier lives. He will do anything to protect his soldiers.* I admire him. Who am I to say what 1SG Hatley did was right or wrong? I am not God. Only the Judge and Jury can decide whether what he did was right or wrong, but I cannot say that they were (Record of Trial for 1SG Hatley, added emphasis)

During SG Leahy's trial Lunaogando was asked to describe the relationship between Hatley and Leahy, the transcript notes,

- Q. Now, what type of relationship—how would you characterize the relationship between First Sergeant Hatley and Sergeant Leahy?
- A. It was a very, very tight; very close relation because First Sergeant Hatley, *since he was a role model for a lot of people in the whole battalion, for Sergeant Leahy he was like a father-figure*. He was always with him and he respect him, sir (Record of Trial for SG Michael Leahy, added emphasis).

The record of trial further states,

SGT Leahy was very close to 1SG Hatley. SGT Leahy viewed 1SG Hatley at the time as a father figure. SGT Leahy and 1SG Hatley saved each others lives on countless occasions while deployed together in Iraq from August 2006 to November 2007. SGT Leahy was 1SG Hatley's medic in Iraq and the two developed a strong father /son type relationship. SGT Leahy viewed 1SG Hatley as the most influential person he had ever met (Record of Trial for SG Michael Leahy, added emphasis)

These depictions of 1st SG Hatley counter illustrate the leadership of military personnel such as COL Thomas M. Pappas, BG Karpinski, COL Steele, and COL Tunnell. These officers failed to visit, mentor, and circulate amid their soldiers, and their negligence of expressive functions—ability to provide safety, stability and cohesiveness in the group, arguably contributed to a poisonous command climate. In contrast, the soldiers that knew and worked with 1SG Hatley continuously described him as a father figure, an icon of safety and courage, a man who would sacrifice his life for his soldiers. Hatley's qualities, as described by his fellow men, parallel Bachofen's conceptualization of the motherly love. Correspondingly, these descriptions also embody elements of the expressive dimension.

The intelligence officer for Hatley's brigade, 1LT David Nelson-Fischer, alludes to the instrumental and expressive characteristics by explicitly noting that Hatley had the

“perfect balance” of efficiency and care for fellow men. 1LT Nelson-Fischer’s testimony states,

Hatley was a “warrior’s warrior.” (...) Hatley had charisma but the reason he was so loved is that he would do whatever he could to accomplish the mission and while at the same time do everything possible to bring back all of his guys alive. He had the perfect balance of those two things (Record of Trial for 1SG Hatley, added emphasis)

Nelson-Fischer’s expression, “he had the perfect balance of those two things,” connotes with accuracy the description of the expressive and instrumental social forces, which in fact positively make a difference for the way others feel about Hatley and his demeanor. These qualities, however, are not components of the soldier’s statements about COL Thomas M. Pappas, BG Karpinski, COL Steele, and COL Tunnell. To describe a leader as being perfectly balanced because he cares about getting the mission accomplished (the instrumental function) just as much as the safety of his men (the expressive function), speaks loudly of 1SG Hatley’s leadership style. Moreover, that such leader would be prosecuted and convicted by the USMS, while the other higher ranking commanders mentioned did not, further reflects aspects of social derangement in today’s military system.

1LT Nelson-Fischer’s testimony further elaborates that Hatley, Mayo and Leahy were excellent NCOs. Nelson-Fischer states,

They were like family, (...) even before this last deployment, many had deployed together in OIF II (...) Mayo and Hatley had served together in their first deployment in OIF II. They saw how the combat environment had changed from their first deployment – they became really tight (...) they saw the rules screw them over time and time again. For example, 1SG Haltey and crew on one occasion had captured a detainee matching the same name and same address as a known IED maker. They go to the

guy's house, and they find IED components. He is interrogated at the DHA and the detainee claims he is an electronic repairman. The interrogators believe him and the DHA release him. 1SG then has to go through the indignity of going back to the DHA, picking up the detainee and bringing him back to his house, giving him a letter of apology and fist full of cash for his troubles (combat claim). (...) this story repeated itself over and over again throughout the deployment. *When one sees their family (i.e. fellow members of the unit) die as a result of these actions at some point a reasonable person is going to say "fuck it" and do what they need to do to ensure the survival of the unit* (Record of Trial for 1SG Hatley, added emphasis).

According to this statement, the soldiers of Alpha Company, like many other military units in Afghanistan and Iraq, often felt the tension of a double-bind where no matter the situation, the rules always found a way of affecting the soldiers. More specifically, 1LT Nelson-Fischer is referring to the shift in war philosophy from OIF, Operation Iraqi Freedom, to OEF, Operation *Enduring* Freedom, or what Nelson-Fischer refers as OIF II. At this time during the war, the USMS was relying on a "catch and release" program where insurgents could be detained only if they had weapons on them, could be engaged with fire only if they were 'simultaneously' engaging back.¹⁸ In a word, American soldiers would confront the same group of combatants day after day, detain and release the insurgents, and often times provide them with a ride home, money and a letter of apology for the inconveniences. Additionally, it was required that the soldiers perform quasi-police duties, such as finding Iraqi men that would testify against other Iraqi men, parade through the streets of Iraq during the day, and document and photograph quotidian incidents (iTunes Lectures, cite).

¹⁸ Quotes soldier saying that firing was "tricky" one of the sworn statements. The soldiers notes it is not that easy to engage some who just fired a weapon at you if they drop the weapon and run away.

Comparable to other sites of military misconduct, the social environment of Alpha Company illustrates the paramount neglect of the expressive functions. Records of trial associate these instance of negligence in relation to environmental stress, low morale of the social body, and a climate of double-bind. Mr. Frank Spinner, SG. Michael Leahy's attorney describes the situation. His statement notes,

As it was, they had to take off their soldier helmet, put on their cop hat, take them to a civilian sort of police station and show evidence that these were people that were shooting at them and if there wasn't enough evidence then they were gonna be released on the street (...) But soldiers aren't trained to be cops, and they're not trained to collect evidence and they're not trained in the ways of civilian criminal prosecutions (<http://www.cnn.com/2009/US/11/17/army.tapes.canal.killings/index.html>)

1LT Nelson-Fisher further explains the extents of these double-bind encores,

You are dammed if you do, dammed if you don't. For example, there were several instances when soldiers followed the proper procedures, proper ROE, and shot at enemy forces – then being relieved or reprimanded for their actions. PSGs, Squad Leaders, were being relieved even though they followed the rules (...) even if you do everything right down range you can get screwed (Record of Trial for 1SG Hatley, added emphasis).

Testimony by SGT Rawson elaborates further,

Alpha Company had the responsibility for one of the worst areas in Baghdad (...) Basically, the Golden Mosque, one of the most sacred holy sites in Iraq, was bombed for the second time and destroyed (...) this incident enraged the locals in Alpha's sector so much that they conducted a constant and deliberate attack on any patrol in the sector for over 30 hours. Some Iraqis even went so far as to attack tanks with AK's (...) The Engineers and EOD guys were under constant fire during this time which was unusual (...) [Alpha Company] had to watch out for Iraqi children too because they could be violent (...) a 12 year old Iraqi boy shot an older man at point blank range in front of an American patrol. When they detained and questioned the boy he didn't feel that he had done anything wrong (Record of Trial for 1SG Hatley).

There were many groups operating in Shurta, to include: the local on the street corner who wasn't much of a threat, Jaysh –Al-Mahdi, Iranian special groups/ “outside influences.” Local Iraqi Security Forces were also known to co-operate with enemy forces. The unit had to detain several ISF members who had helped the enemy.

Enemy activity was very fierce at the beginning of the deployment (...) but was brought under control about halfway through (...) a Spector gunship was brought in to help a unit that was being over-run by enemy forces. Attacks ranged from well co-coordinated to hit and run. Shurta was also a major area for weapons trafficking (EFP's, small arms, RPG's, and several classified weapons systems) for foreign fighters.

In Shurka, ‘Shiafication’ was in full force. Essentially, Shiafication is the process by which the Shias pushed the Sunnis out of the neighborhoods. Essentially, gunman would go into in an individual's house and take it away from them (...) this was mostly undertaken by the ‘Jawsah Al Madhi’, which is a local militia that occasionally attacked the coalition. However, sometimes the special groups would also engage in Shiafication.

SGT Rawson testimony further notes,

Many insurgents, immediately before being captured, would hide their weapons because they knew the US Rules: no weapon/no detention of insurgents (...) this was absolutely true and happened quite frequently. They knew our rules of engagement, they knew our detainee retention criteria, they knew our SOPs.

Amidst all this chaos, records of trial note that by the time this case of military misconduct takes place, many of them men in Alpha Company, including the convicted soldiers, had been deployed for 15 months.

The soldiers from Alpha Company feeling demoralized by these circumstances and the way higher branches of the USMS handled these circumstances, presumably looked at 1SG Hatley as a heroic father figure, a role of protection. Furthermore, 1SG

Hatley began to fulfill an affective, expressive function that the USMS failed to satisfy. Trust is a bodily enactment, and 1SG Hatley was nourishing that need for the soldiers, not the USMS. Nelson-Fischer's statements concludes,

I cannot express my rage in words (...) these soldiers acted in 'pre-emptive self defense' (...) when you believe the system protects 'them' and not 'you', that provokes a total lack of respect for that system (...) everything downrange is designed to protect the insurgents, not the soldiers (Record of Trial for 1SG Hatley, added emphasis)

As explained by 1LT Nelson-Fischer and SGT Rawson, the USMS's philosophy towards the war in Iraq during OEF protected the insurgents, arguably more than the American soldiers. This deranged dynamic becomes increasingly relevant to our discussion because it provides an illuminating angle from which to begin understanding the Canal Killings. Namely, if the soldiers of Alpha Company did in fact feel abandoned by the system as the evidence shows, and if these soldiers did in fact looked at 1SG Hatley as a father figure, which the data also supports, then elements of defense, protection and vengeance for his fellow men will also be a constituent of this character type. Theoretical claims by both Bachofen and Durkheim help cornerstone this idea.

It is critically important to remind the reader that in no way does the work at hand support killing, or justifies the incidents that allegedly happened at the canals. My argument herein aims to illustrate how the evidence from sworn statements, records of trials and military investigations corroborate the assumption that 1SG Hatley was a strong leader with expressive and instrumental qualities. Furthermore, because the soldiers from this unit felt an overall letdown from the USMS, given the lack morale and collective frustration towards the "catch and release" program, the soldiers turned to

Hatley as a figure of advocacy, trust, protection. According to Bachofen, these qualities, which are positive aspects of the expressive, mother-centered embodiment, correspondingly encompass a darker side.

Bachofen engages some of the negative matriarchal characteristics with habituated principles related to “blood-bond” and the violation¹⁹ of it (Bachofen 1861). Fromm explains, “in matriarchal law, there is no logical, reasonable balancing of guilt and atonement; it is dominated by *the ‘natural’ principle of the talion, of returning like for like*” (Fromm [1994] 1997:24 added emphasis). In other words, the code of justice for the matriarchal, expressive, traditional characters (cultures and individuals alike) comes in the form of *lex talionis*—eye for an eye.

Durkheim’s discourse on social patterns of mechanical solidarity, which overlap with general understandings of traditional societies, discusses similar ideas in relation to revenge. Durkheim notes,

We have remained true to the principle of talion, although we conceived of it in a more lofty sense than once we did (...) punishment has remained for us what it was for our predecessors. It is still an act of vengeance, since it is an expiation. What we are avenging, and what the criminal is expiating, is the outrage to morality (Durkheim [1893] 1984:45).

The work of Bachofen and Durkheim harmoniously collaborate to shed light on the incidents of the canal. Both of their discussions bring attention to the principle of talion and retaliation as adequate means to achieve justice prior to social structures with penal

¹⁹ The respect for the bonds of blood in matriarchal “natural law” is best illustrated by Bachofen in his interpretation of Aeschylus’ *Oresteia*. To spare her lover Aegisthus, Clytemnestra kills her husband Agamenon after his return from the Trojan War. Upon this killing, Orestes—son of Agamenon and Clytemnestra, avenged his father by slaying his mother.

systems. The conjunction of the anomic context that surrounded Alpha Company, the inefficiency of the “catch and release” philosophy, the fact that these men saw each other as family, held 1SG Hatley as a father figure and unceasingly felt let down by the USMS as a figure of protection, precipitate towards a social environment where acts of revenge fit the rest of the cultural patterns.

The soldiers’ statements related to this case further validate these ideas as they collectively approach what happened at the canals merely justifiable. For example, SFC Joseph Mayo rendered a sworn written statement confessing he had shot and killed one detainee with his M9 pistol. The sworn statement further reported,

1SGT Hatley talked with the soldiers about the killings, telling them *they were retaliation for their fallen comrades*, and not to talk about what occurred (1SG Hatley pg.22 Record of Trial, added emphasis).

In SFC Mayo’s record of trial the same confession takes place. The following excerpt notes the dialogue between the Trial Counsel and SFC Mayo,

- Q. Now, after you moved the bodies into the canal, what happened?
 A. We then moved back to the COP, sir.
 Q. And what happened when you got back to the COP?
 A. All the soldiers were brought in, and *First Sergeant said that this was for our fallen soldiers*.
 Q. And did he elaborate on that?
 A. He just said, “This is for our fallen soldiers”; if anyone had an issue or if someone started to talk about this, to direct him to the first sergeant.
 Q. Now, going back to the canal, what would you have done-all right, what was your intent when you shot them?
 CDC: Objection, Your Honor-relevance.
 TC: Your Honor-
 MJ: Overruled.
 Q. What was your intent when you shot them?
 CDC: Objection, Your Honor. He's only said he shot one; the government keeps saying “them”

- MJ: Sustained.
- Q. The detainee that you shot, what was your intent?
- A. To take care of him, sir.
- Q. Was it-what do you mean by “take care of him”?
- A. To kill him, sir.
- Q. *If he had been alive, what would you have done? After you shot him, if he had been alive, what would you have done?*
- A. *I probably would have shot him again, sir.*
- Q. All right (Record of Trial for SFC Joseph Mayo pg. 599-600 emphasis added).

Similarly to Mayo’s response regarding what appears to be a lack of remorse for his actions, as he mentions he would shoot the detainee again. The statement of SPC Hunsaker during his court martial brings attention to echoing emotional patterns. Namely, SPC Hunsaker alludes that his actions were justified because he feels he spared the lives of other American soldiers. Given the social context that surrounded Alpha Company expressions that seem to lack remorse should be carefully considered.

I’d just like everybody to understand that despite what happened, I don’t—I made a bad choice that day. I know what I did was wrong, and there’s no excuse for that.

I accept full responsibility for that.

Nobody forced me to pull the trigger that day. *That was the choice that I made, but I chose a lesser evil for a greater good.*

I chose to take these men's lives and hoped that they would never have the chance to take American lives because I honestly believed these men were Al-Qaeda or foreign Army there to hurt us, and to prevent any future occurrences, but they didn't go anything to any of us.

I shouldn't have done it, and I took it my owns, but I did, and I'd just like to—I just want the court and everyone to know and understand that despite of what happens here today and any other time that the faith and love for my country and that I have for the Army will never falter.

My whole life my family said I hold no grudges because no one forced me to do this. I'm totally at fault for what I've done, and I accept any

punishment you give today, but I do, like everyone else, sir, that *what amount of time that you give me won't take away the fact that I am a U.S. Army Infantry Soldier. I serve the 101st, and I serve proudly, and still will serve proudly whether I'm in prison or not. That's just what I'll always be.* (Added emphasis Specialist Hunsaker 264-265)

It is important to bring attention that many of the soldiers involved in the Baghdad Canal killings, prior to and during their interrogations with CID, resulting in their pleas to the “crimes,” lacked sleep, proper nutrition and contact with their families, which further illustrates instances of neglect towards the affective body as it has already been noted. The record of trial for SGT Leahy states,

SGT Leahy was both physically and mentally exhausted. During the 17-hour period prior to the interrogation, SGT Leahy had received virtually no sleep. CPT Stankiewicz essentially arrested SGT Leahy the day prior to the interrogation and did not permit him to sleep in his barrack's room. Nor was SGT Leahy allowed to return to his barracks to get a clean set of clothes, obtain his contact lenses holder, or even obtain his tooth brush. Upon arrival at CPT Stinkawitz's residence, he was not even given a bed to sleep in. Rather, SGT Leahy had to sleep on an uncomfortable couch in CPT Stankiewicz living room. SGT Leahy slept approximately 1.5 hours that night due to nervousness about the reasons surrounding his detention by CPT Stankiewicz and the fact that the accommodations provided for him were extremely uncomfortable (SGT Michael Leahy Record of Trial).

The Neglect of Another Expressive Father

The following sworn statement was made by SPC Adam Winfield's father, Christopher Scott Winfield. The statement illustrates various messages exchanged between SPC Winfield and his father, in which SPC Winfield tells his parents he fears his unit, that he is “afraid for his life.” SPC Winfield, additionally notes that soldiers in

the 5th Stryker Brigade “kill innocent people,” and asks his father to help him report the crime.

The following statement and other record of trial, note Mr. Winfield’s various attempts to report what his son had share with him. Records validate Mr. Winfield’s attempts to contact the Army Inspector General office in Virginia, a unit officer at Fort Lewis, CID, and Senator Bill Nelson. Mr. Winfield’s statement notes,

Adam e-mailed us, very distressed saying that he was disgusted with his platoon and that he was being dogged for petty things and that others who have committed murder are being hailed as golden children. I asked what he meant by that and he said that he was told that his Sgt and another person had killed an innocent person who was just a farmer. Adam stated that he could not believe that it was true but was told it was. He was devastated and now scared of the two. Adam was told by the Sgt. That if he told anyone, he would go home in a body bag. Adam was at that point scared to say anything. He did not know what to do. He said if he went to his company commander it would come back down the chain of command and the Sgt. Would get to him before anyone could do any thing. At that point, I told Adam to stay away from them as much as possible and that I would try to contact someone. Adam told me to contact the Army Inspector General, that there was a 24 hour hotline. I then called the Army Inspector General office in VA and did not reach anyone. I then called Fort Lewis and spoke to his unit’s Officer of the day officer. A Sgt answered and I gave the Sgt details of what was going on over in Afghanistan with my son’s unit. He was shocked and told me that unless Adam comes forward over there that was nothing he could do until Adam got back to Fort Lewis. I asked him if there was anyone I could talk to and he gave me some numbers to call, which I believe were CID, I called them, but only got voice mails. I left messages but no one called me back. I also called Senator Bill Nelson’s office and left a message with a bried detail. Again, no one called me back. The next day, Adam e-mailed me and said he was afraid that if I talked to someone and they got involved that word would get back to the bad guys before anyone could come and investigate. Adam said to hold off talking to anyone else right now, that he would try to figure out how to get out of the squad (SPC Winfield Record of Trial).

The statement further notes,

On the next couple of face book chats, Adam told me that he heard the group was planning on another murder involving an innocent Afghanistan man. They were going to kill him and drop an ak-47 on him to make it look like he was the bad guy. He was afraid for his life at this point. He wanted to refuse to go on patrol and refuse to continue in the platoon. He was being torn from his sense of duty and sense of fear. We discussed ways to get away from his squad, even stating that his hearing was bad and how he should go to sick bay. He said unless you lose a limb, you stay where you are over here (SPC Winfield Record of Trial).

Mr. Winfield elaborates,

Adam also stated that word had got around that Adam is trying to tell someone and the threats are coming back to him. He said he was scared and alone in this platoon. That almost everyone knows what is going on and they are all ok with it but him. He feels all alone and scared. A few weeks went by and Adam said in a e-mail that he was still scared and that he was just keeping to himself and he was just try to stay away from the mess. That he would handle it his way by staying away so he was not threatened with his life. Adam truly felt that if he told anyone that he would be killed. We did not hear much more about this until this week where Adam called and said that the Sgt. Was arrested and that finally this mess has stopped. He informed us that he was being questioned and that he was moved back to KAF. He also told us that CID was involved and that we should be hearing from CID about the conversations that we had via e-mails and Facebook chats” (SPC Winfield Record of Trial).

The record of trial, for this incident concludes that the main cause of this situation is that at the time, and to a large degree currently, the USMS’ procedures for responding to phone calls to the IOC does not require TTP to respond calls of this kind. The record of trial rationalizes that there is unavailable SOP for these interactions out fear the USMS personnel receiving the phone call makes the wrong decision. This mentality illustrates the U.S military preference for instrumental, rational principles, rather than expressive social action. In this case, an expressive response would entail immediate response to the father’s message. Moreover, this reaction also entails instrumental, goal-achievement social enactment.

The record of trial further illustrates the predicament of lacking SOP and makes recommendations for future incidents that may resemble Mr. Winfield's case. The record of trial notes,

Should the individual responding to a phone call make an improper decision or exhibit faulty judgment, there is no immediate feedback mechanism to mitigate his or her decisions or actions ... I recommend the processes in the IOC for responding to telephone calls and messages be adjusted to require the individual answering the call to discuss the contents of the call and the course of action taken with his or her counterpart (the SDNCO or the watch officer) immediately upon conclusion of the call, and again with the OIC, FOD, and/or CHOPS at regular intervals throughout the period of duty. This ensures a second and third, independent check on the responder's actions and serves to validate a call as a hoax, one that can be dealt with at the SDNCO/watch officer level, one that requires action by a higher decision-making authority, or one that meets the criteria for a CCIR. The current OIC, LTC Mullen, acknowledged to me that there was not a good way to track incoming calls (of any variety) to the IOC and stated he would consider implementing a telephone call log in order to capture the subjects of all incoming phone calls. I am recommending a fundamental change in the operating procedures in the IOC, adjusting them to require (1) logging every call received; (2) interaction between the SDNCO and the watch officer; and (3) a review of all received calls by the OIC, FOD, and/or CHOPS to ensure that all information (calls) received by the IOC are filtered through three (rather than one) individuals to determine whether SIRICCIR reporting requirements have been (or have even potentially been) triggered (SPC Winfield's case).

8. CONCLUSIONS: RECOMMENDATIONS AND FURTHER RESEARCH

“Habit is the mainspring of human action, and habits are formed for the most part under the influence of the customs of the group”—John Dewey

*The theory of Gesellschaft takes as its starting point a group of people who, as in Gemeinschaft, live peacefully alongside one another, but in this case without being essentially united—indeed, on the contrary, they are here essentially detached. In Gemeinschaft they stay together in spite of everything that separates them; in Gesellschaft they remind separate in spite of everything that unites them
—Ferdinand Tonnies*

In these chapters I attempted to illustrate various anomic facets of current USMS practices in major sites of war-crime of the present and ongoing Global War against Terror, taking place as this study is prepared. This dissertation examined courts-martial for the cases related to the scandals of abuse at the Abu Ghraib Prisons, the Operation Iron Triangle killings, the Baghdad Canal Killings, and the Maywand District Killings. Moreover, this dissertation discussed the understanding of anomie as the systematic negligence of expressive functions in current USMS practices, arguing that the neglect of expressive undertakings in the USMS has become a rule that is “lack of rule.”

In this study I engage Parsons’s understandings of the expressive and instrumental social roles or pattern variables, and go beyond Parsons’s use of these social forces to discuss principles of affectivity, which I relate to Bachofen’s understanding of “motherly love.” I use these elaborations to illustrate patterns of expressive negligence that abandon dispositions, which tend to the emotive needs of the

USMS as a social body, and the lack of consideration towards soldiers as affective, human members of this structure.

This dissertation makes several contributions to sociological literature including the use of courts-martial material to offer critiques of contemporary culture. The observations in this dissertation draw from various bodies of data comprising records of trials, sworn statements, affidavits, personal correspondence, government reports, and a long list of testimonies—including the testimony of an expert witness in sociology, from military court cases from the current wars against Afghanistan and Iraq. Testimonies by expert witnesses in the field of psychology have been relatively common in civilian trials as well as courts-martial. However, testimonies by expert witnesses in sociology are relatively rare and original. Moreover, discussions that engage the role and significance of the affect and the military from a sociological perspective are also rare and original.

Another contribution this dissertation makes is my elaboration upon Parsons's understanding of the "expressive" and "instrumental" social roles, in relation to Bachofen's understanding of social progression. The conceptions of "mother right" and "motherly love," first discussed by Bachofen in his theories of ancient matriarchies, share a vast commonality with other sociological understandings extended by classical scholars who bring attention to the importance of emotion-based cultural experiences. However, Bachofen's contributions to the social sciences have been largely neglected.

Examples of sociological theories that coincide with Bachofen's theoretical elaborations and depict progressions from "expressive" mother-centered societies to "instrumental" father-centered cultures include the writings of Henry Adams, American

historian and novelist, who depicts the collective replacement of the Madonna with perfunctory dynamos (Adams 1918); and the work of Ferdinand Tonnies, which advances the progression of societies from *Gemeinschaft* ‘organic,’ to *Gesellschaft* ‘mechanical’ (Tonnies 1887). Emile Durkheim makes similar assumptions, however Durkheim uses the terms ‘mechanical solidarity’ and ‘organic solidarity’ in a different order to distinguish the two cultural types (Durkheim 1893).²⁰

Charles Darwin and theorists affiliated with the Chicago School of Sociology note the similarities between social communities and animal groupings, and the importance of corporal undertakings. More importantly, these scholars bring attention to how emotional, bodily engagements precede reason, and assume social development evolves in a similar course; from emotional, mother-centered and expressive cultures, to rational, father-centered, instrumental societies. Other followers of these ideas include Erich Fromm, David Riesman and his student Stjepan Mestrovic.

Riesman advances a theory of social progression that begins with ‘tradition-directed’ societies and proceeds to ‘inner-directed’ societies, to finally grow into the ‘other-directed’ social character (Riesman 1959). Mestrovic’s discussion of social character elaborates these ideas. The work of Riesman, and Mestrovic, propose an apparent return to a seemingly expressive social character. Riesman’s ‘other-directed’ and Mestrovic’s ‘post-emotional’ personality types generally are ‘emotional,’ ‘happy,’ ‘friendly’ (Mestrovic 1997). However, Riesman’s discussion of ‘fake sincerity’

²⁰ In *Contemporary Sociological Theories* Pitirim Sorokin notes, “One cannot help thinking that Durkheim intentionally gave to his social types names which were opposite to those given by Tonnies” (Sorokin 1928:492)

regarding the 'other directed' people, and Mestrovic's examination of capitalism and consumerism in relation to the 'post-emotional' social character, allude to the idea that these professedly expressive social character types are merely an extension of modernity's "instrumental" mechanisms. Both Riesman and Mestrovic are optimists with their conclusions, noting that contemporary cultures can achieve emancipation from modernity's instrumentality, in the attainment of autonomy from their peer group.

The greatest common factor among these scholars is their general reluctance towards modernity. Both Tonnies and Durkheim agreed that more traditional societies had stronger ties to rituals and affective binds, and that with the advancement of modernity these relations become weaker, making the individual more egocentric and less intergraded to the group. Riesman and Mestrovic elaborate this thinking and offer hopeful insights for the melioration of society.

Mestrovic in particular suggests the integration of 'heart' and 'mind' principles. Mestrovic's last sentence in *Postemotional Society* (1997) reads, "My thesis may, in fact, be proved incorrect by others. But if it is correct to any degree, the first step toward eventual emancipation from postemotionalism must include realization that the problem exists. And this realization must involve heart as well as mind" (Mestrovic 1997:162). Mestrovic's invitation to integrate emotion and reason, the expressive and instrumental dimensions of society, in many ways reflects the conclusions extended by Bachofen and Fromm who proposed a synthesis of the mother-centered and father-centered principles.

In the Parsonian discourse, principles of rationality and emotional undertakings, which Parsons describes as expressive and instrumental social roles, balance the order of

social structures, including organizations such as the USMS, the institution of the family, and the sectors of medicine, education, religion, and businesses. Accordingly, the misbalance of instrumental—rational and expressive—emotional functions generates instability in the social body, leading to various forms of deviance. This dissertation observed cases of military misconduct that took place in units where social dynamics lacked embodiments of the expressive functions, particularly group cohesion and morale, clear definition of standards and boundaries, healthy command climate, sense of safety, and emotional well-being.

My general argument is that social functions characterized as expressive often are overlooked by contemporary practices, including military practices. Some examples illustrated in this dissertation include the cases of SPC Sabrina Harman and 1SGT John Hatley. These soldiers embodied expressive functionality for the overall balance of their units. SPC Harman cared for detainees in Abu Ghraib; she helped feeding them, gave the detainees clothes and medicine, and in various ways assumed motherly tasks providing for those who surrounded her. Similarly, 1SGT Hatley protected his soldiers, and gave to them the support and morale the USMS failed to give. SPC Harman's best attributes—emotional service, dissipated in the dysfunctional Abu Ghraib, and 1SGT Hatley's expressive leadership was not considered carefully during their courts-martial. In both cases, the USMS palpably neglected the importance of social roles that tend to the emotional composition of the human experience.

Other examples of expressive negligence discussed herein, include the forced division of labor at Abu Ghraib and the conflict zone where Alpha Company was

stationed. Both of these cases entail circumstances for which the soldiers were not trained. In both cases the USMS required the soldiers to performed duties that did not correspond to their abilities; namely, gathering intelligence at the Abu Ghraib prisons, and accomplishing quasi-police work in some of the worst areas of Baghdad in the case of Alpha Company. Forced division of labor accounts for expressive negligence because it restrains the spontaneous developments of the group in relation to habits of military conduct for which these soldiers were trained. More importantly, forced division of labor as discussed in this dissertation, accounts for expressive negligence because unexpected tasks as those assigned to the 800th MP Bridge and Alpha Company, do not help soldiers to stably adapt in stress provoking settings as the ones described. On the contrary, shuffling what is expected of the group creates dysfunctional climates inclined to deviate from the norms and values of the groups, as the norms and values are themselves ambiguous and confusing to the group.

Further instances of expressive negligence discussed in this work comprise poisonous command climates such as those governing each case of analysis. Consistently, the sites of war-crimes discussed herein faced dysfunctional leadership starting with higher-ranking personnel such as BG Janis Karpinski and her immediate staff at the Abu Ghraib sites, COL Steele and other officers in charge of the command culture of Charlie Company, and COL Harry Tunnell in the 5th Stryker Brigade. These toxic chains of command, neglected expressive experiences in the following ways,

- Failing to visit Tier 1 of the Hard-Site (Abu Ghraib)
- Failing to correct deficiencies of the 800th MP Brigade although they were aware of the brigade's shortcomings (Abu Ghraib)

- Failing to communicate effectively the rules and expectations of the mission (Abu Ghraib)
- The inability to accept many of the problems of the 800th MP Brigade were related to leadership problems (Abu Ghraib)
- Failing to recognize the pressure, stress and confusion that contributed to the atmosphere of the 800th MP Brigade (Abu Ghraib)
- Failing to properly train soldiers (Abu Ghraib)
- Not enforcing military uniform standards (Abu Ghraib)
- Not enforcing military salutation standards (Abu Ghraib)
- Not posting international law standards throughout the prisons (Abu Ghraib)
- Failing to remedy low morale in the unit (Abu Ghraib)
- Employing poisonous rhetoric in inspirational speeches given to Charlie Company depicting the enemy as “pray” (Operation Iron Triangle)
- Ordering unlawful, ambiguous, ROE such as “kill all military-aged males” (Operation Iron Triangle)
- Using “kill boards,” “kill charts,” and “kill knives” as a means of encouragement and reward for killing (Operation Iron Triangle)
- Allowing unauthorized weapons such as a 9 millimeter stun gun (Operation Iron Triangle)
- Failing to remedy low morale in the unit (Operation Iron Triangle)
- Failing at making soldiers feel safe (Baghdad Canal Killings)
- Failing to eliminate rules that create double-binds for soldiers in zones of conflict (Baghdad Canal Killings)

- Failing to tend to the soldiers' frustrations (Baghdad Canal Killings)
- Failing to understand and support soldiers' feelings of helplessness towards the DHA (Baghdad Canal Killings)
- Failing to understand that soldiers are not police-men and are not trained as police-men, as a result gathering evidence, taking photographs of crime and gathering witnesses are not a tasks that set up the unit for success (Baghdad Canal Killings)
- Failing to remedy low morale in the unit (Baghdad Canal Killings)
- Failing to sustain direct interaction with junior subordinates (Maywand District Killings)
- Failing to mentor and visit among junior subordinates (Maywand District Killings)
- Showing blatant disagreement about military doctrine with other commanding staff in front of junior serviceman (Maywand District Killings)
- Limiting social interaction with officers and NCOs (Maywand District Killings)
- Being "unapproachable," "stubborn," "close-minded," and "introverted" as a leading commanding officer (Maywand District Killings)
- Failing to circulate among the staff (Maywand District Killings)
- Not enforcing military uniform standards (Maywand District Killings)
- Not enforcing military salutation standards (Maywand District Killings)
- Not reporting what appears to be irrelevant deviance such as shooting a dog or a chicken of a local farmer; falling asleep without a watch guard; kicking

the door of homes at local villages; and consuming unauthorized substances such as alcohol and hashish (Maywand District Killings)

- Failing to improvise SOP for unexpected (spontaneous) forms of war-crime report in the Senate and Pentagon (Maywand District Killings)
- Failing to remedy low morale in the unit (Maywand District Killings)

Additional stems of poisonous command climates trace to higher branches of the USMS's chain of command, including the U.S Senate and the White House. For instance, general practices of the USMS to cross-level soldiers among various units, and enable much too frequent cycles of deployment and redeployment. Unit cross-leveling is affectively damaging because it arrests the development of relationships, emotional bonds and social stability within a unit, as soldiers may feel like a stranger, or an outsider to the group. In addition, repeated sequences of military deployment breaks important periods of rest needed for revitalization, recovery and renewal. These intervals of time away from combat zones are important for reconnection with other vital circles of support such as family, friends and other civilian groups.

Other procedures that are generally adopted by the military system at large and not associated with a particular unit, or identifiably agent, include the use of strict punitive methods that advance bodily and psychological stress on the soldier as they undergo criminal investigations. Examples of these are the employment of shackles to imprison the soldiers, harsh solitary confinement conditions, sleep deprivation, isolation from family and friends, and signing pre-trial agreements. These measures largely neglect expressive functions and show to be standardized practices across the USMS, perpetuating higher levels of emotional and psychological stress in the soldiers.

The lack of expressive undertakings in the U.S military fundamentally reflects patriarchal principles generated by modernity and associated with the ideas of capitalism and efficiency. Mestrovic's *Postemotional Society* and George Ritzer's *The McDonalozation of Society* (1993) elaborate on these connections. The work of Bachofen attempts similar constructions. Bachofen describes modernity in relation to cultural phenomena that is 'fictive' and depleted of material and corporeal embodiments. He notes, "an Apollonian world, with its fictive paternity, will rise to the idea of a purely spiritual generation, a motherless paternity divested of all materiality" (Bachofen [1861] 1967:112). Bachofen further notes, "Father right (...) pertains to the *supramaterial principle of life*" (added emphasis Bachofen [1861] 1967:129).

The importance of these theoretical ideas lies on the social consequences which derive from these "supramaterial" principles that direct the collective experience. Fromm elaborates upon Bachofen's theories to discuss the psycho-emotional constituents of matriarchal societies in comparison to patriarchal cultures. Furthermore, Fromm contends that in comparison to individuals who are emerged in the cultural patterns of matriarchal, expressive societies, cultures rooted in instrumental, father-centered principles, are more prone to negative complexes associated with suffering, contrition and general life dissatisfactions. Fromm states,

Paternal love typically leads to two results: (1) loss of the psychic security that comes from the knowledge that one is loved unconditionally; (2) intensification of the role of conscience—i.e., the person develops an outlook in which the fulfillment of duty becomes the central concern of life, because only that can provide some minimum guarantee of being loved (Fromm [1994] 1997:40)

Fromm's assessment about the psychology of father-centered, instrumental cultures, and the individuals of these collective formations, is characterized further by a series of traits related to a strict superego, feelings of guilt, submissive love for authority, and its psychological inversion—the desire for dominating the weak (Fromm [1994] 1997). Riesman's expansion of this social character type includes the feelings of anxiety, which are patent throughout psychological analysis of contemporary military personnel. While Fromm discusses the effects of expressive negligence and the overemphasis of instrumental principles from a theoretical perspective, the present work illustrates with social facts the types of derangement which derive from these assumptions.

The Instrumental-Expressive Structure of Responsibility

Paul Fauconnet, a pupil of Durkheim, noted in *Responsibility: A Study in Sociology* (1928) that modern forms of justice retain countless traces which derive from the most traditional structures for judging responsibility. Moreover, Fauconnet notes that these lingering traces themselves are rooted in religious principles. Drawing from Durkheim's works, Fauconnet brings attention to how contemporary views of justice, similar to traditional forms of justice, serve to bind the collective as well as the individual, revive the beliefs and values of the group, and in due course offer social cohesion. For Fauconnet, principles of justice and modern law are intrinsically religious,

implicitly resulting in the balance of expressive and instrumental functions. Fauconnet states,

It is remarkable that laws, secular in their inspirations and subjectivist in their tendency, derogate from their principles to prescribe ritual sanction for accidents or to incriminate penally certain involuntary sacrileges. But here again it is necessary to go beyond the penal system of the State to achieve in its full expansion the objective responsibility that criminal law admits only exceptionally, and that it tends to eliminate. Its proper domain is religion (Fauconnet [1928] 1978:44).

This dissertation has approached the USMS as a social body that is traditional, religious, and to great lengths “matriarchal.” Albeit, many of the USMS’s matriarchal currents often remain unconscious, and in some cases these manifestations are blatantly neglected. Selected examples of these remaining matriarchal dimensions, which also account for expressive social roles, include the emphasis of ritualistic behavior and deference towards collective rituals; the personification of collective representations of the United States of America and the Army as a mother figure and family figure; the love towards fellow soldiers as brothers and family; and the role of military wives and mothers.

Adding a new dimension to Fauconnet’s discussion of contemporary justice it is important to bring attention to the fact that because the USMS is a traditional, ancient institution, expressive elements are embedded in the court-martial law process to greater degrees than in civil courts. One of the most distinguishing factors between the military justice system and civil courts is the broad authority of the commander—referred to as “the convening authority”—who summons the court-martial to amend the findings and sentence given at the trial. While this type of authority is most often exercised as a

clemency power, the commanding officer has unconstrained and autonomous discretion to commute the sentence for any reason, or without having a reason, as long as the new amendments do not increase the severity of the punishment (*United States vs. Robert L. Finster*). The commanding officer's authority of clemency may include reducing the sentence to less punishment, restoring benefits, forgiving a dishonorable discharge, and altogether retrieving the charges against the accused. In other words, the convening authority has the option to practice mercy, but is constrained by military tradition and law from exercising revenge or improving upon the justice meted out at courts-martial.

This practice in the U.S military justice system dates from the earliest Articles of War including Article of War 47 (1917), reprinted in *Manual for Courts-Martial, U.S. Army, 1917*, at 316; Art. 54(a), *Articles for the Government of the Navy (1926)*, reprinted in *Naval Courts and Boards, 1937*, at 468; Art. 89, *Articles for the Government of the Armies of the United States, 2 Stat. 359 (1806)*, reprinted in *W. Winthrop, Military Law and Precedents 984 (2d ed. 1920 Reprint)*; Art. 49, *Act for the Government of the Navy, 1 Stat. 709 (1799)*.

According to USMS's standards, these principles of justice are given to the commanding officer "based upon the responsibility of a military commander for the state of discipline and justice of the command" (*United States vs. Robert L. Finster*). Moreover, for "traditional" military law the officers in command abound high degrees of accountability over their unit, including issues of discipline, which can be described as instrumental, and matters of justice, which entail elements that are expressive, such as mercy. In a word, the USMS requires the officers in command to be balanced leaders.

This kind of authority and influence makes the commander of the base the utmost expressive figure in the court-martial process, given that the commanding official has the ability to override any decision made by the Military Judge of the trial. Figuratively speaking, if the Military Judge represents cold hard rational justice, the commanding officer embodies its counterpart, depicting constituents of expressive mercy.

The overemphasis of instrumental patriarchal principles that accompany modernity and civilization have infiltrated even the most traditional social institutions, including the USMS, creating a culture that largely neglects expressive functions. Correspondingly, the role of the commanding officials seem to dissipate in courts-martial, as trials' verdicts more heavily, and more commonly, rely on mandatory minimum sentences and the decision of the Military Judge alone.

To illustrate, for the cases of abuse at the Abu Ghraib prisons none of the soldiers received clemency. These cases were characteristically political, extremely high profile, and presumably served as means of scapegoating other government-oriented issues. Similarly, the cases for Operation Iron Triangle received no clemency from the commanding general; likely because these cases, comparable to Abu Ghraib, involved high profile military personnel.

The trials for the Baghdad Canal Killings obtained some leniency, reducing SGT Michael Leahy's sentence from life in prison to twenty years, SGT 1st Class Joseph Mayo's sentence from life in prison to twenty years, and 1 SGT John Hatley's sentence from life in prison to forty-five years. The Baghdad Canal Killing cases receive a high volume of requests for clemency, via letters and the internet, particularly after the CNN

news special. The wives and mothers for the soldiers involved in the Canal Killings subsumed a vigorous role for the pleading of mercy. Expert witness Mestrovic attests that during the court-martial of SGT Leahy, the president of the military panel (or jury), COL Sorensen, who asked for SGT Leahy's sentence to be reduced to ten years, cried when the military judge sentenced Leahy to life in prison. Overall, the Canal Killings cases were very emotional, and arguably, very controversial. Finally, the cases for the Maywand District Killings are still pending upon final verdicts.

The significant relationship that should be illuminated in this discussion is the USMS's expansive abandonment of expressive functions from beginning to end, which is reflective of greater social dysfunctions at a cultural level. Similar to any other social acts and social institutions, the structure of responsibility in the military justice system should be balanced by instrumental and expressive principles, denoted by justice and mercy correspondingly. However, an overemphasis of pre-trial agreements and minimum sentences—indicators of efficiency and rational principles, trump the expressive role of commanding officers who reserve the right and supremacy over clemency.

Recommendations and Further Research

This dissertation has offered a wide-ranging critique of the neglect of expressive functions in the USMS. Correspondingly, I urge the U.S military to carefully consider the following list of recommendations in relation to the future leaders of the military

system. This list of measures encourages the expansion of expressive faculties in relation to command.

- Remain perceptive of soldiers' inclinations and dispositions to lessen forced division of labor
- Remain perceptive of soldiers' frustrations, morale and expectations to mitigate collective confidence, the self-assurance and optimism of the group
- Remain perceptive of soldiers physical and emotional needs
- Visit, circulate and communicate with soldiers in the unit
- Sustain consistency in the way superiors and subordinates interact
- Abide to salutation and uniform standards as these principles generate social cohesion
- Diminish soldier cross-leveling to avoid stress and secure social cohesion
- Remain perceptive of social division among soldiers of a unit
- Minimize ambiguity
- Minimize uncertainty
- Minimize double binds
- Remain perceptive of soldiers feelings and opinions about the command climate
- Follow J-MHAT's recommendations regarding advocacy, which includes leadership that sticks up for soldiers
- Follow J-MHAT's recommendations regarding communication, which includes delivering information in a way that is relatable, clear and concise

- Follow J-MHAT's recommendations regarding self-giving, which including avoiding double-standards, and favoritism
- Follow J-MHAT's recommendations regarding compassion, which includes leadership that cares about the soldiers

Recommendations for the U.S. Military System as a whole,

- Embrace expressive doctrines such as the Geneva Law and COIN, which extend universal principles of humane treatment
- Encourage soldiers to be culturally sensitive and culturally aware
- Educate soldiers about various forms of cultural values and beliefs systems
- Restrict deployment periods to a maximum of 100 days
- Diminish the cross-leveling of soldiers
- Apply humane treatment to soldiers undergoing criminal investigation
- Eliminate the employment of inhumane solitary confinement for soldiers undergoing criminal investigation
- Make room for spontaneous decision making outside military SOPs
- Encourage commanding officers' authority over court-martial clemency and verdicts
- Offer individual and group counseling on deployment site
- Encourage individual and group counseling

Finally, the examinations and analyses presented in this dissertation open up a field of possibilities for studying dysfunctional organizations specific to the USMS, and

outside the military domain. Further research related to the USMS should observe the negligence of expressive functions in particular contexts, such as the negligence of expressive functions in military training camps; the negligence of expressive functions in each military branch; and the negligence of expressive functions in other government agencies including the CIA, the U.S judicial branch, Congress, and Senate. These and other institutions cooperate, working together, and to assume the Army alone is affected by the neglect of affective embodiments would be foolish.

Moreover, additional research external to the military sphere should explore how the misbalance of expressive and instrumental functions affects the social sectors of the family, education, medicine, and businesses. In other words, how the abandonment of the mother-consciousness, affectivity and other elements of the expressive pattern variable contribute to various forms of social derangement and deviance.

REFERENCES

- ACLU. 2006. "The Case Against Rumsfeld." *American Civil Liberty Union*. Retrieved April 16, 2012 (<http://www.aclu.org/national-security/case-against-rumsfeld>).
- AI. 2002. "US Letter to Donald Rumsfeld." *Amnesty International*. Retrieved April 16, 2012 (<http://www-secure.amnesty.org/en/library/asset/AMR51/005/2002/en/efb5a2dc-d8a3-11dd-ad8c-f3d4445c118e/amr510052002en.html>).
- _____. 2003a. "Amnesty International Report 2003." Amnesty International. Retrieved April 16, 2012 (<http://www.amnesty.org/en/library/asset/POL10/003/2003/en/9130fc1e-d743-11dd-b024-21932cd2170d/pol100032003en.pdf>).
- _____. 2003b. "Iraq: Memorandum on Concerns Relating to Law and Order." *Amnesty International*. Retrieved April 16, 2012 (<http://www.amnesty.org/en/library/asset/MDE14/157/2003/en/968002d6-d6b1-11dd-ab95-a13b602c0642/mde141572003en.pdf>).
- Al-Issawi, Tarek. 2003. "Military opens hearing into alleged abuse of prisoners," *Associated Press*, August 28. Retrieved April 18, 2012 (<http://www.semissourian.com/story/118229.html>).
- Ashcroft, John Attorney General. 2002. Letter to the President. Washington DC. Retrieved April 17, 2012 (<http://www.cbsnews.com/htdocs/pdf/DOJ2062204.pdf>).
- Associated Press. 2003a. "US concedes, shuts prison in Iraq," Boston.com, October 6. Retrieved April 18, 2012 (http://articles.boston.com/2003-10-06/news/29195902_1_detainee-issues-camp-cropper-security-detainees).
- _____. 2003b. "8 Marine reservists face charges of mistreating POWs in Iraq," Boston.com, October 19. Retrieved April 18, 2012. (http://articles.boston.com/2003-10-19/news/29195478_1_count-reservists-cruelty-and-maltreatment).
- Bachofen, J.J. [1861] 1967. *Myth, Religion, and Mother Right: Selected Writings of J.J. Bachofen*. Translated by Ralph Manheim. New Jersey: Princeton University Press.
- Bellah, Robert N. 1967. "Civil Religion in America." *Dædalus, Journal of the American Academy of Arts and Sciences* 96(1):1-21. Retrieved April 15, 2012 (http://www.robertbellah.com/articles_5.htm).

- Bensahel, Nora. 2006. "Mission Not Accomplished: What Went Wrong with Iraqi Reconstruction." *The Journal of Strategic Studies* 29(3):453-473. Retrieved April 18, 2012 (http://www.taylorfrancis.com/journals/pdf/papers/FJSS_A_176544_P.pdf).
- Berry, John Stevens. 1984. *Those Gallant Men: On Trial in Vietnam*. New York: Presidion Pr.
- Bourricaud, François. 1981. *The Sociology of Talcott Parsons*. Chicago: University of Chicago Press.
- Bush, George W. 2002. "Humane Treatment of al Qaeda and Taliban Detainees." Memorandum to the Presidential Cabinet. Retrieved April 17, 2012 (<http://www.dia.mil/public-affairs/foia/pdf/detainee/Humane%20Treatment%20of%20al%20Qaeda%20and%20Taliban%20Detainees.pdf>).
- _____. 2004. "Global Message from President Bush's interviews with Al Arabiya and Alhurra May 5, 2004." The White House. Retrieved April 17, 2012 (<http://georgewbush-whitehouse.archives.gov/news/releases/2004/05/20040506-1.html>).
- _____. 2007. "Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency." Presidential Documents, Executive Order 13440. Retrieved April 17, 2012 (<http://www.gpo.gov/fdsys/pkg/FR-2007-07-24/pdf/07-3656.pdf>).
- Bybee, Jay S. Assistant Attorney General. 2002. "Re: Application of Treaties and Laws to al Qaeda and Taliban Detainees." Washington D.C. Retrieved April 17, 2012 (<http://f11.findlaw.com/news.findlaw.com/hdocs/docs/doj/bybee12202mem.pdf>).
- Caldwell, Ryan Ashley. 2009. *Gender and the homoerotic logic of torture at Abu Ghraib*. Dissertation, Texas A&M University.
- _____. 2012. *Fallgirls: Gender and the Framing of Torture at Abu Ghraib*. London: Ashgate.
- Caldwell, Ryan Ashley and Stjepan Mestrovic. 2008a. "Torture, What is it Good For? Absolutely Nothing! An Analysis of the Response to Abuse at Abu Ghraib." *Theory in Action* 1(4):123-139.
- _____. 2008b. "The Role of Gender in 'Expressive' Abuse at Abu Ghraib." *Cultural Sociology* 2(3):275-299.
- CNN. 2009. "The Killings at the Canal: The Army Tapes." Investigation by Special

- Investigations Unit Correspondent Abbie Boudreau. Retrieved April 17, 2012 (<http://www.cnn.com/SPECIALS/2009/army.tapes/>).
- CP. 2006. "War Crimes Committed by the United States in Iraq and Mechanisms for Accountability," Consumers for Peace, October 10. Retrieved April 18 2012 (http://www.consumersforpeace.org/pdf/war_crimes_iraq_101006.pdf).
- Crouchet, Jack. 1997. *Vietnam Stories: A Judge's Memoir*. Boulder: University Press of Colorado.
- Durkheim, Emile. [1893] 1984. *The Division of Labor in Society*. Translated by W. D. Halls. New York, NY: The Free Press.
- _____. Suicide [1897]. 1951. *Suicide*. New York: The Free Press.
- _____. (1912). *The Elementary Forms of Religious Life*. Translated by Karen E. Fields. New York, NY: The Free Press.
- Enders, David and Peter Conradi. 2004. "Iraqi tells of torture in US prison camp," *The Sunday Times*, January 18. Retrieved April 18, 2012 (<http://www.thesundaytimes.co.uk/sto/public/sitesearch.do?querystring=detainee+held+by+coalition+forces+in+Iraq.++Detainee+claimed+he+was%2C+%E2%80%9Cb+eaten+frequently%2C+given+shocks+with+an+electric+cattle+prod%2C+and+had+one+of+his+toenails+prised+off§ionId=2&p=sto&bl=on&pf=all>).
- Ferdinand, Tonnies. [1987] 2001. *Gemeinschaft and Gesellschaft*. Cambridge: Cambridge University Press.
- Ferrier-Auerbach, Amanda G., Christopher R. Erbes, Melissa A. Polusny, COL Michael Rath, Scott R. Sponheim. 2010. "Predictors of emotional distress reported by soldiers in the combat zone." *Journal of Psychiatric Research* 44(7):470–476.
- Fromm, Erich and Michael Maccoby. 1970. *Social Character in a Mexican Village*. New Jersey: Prentice Hall Publishing.
- _____. [1994] 1997. *Love, Sexuality, and Matriarchy: About Gender*. New York: Fromm International Publishing Corporation.
- Fauconnet, Paul. [1928] 1978. *Responsibility: A Study in Sociology*. Unpublished translation. Translated by William Jeffrey, Jr. Cincinnati, OH: University of Cincinnati College of Law.
- Gall, Carlotta. 2003. "U.S Military Investigating Death of Afghan in Custody," *The New York Times*, March 4. Retrieved April 17, 2012

(<http://www.nytimes.com/2003/03/04/international/asia/04AFGH.html?pagewanted=all>).

Garrison, Denzil D. 2006. *Honor Restored*. Mustang, Oklahoma: Tate Publishing.

Greenberg, Karen J. and Joshua L. Datrel. 2005. *The Torture Papers: The Road to Abu Ghraib*. Cambridge: University of Cambridge Press.

Grossman, Dave. [1995] 1996. *On Killing: The Psychological Cost of Learning to Kill in War and Society*. New York, NY: Back Bay Books.

Haynes, William J. 2002. "Counter-Resistance Techniques." Retrieved April 17, 2012 (<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB127/02.12.02.pdf>).

Hotchkiss, S. 2002. *Why Is It Always About You? The Seven Sins of Narcissism*. New York, NY: Free Press.

HRW. 2003a. "US: Guantanamo Kids at Risk," Human Rights Watch, April 24. Retrieved April 17, 2012 (<http://www.hrw.org/news/2003/04/23/us-guantanamo-kids-risk>).

_____. 2003b. "United States: Bush-Blair Talks Must Ensure Fair Trials at Guantánamo," Human Rights Watch, November. Retrieved April 17, 2012 (<http://www.hrw.org/news/2003/11/13/united-states-bush-blair-talks-must-ensure-fair-trials-guant-namo>).

_____. 2004a. "Letter to Rumsfeld on Mistreatment of Prisoners in Detention Facilities," Human Rights Watch, May 6. Retrieved April 18, 2012 (<http://www.hrw.org/de/news/2004/05/05/letter-rumsfeld-mistreatment-prisoners-detention-facilities>).

_____. 2004b. "A Timeline of Torture and Abuse Allegations and Response," AntiWar.com, May 8. Retrieved April 17, 2012 (<http://www.antiwar.com/news/?articleid=2531>).

_____. 2004c. "The Road to Abu Ghraib," Human Rights Watch, June. Retrieved April 18, 2012 (<http://www.hrw.org/sites/default/files/reports/usa0604.pdf>).

Janowitz, Morris. 1960. *The Professional Soldier: A Social and Political Portrait*. New York, NY: Free Press.

James, Larry C. and Philip Zimbardo. 2008. *Fixing Hell: An Army Psychologist Confronts Abu Ghraib*. New York, NY: Grand Central Publishing.

- Karpinski, Janis. 2005. *One Woman's Army: The Commanding General of Abu Ghraib Tells Her Story*. New York, NY: Miramax.
- Knowlton, William. 1986. "Cohesion and the Vietnam Experience." *Military Review* 66:62-63.
- Lackey, Pat N. 1987. *Invitation to Talcott Parsons*. Houston TX: Cap and Gown Press.
- Lewis, Neil. A. 2003. "Red Cross Criticizes Indefinite Detention In Guantánamo Bay," *The New York Times*, October 10. Retrieved April 18, 2012 (<http://www.nytimes.com/2003/10/10/us/red-cross-criticizes-indefinite-detention-in-guantanamo-bay.html?pagewanted=all&src=pm>).
- Lewy, Guenter. 1978. *America in Vietnam*. New York, NY: Oxford University Press.
- Little, Roger W. 1964. "Buddy Relations and Combat Performance," pp. 221 in *The New Military: Changing Patterns of Organization*, edited by Morris Janowitz, New York: Russell Sage Foundation.
- Lukes, Steven. 1985. *Emile Durkheim: His Life and Work: A Historical and Critical Study*. Palo Alto CA: Stanford University Press.
- Marshall, Samuel L. A. 1947. *Men Against Fire: The Problem of Battle Command*. Norman, OK: The University of Oklahoma Press.
- Mestrovic, Stjepan. 1988. *Emile Durkheim and the Reformation of Sociology*. Maryland: Rowman & Littlefield Publishers.
- _____. 1993. *Habits of the Balkan Heart*. College Station, TX: Texas A&M University Press.
- _____. 1997. *Postemotional Society*. Thousand Oaks, CA: Sage Publications.
- _____. 2007. *The Trials of Abu Ghraib: An Expert Witness Account of Shame and Honor*. Boulder, CO: Paradigm.
- _____. 2008. *Rules of Engagement?: A Social Anatomy of an American War Crime – Operation Iron Triangle, Iraq*. New York, NY: Algora Publishing.
- _____. 2009. *The Good Soldier on Trial: A Sociological Study of Misconduct by the U.S. Military Pertaining to Operation Iron Triangle, Iraq*. New York, NY: Algora Publishing.
- _____. 2010. *SOCI 657 Cultural Studies –War Crimes*. Retrieved January 10, 2012

(<http://itunes.apple.com/us/itunes-u/soci-657-cultural-studies/id394384077>).

- Mestrovic, Stjepan and Ryan Ashley Caldwell. 2006. "Durkheim's concept of dereglement retranslated, Parsons's reading of Durkheim re-parsed: An examination of post-emotional displacement, scapegoating and responsibility at Abu Ghraib." *International Social Science Journal* 58:139-157.
- Mestrovic, Stjepan and Ronald Lorenzo. 2008. "Durkheim's concept of anomie and the abuse at Abu Ghraib." *Journal of Classical Sociology* 8:179-207.
- Mestrovic, Stjepan and Rachel Romero. 2011. "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)62-65.
- Moskos, CC. 1975. "The American Combat Soldier in Vietnam." *Journal of Social Issues* 35(4):21-37.
- Murphy, Dan. 2004. "In Tough Iraqi Conflict, Civilians Pay High Price," *The Christian Science Monitor*. Retrieved April 18, 2012 (<http://www.csmonitor.com/2004/0121/p04s01-woiq.html>).
- Murphy, Jim. 2011. "Honor Gold Star Mothers." *Proceedings* 137/1/1,295. Retrieved April 16, 2012 (<http://www.usni.org/fr/magazines/proceedings/2011-01/deckplates>).
- Opell, Richard A. 2004. "Explosion at Big American Base in Mosul Kills 22," *The New York Times*, December 22. Retrieved April 18, 2012 (<http://www.nytimes.com/2004/12/22/international/middleeast/22iraq.html>).
- Park, Robert E. and Ernest W. Burgess. [1921] 1969. *Introduction to the Science of Sociology*. Chicago: The University of Chicago Press.
- Parsons, Talcott. 1964. *Social Structure and Personality*. Glencoe, IL: Free Press of Glencoe.
- Priest, Dana and Barton Gellman. 2002. "U.S Decries Abuse and Defends Interrogations," *The Washington Post*, December 26. Retrieved April 17, 2012 (<http://www.washingtonpost.com/wp-dyn/content/article/2006/06/09/AR2006060901356.html>).
- Priest, Dana and Dan Eggen. 2005. "Terror Suspect Alleges Torture Detainee Says U.S. Sent Him to Egypt Before Guantanamo," *The Washington Post*, January 6. Retrieved April 18, 2012 (<http://www.washingtonpost.com/wp-dyn/articles/A51726-2005Jan5.html>).

- Riesman, David. [1959] 1961. *The Lonely Crowd: A Study of the Changing American Character*. New Haven, CT: Yale Nota Bene.
- Roberts, Les. 2004. "Mortality before and after the 2003 invasion of Iraq: Cluster Sample Survey." *The Lancet* 364(9448):1857-1864.
- Savage, Charlie. 2004. "CIA resists request for abuse data," *The Boston Globe*, December 27. Retrieved April 18, 2012 (http://www.boston.com/news/nation/articles/2004/12/27/cia_resists_request_for_abuse_data/?page=full).
- Shils, Edwards A., and Morris Janowitz. 1948. "Cohesion and Disintegration in the Wehrmacht in World War II" in *Public Opinion Quarterly* 12(2): 280-315.
- Sorokin, Pitrimin. 1928. *Contemporary Sociological Theories*. New York, NY: Harpers & Bros.
- Stouffer, Samuel A., Edward A. Suchman, Leland C. DeVinney, Shirley A. Star, and Robin M. Williams, Jr. 1949. *The American Soldier: Adjustment During Army Life, Volume I*. Princeton, NJ: Princeton University Press.
- Stouffer, Samuel A., Arthur A. Lumsdaine, Marion Harper Lumsdaine, Robin M. Williams, Jr., M. Brewster Smith, Irving L. Janis, Shirley A. Star, and Leonard S. Cottrell, Jr. 1949. *The American Soldier: Combat and Its Aftermath, Volume II*. Princeton, NJ: Princeton University Press.
- Summers, David M and Collette C. Summers. 2006. "Unadulterated Arrogance: Autopsy of the Narcissistic Parental Alienator." *The American Journal of Family Therapy* 34: 39-428.
- Taguba, Antonio M. 2004. *AR 15-6 Investigation on 800th MP Brigade at the Abu Ghraib Prisons, Iraq*. Retrieved April 18, 2012 (http://www.npr.org/iraq/2004/prison_abuse_report.pdf).
- Tocqueville, Alexis de. 1966. *Democracy in America and Two Essays on America*. Translated by George Lawrence. New York, NY: Harper & Row.
- Twitty, Stephen M. 2011. *AR 15-6 Investigation on 5/2 Stryker Brigade Combat Team*. Joint Base Lewis McChord, WA: Department of the Army, Headquarters I Corps.
- MHAT. 2003. "US Army Surgeon General. Operation Iraqi Freedom (OIF) Mental Health Advisory Team (MHAT) Report." Retrieved April 18, 2012 (http://www.armymedicine.army.mil/reports/mhat/mhat/mhat_report.pdf).

- _____. 2006. "US Army Surgeon General. Operation Iraqi Freedom Mental Health Advisory Team (MHAT-III) Report." Retrieved April 18, 2012 (http://www.armymedicine.army.mil/reports/mhat/mhat_iv/MHAT_IV_Report_17NOV06.pdf).
- _____. 2011 "US Army Surgeon General. Operation Iraqi Freedom Mental Health Advisory Team (MHAT-V) Report." Retrieved April 18, 2012 (http://www.armymedicine.army.mil/reports/mhat/mhat_vii/J_MHAT_7.pdf).
- U.S Department of Defense. 2006. *Quadrennial Defense Review Report*. Retrieved April 18, 2012 (<http://www.defense.gov/qdr/report/report20060203.pdf>).
- United States Court of Appeals for the Armed Forces: *US vs. Robert L. Finster*. 98-5032 (1999). Retrieved April 18, 2012 (<http://www.armfor.uscourts.gov/newcaaf/opinions/1999Term/98-5032.htm>).
- West, Allen. 2003. "Army colonel fined for firing gun near Iraqi," *The Seattle Times*, December 13. Retrieved April 18, 2012 (http://seattletimes.nwsourc.com/html/nationworld/2001814025_iraqdig13.html).
- Winkler, Gary. 2009. *Tortured: Lynddie Englad, Abu Ghraib and the Photographs that Shocked the World*. Fincastle, VA: Bad Apple Book LLC.
- Wong, Leonard, Thomas A. Kolditz, Raymond A. Millen and Terrence M. Potter. 2003. "Why They Fight: Combat Motivation in the Iraq War." Retrieved April 16, 2012 (<http://www.strategicstudiesinstitute.army.mil/pdffiles/pub179.pdf>).
- Wong, Leonard. 2006. "Combat Motivation in Today's Soldiers." *Armed Forces & Society* 42(4): 659-663.
- WGR. 2003. "Working Group Report on Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy, and Operational Consideration." Retrieved April 17, 2012 (<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB127/03.04.04.pdf>).
- Zimbardo, Philip. 2007. *The Lucifer Effect: Understanding How Good People Turn Evil*. New York, NY: Random House.

VITA

Rachel Romero

Texas A&M University
Sociology Department
311 Academic Building
College Station, TX 77843

May 2012	Ph.D. Sociology	<i>Texas A&M University</i>
May 2008	MS. Sociology	<i>Texas A&M University</i>
May 2006	BA. Sociology	<i>University of North Texas</i>
May 2006	BA. Spanish	<i>University of North Texas</i>