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‘Ideals that were really never in our possession’: Torture, Honor and US Identity[1]

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Abstract

This article addresses how the recent US treatment of suspects detained in its War on Terror relates to the issues of US self-identity and US honor. Both the abuse of these individuals, and the shock which such abuse engenders (when revealed to the US public), are manifested by punishment drives that reinforce a nation’s sense of internal honor, which is constructed and connected to a nation’s self-identity. While professing commitments to human rights, on the one hand, and interrogation and torture, on the other, are contradictory practices – they are similar in the sense that both are forms of discipline which uphold internally constituted ontological visions of the US Self. Drawing upon a Foucauldian view of ethics, ‘the relation to oneself’, the article avers that precisely because these disciplinary mechanisms are driven by self-identity and protecting the ‘honor’ of the US nation-state, domestic and international actors can use two tactics – ‘reflexive discourse’ and self-interrogative imaging – to stimulate US agents to reform such practices in the future.

Keywords: *Abu Ghraib, aesthetics, ethics, Foucault, honor, ontological security, self-identity, shame, torture, US identity*

> Do we sacrifice our ideals in order to preserve security? Terrorism inspires fear and suppresses ideals like freedom and individual rights. Overcoming the fear posed by terrorist threats is a tremendous test of our courage. Will we confront danger and adversity in order to preserve our ideals, or will our courage and commitment to individual rights wither at the prospect of sacrifice? My response is simple. If we abandon our ideals in the face of adversity and aggression, then those *ideals were never really in our possession*. I would rather die fighting than give up even the smallest part of the idea that is ‘America.’[2]

Captain Ian Fishback sent the above letter to US Senator John McCain in the context of a debate over the proper treatment of individuals detained in the US War on Terror. Fishback’s words engage some of the primary issues explored in this article, such as the tension between security and ‘ideals’, and more directly, as the letter was titled when reprinted in the *Washington Post*, the ‘matter of honor’, specifically the honor of the United States. This article addresses how the recent US treatment of prisoners detained in its War on Terror relates to its conception of self-identity. I begin with the observation that the same country which conducted prisoner abuses also consistently purports to uphold ‘human rights’ in its foreign policies. There is

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an apparent disconnection here that requires explication, and honor provides that connection. To make this intelligible, I argue that there is a duality to US honor, in that both the abuse of terror suspects, and the shock which such abuse engenders (when revealed to the US public), are manifested by punishment drives that reinforce a nation's sense of internal honor, which is constructed and connected to a nation's sense of self-identity.

Some of the blame for these abuses of course lay with those individual members of the military who committed the acts. Yet these individuals were also part of a deeper *disciplinary* process of US self-identity, one that must be unpacked to more comprehensively understand how US abuse has been justified and sustained. One example of such power is evident through the experience of US Army Sergeant Joseph Darby, the whistleblower of Abu Ghraib, who could not return to his home in Cumberland, Maryland, because of the threats to his life that he faced from fellow Americans who considered him a 'rat', 'traitor', and/or 'someone who let his unit down'.[3] This disciplinary process was also at work on 28 September 2006, when the US Senate passed the Military Commissions Act of 2006 *by nearly a 2–1 margin*.[4] The act included provisions that barred terrorist suspects from their habeas corpus right to challenge their detentions in court. While outlawing certain explicit interrogation practices, the act also allowed the executive to independently define further permissible interrogation techniques. Finally, disciplinary self-identity was revealed most recently in a debate among the presidential candidates for the 2008 Republican nomination, where one candidate appeared to support the use of water-boarding, and another supported the 'doubling' of the US detention center in Guantanamo Bay, Cuba. What is most revealing is that, according to one account, these answers 'drew *enthusiastic applause* from the Republican audience'.[5] Thus, I share Karen Greenberg's assertion that:

> these concerns [over such practices] are the beginning of a debate which must ultimately call into question not the Bush administration but the American people. The use of coercive interrogation techniques was downplayed, not only by the military, but by the US press as well.[6]

The article begins by briefly reviewing the issue of honor in international politics and its discursive manifestation in the United States, and also explicates the connection of honor to self-identity. The second section reviews US policies regarding the current 'War on Terror', specifically the treatment of prisoners of war or enemy combatants. While certain streams of US autobiographical narratives suggest an 'American exceptionalist' obligation to human rights, such streams politicize that obligation in regard to the treatment of terror suspects and prisoners of war. Thus both practices (upholding human rights and the abuse of terror suspects) can serve self-identity commitments. Using a Foucauldian view of ethics, 'the relation to oneself', I assert in the third section that precisely because these disciplinary mechanisms are driven by self-identity and protecting the 'honor' of the US state, domestic and international actors can use two tactics to stimulate US agents to reform such practices. First,

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actors might use what I have termed in my other work 'reflexive discourse',[7] by using unfavorable historical analogies to manipulate such identity commitments in order to incite the United States into ending such practices. Such manipulation can produce 'shame', the inverse associate of honor. This dovetails with the position noted in the conclusion of Andrew Linklater's recent article. He asserts how the 'civilizing process' itself 'involves changes in shame, embarrassment and disgust as well as social-structural modifications, [which] provides opponents of the compromise with torture with important moral *resources*'.[8] Second, actors can use what I term 'self-interrogative imaging' – 'visually exposing' such practices in a way that contradicts the 'private/invisible' panoptic efficiency of modern punishment. Such images are sites where the US Self can be refracted – sites which counter the aesthetically pleasing vision of the US state so important to Americans in constituting, in the words of Fishback, the 'idea that is "America"', and thus might force the United States to repair its stained honor by avoiding such practices in the future.

Honor and the Self

Richard Ned Lebow interprets the international presence of honor as a double-edged sword: 'Honor-driven worlds are ... highly competitive, but they also require a high degree of consensus and cooperation. Honor is only meaningful if recognized and praised by others.'[9] Here, honor is a material. States thus compete for recognition through a 'zero-sum game'.[10] Lebow's more recent work places ontological primacy upon *societal* factors in the construction of honor – 'because the spirit [honor] can only express itself in society'.[11] Yet one can furthermore recognize how honor is developed through internal reflection, and how it relates to an agent's sense of Self. In other words, contra Lebow, honor is not 'only meaningful if recognized and praised by others'.[12] In ancient Greece, honor was the inverse of shame – yet neither shame nor honor depended solely upon *public* judgment. As I discuss below, in social psychology and structurationist sociology, shame is a deeply private, introspective evaluation, and I focus here upon what Lebow in his other work has titled the *internal honor* of social agents.[13] Such internal honor exists in a constitutive relationship with a nation's self-identity.[14] That is, what we find to be 'honorable' at the individual level is shaped and promoted by our sense of who we are, and the honorable is engaged through actions which fulfill a commitment about what 'we' have been, who we are now, and who or what we wish to be in the future. Any 'personification' of national attributes presumes both intersubjective (citizens engaging in 'national honor' as a social construct) *and* atomistic or intrinsic ('one' conception of honor distinct from that of other nation-states) components. Lebow observes that internal honor 'appears to be a near-universal attribute of warrior classes' and that it was 'critically import[ant]' in the twentieth century for European nation-states.[15] Internal honor exists in the conscience of a social agent, in the form of 'internal sanctions against inappropriate conduct'.[16] If its self-identity shapes what it honors, the converse is also true – performing 'honorable' actions helps reinforce (or adjust) an agent's sense of who they are and what they stand for.

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There is an intense internal disciplinary mechanism to both self-identity and internal honor. In the structurationist account of self-identity, agents form routines to cope with everyday life, to securitize them against external threats to their identity through time or to ensure their 'ontological security'.[17] The tension here is that the same trait which makes routines so vital – their ability to defend us from external identity threats – also makes them the key obstacle to recognizing the dire consequences our past and current actions have had for our eventual Selves. Routines discipline and punish the Self, obscuring alternative paths for action. Yet, like internal honor, routines have a dual nature – they can be reflexively reconstituted in the light of new, incoming information. They can, in short, both constrain (discipline) and enable (quasi-emancipate) social agents.

Furthermore, the literature covering both self-identity and honor uses a similar metaphor – shame – to describe what deters an agent who seeks a secure sense of Self or honor. Compared to guilt – the transgression of a public code or precept – shame is a much more private offense. Shame becomes somewhat evident in the discursive expression of remorse or regret. This does not mean that the speaker issuing such regret is taking *personal* blame for an identity disconnection – but it does imply that the speaker, as a member of the nation-state, experiences that disconnection and in turn seeks to see such self-identity 'disruptions' repaired in current and future foreign policy actions.

The importance here is that internal honor, because it relates to *self*-identity, is a form of discipline and one that can be much more coercive than the disciplining function of social-communal standards, what some Foucauldian scholars have termed 'command' ethics.[18] In fact, it is the precise contrast that internal honor obtains against this command or external code of honor that, in Foucault's reading of the Self, which I elaborate in greater detail in the third section, makes ethical action possible. Internal honor creates the Self as an 'ethical subject', developed as the process Foucault outlines regarding moral action:

> in which the individual delimits that part of himself that will form the object of his moral practice, defines his position relative to the precept he will follow, and decides on a certain mode of being that will serve as his moral goal. And this requires him to act upon himself, to monitor, test, improve and transform himself.[19]

Reformation is possible through what I term (borrowing again from Foucault) the 'contra-aestheticiation' of the US Self. The practice of 'self-interrogative imaging' (see below) can 'shame' the US Self by harnessing the disciplinary ability of US honor to react *against* the 'ugly' visual representation of the US nation-state and serve to reform US actions in war. It is this possibility that we consider as we turn to the influence of internal honor in disciplining actions of the US Self.

Sources of US internal honor

While honor colors the actions of nation-states, an assortment of scholarly studies suggest that its presence is either radically reduced or even non-existent in the United

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States.[20] Historian Bertram Wyatt-Brown observed in his 1982 book regarding honor and the United States how 'the ethic of honor continued to weaken ever more speedily as class consciousness, secularism, and other forces hastened its departure, especially after World War I'.[21] As discussed in detail by Sharon Krause, Tocqueville recognized both a 'form' of US honor but also a more pronounced tension between US democracy and honor. These tensions result from the egalitarian basis for democracy, which include: (1) honor not being referenced as often in a democracy compared to an aristocracy; (2) such codes of honor are less detailed than in hierarchical societies; and (3) individuals are less identifiable in a democracy – if they cannot be distinguished by larger society, they cannot accrue any honor.[22] James Bowman also takes the view that the 'primitive' notion of cultural honor has been removed from Western discourse entirely. Such honor was 'discredited' and lost through 'novels, plays, films, and television shows' of the twentieth century.[23]

A second interpretation of the presence of US honor, one that Wyatt-Brown himself proffered over 20 years ago,[24] is that it was mainly present in the culture of the American South. One would imagine that such a perspective would have decreased after the US Civil War – but in his more recent work Wyatt-Brown observes how it was instead reinforced by the 'lost cause' myth, fostered by generations of shame over the Confederate defeat.[25] This form of honor was channeled in most (but not all) cases through Southern-born/bred presidents and opinion leaders who interpreted an enemy's actions as an affront to their honor, beginning with the experience of Thomas Jefferson (a Virginian) with the Barbary pirates, through the First World War (Wilson, a Georgian), and to more recent US conflicts in Vietnam (Johnson – Texas) and Iraq (George W. Bush – Texas).

US internal honor, which I later argue is most important for both understanding the institutionalized practice of torture and also how such torture might be once again prohibited, delineates US self-identity. We can thus 'make sense' of what has historically constituted America's internal honor through time by generalizing about various themes observed through US autobiographical narratives, or what Giddens terms a social agent's 'narrative of the self'.[26] These narratives are internal honor 'benchmarks' which in turn constitute the agent, providing an approximating coherence to their sense of Self.[27]

A variety of narratives proliferate in relation to the identity of a nation-state, as Ted Hopf and Iver Neumann have both demonstrated.[28] Indeed, this helps make the Self of nation-states multifaceted, and it is, as Anthony Lang notes, 'the very deconstructability of the state that provides some possible avenues for alternative action'.[29] The malleability of the Self is a well-argued outlook that has been formulated over time. The conflict in Augustine's *Confessions* occurs between the author's older, more hedonistic Self and the realization of a newer, spiritual and liberated 'transcendent' Self born from the old. Niebuhr argued that the possibilities for moral action rested upon the ability of the *individual* mind to conceive of 'morality'.[30] This re-transformation of the Self might be accomplished through distanciation, a term Mark Freeman borrows from Ricoeur and defines as 'the need for *divesting* oneself of those modes of experience that, by virtue of their inadequacy,

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have prevented one from moving forward as readily as one might'.[31] In order to jettison the damaging aspects of the Self, actors must evaluate those aspects from a distanciated place. This is possible, as Foucault suggests, by 'look[ing] into another eye, one *in* oneself ... [to] know oneself, i.e., gain ontological knowledge of the soul's mode of being'.[32] As actions produce shame, so they constitute the distanciation that helps repair disrupted self-identity. That is, when we become anxious about our actions in light of our sense of Self, we have the ability to separate ourselves from those actions and re-evaluate them in light of that sense of Self. Hence the same disciplinary function that forces one to 'honor' this sense of Self is also that which motivates agents to re-form their actions.

I note here two conceptions of the US Self which have been discursively prominent. The first is 'American exceptionalism' – the idea that the United States was a 'special republic' separated from other nation-states, due to political (democratic republic), geographic (isolated by oceans), and cultural (multinational population) factors. American exceptionalism first appeared in the form of Manifest Destiny in the nineteenth century and has been reinforced through the subsequent and sometimes aggressive international expansion of US ideals. As Jutta Weldes identified in her work on US identity and the production of the Cuban Missile Crisis, the expansion of freedom as a universal ideal was perceived as a special responsibility, even a 'burden', to not only be a beacon for other countries, but also 'the patron' for a free global environment.[33]

Also relevant to US internal honor is the focus upon strength, will and/or manhood. In the eighteenth and nineteenth centuries, an American acquired honor by enacting a masculine self-identity.[34] As Debra Sheffer notes, shame provided a negative deterrent for action, and was symbolically imposed upon American men during the Civil War 'who did not enlist quickly enough' by the reception of 'a feather or a white apron from the women of the community'.[35] Thus, even though this was a gendered conception of US honor, it was reinforced by both sexes. Indeed, masculine self-identity is often fueled by general sexual anxiety. Foucault has suggested that 'sexuality is a key to identity' as a result of the 'multiplication of new discourses around sex which [have] made it an object of almost obsessive attention'.[36]

On a national level, this emphasis upon strength and will pervaded US narratives throughout the Cold War. Far from securitizing the identity of the agent who professes such strength, the result of such an emphasis has been perpetual insecurity – if one is comprehensively strong, then that strength is under continuous threat. This consistent insecurity is not only created physically (regarding visible threats) but ontologically (challenging the agent's sense of being). Weldes explicates a gendered element to this national insecurity, 'US identity ... was not only masculinist, but aggressively macho. The fear of appearing weak – whether of arms or of will – loomed large because such a feminine *characteristic* would excite not the desired respect, but only contempt.'[37]

In this respect, the US's conception of internal honor did not evaporate; it simply became obscured and transformed. A key time period for the United States was the 1960s and early 70s, during the time of the Vietnam War but also within the larger

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context of the pseudo-revolution fomented by baby-boomer Americans. Two themes from that period are important to note here. Culturally, there was a general anti-establishment attitude channeled into mass protest. If one necessary condition of honor is a sense of hierarchy, virtue and vertical differentiation, then the 1960s did indeed overturn whatever 'culture of honor' existed in America up until that time.[38] But it did not destroy US internal honor, for the second important theme to note here is the Vietnam War and what it did to America's vision of itself as 'powerful'. Richard Nixon won the 1968 presidential election on a platform of 'peace with honor' in Vietnam. Whether or not such an honorable peace was achieved, the fact remains that many Americans since that time have looked upon Vietnam as a distinct challenge to the US Self. References to the Vietnam War and its 'ghosts' colored US foreign policy discourse throughout the 1980s and 90s. Of course, the interpretation of the source of Vietnam's challenge to US self-identity has differed across the political spectrum. Those Americans who interpreted Vietnam as a 'mistake' generally concluded that the assertion of force abroad was problematic. Conservative Americans, on the other hand, fostered throughout the 1970s and 80s the 'Vietnam syndrome' thesis – whereby the reason for US failure in Vietnam was due to a lack of domestic political resolve which weakened the ability to fight with the fortitude necessary for victory. Defined in part by the neo-conservative movement of Irving Kristol and others, this argument focused on the importance of trying to regain the elements of the US Self that were perceived lost in Vietnam and the US withdrawal.[39] 'Never in American history', neo-conservative Norman Podhoretz recently wrote, 'had our honor been so besmirched as it was by the manner of our withdrawal.'[40] Discursively projected power and strength became the basis for William Kristol and Robert Kagan's call for a 'neo-Reaganite foreign policy' throughout the 1990s.[41] In essence, the 'lost honor' of Vietnam has overshadowed much of US foreign policy over the last 20 years, stimulating it to regain the 'strength' and 'will' that has historically constituted the sense of the US Self.

Finally, we come to the greater presence of honor in the US military – what might be termed a US version of 'martial honor'. Two issues are of note regarding honor in the US military. First, militaries are based upon hierarchy, rank, status and deference to authority. The military has reinforced this structure with stricter forms of punishment than those found in US civilian prisons, and historically there has been a general 'lag' between the lessening of punishment in the wider society and that of the US military. Other factors may have augmented this hierarchy: in the Revolutionary War it was not only the isolation of the military that allowed it to foster a sense of honor, but also the influence of European military culture.[42] We might then posit that what defines the impact of honor, or even determines its presence, is the structure of the society under investigation. While Tocqueville suggests that egalitarianism constrains the development of honor (as noted above), one can conversely liken the more prevalent existence of honor in the military to its hierarchical arrangement. What might reinforce these distinctive experiences with honor is that the military is predicated upon a more uniform and disciplined culture where the meaning of honor is better defined.

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Second, military honor is equated with loyalty to one's fellow soldier. A form of what Bowman terms 'reflexive' honor, it plays the role of:

> the glue that holds armies together ... it is only the soldier's sense of the importance of his fellow soldiers' opinions of him – or ... the prospective shame of running away and leaving one's comrades unsupported – that keeps a man facing the bullets when he wants to run.[43]

There is also the possibility of intersection between the two realms, whereby US society learns the content of military honor through public ceremonies and paying tribute to soldiers during wartime (parades, funerals, holidays, etc.).[44] Even though 'the military community has its own separate traditions and values ... its ceremonies are largely public'.[45] Thus these values, and to some degree the 'content' of military honor, are projected into the larger public. Conversely, the US military, as a volunteer army, must recruit from its civilian population. This is not to overlook the recorded tensions which have existed between the US military and US society.[46] What is paramount is that both the most explicit forms of punishment and honor to be found in the United States have *historically* (if not contemporarily) existed in the US military. The challenge, however, is to demonstrate how the implicit, internal form of honor and its correlated drives of discipline made possible and sustained the prisoner abuses resulting from the current US War on Terror.

US identity and torture: interpretations

Detainee abuses have been committed in several theaters of the US War on Terror. The primary ones I generalize from include those occurring at the detention centers in Guantanamo Bay, Cuba, Bagram air base in Afghanistan, and most especially Abu Ghraib prison in Iraq. Beginning with Operation Enduring Freedom, the Bush administration has maintained that the Geneva Conventions do not apply to individuals captured fighting for the Taliban or Al Qaeda: 'the former on the grounds that Afghanistan was at the time a failed state, the latter because al Qaeda is a non-state actor'.[47] However, whatever loopholes this allowed interrogators to jump through concerning the treatment of these two (non-exclusive) groups of individuals, the same practices were applied 'to prisoners in Iraq' who were neither the products of a failed state nor non-state agents. Thus the same techniques that were used in Abu Ghraib in 2004 had first been used in Guantanamo Bay.[48]

How can this treatment be justified in accordance with US self-identity and the disciplinary function of internal honor? We can identify several possible interpretations. A utility-based argument interprets the United States as:

> A nation fighting a just war, when it is desperate and survival itself is at risk, [who] must use unscrupulous or morally ignorant soldiers; and as soon as their usefulness is past, it must disown them ... we must look for people who are not good, and use them, and dishonor them.[49]

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Detainee abuses also celebrate the strength that is an important part of the US Self that was noted in the last section. The idea here is that US power must be used to lead – such leadership will engender emulation. Conversely, there is an element of shame or dishonor that deters here – to shirk away from this responsibility is weak and will, ergo, invite chaos and danger. In noting the 'tendency for weak states to appease a rising power', something that 'is happening now [2002], as the ex-Communist and developing worlds seek to emulate America's model of democratic capitalism' Robert Kaplan opines:

> But we should never forget that such a positive development rests upon our power as a chieftain ... Now that America is ascendant, they copy our democracy. If we are weak militarily – if we aren't able to meet the rising challenge of warriors – our political values may be eclipsed worldwide.[50]

From this angle, the demonstration of US power through abusing detainees disciplines the world into a US global order – an order presumably that is not only preferred but uniquely *vital* to global well-being.

There is also a persuasive interpretation along these same lines, but focusing in particular upon the sexualized and gendered nature of US detainees abuse. The argument here focuses upon, for instance, the images of a female interrogator such as Lyndee England pointing to the groin area of a naked Iraqi. By confronting Arab sexuality, the US did more than demonstrate authority, it shattered the Arab sense of Self.[51] The Bush administration and its intellectual supporters have indeed justified the humiliation (if not sexual in nature) of Iraqis as a necessary tool used against a culture where such shaming resonates. Deputy Defense Secretary Paul Wolfowitz asserted in April 2003 how the 'images of people pulling down a statue and celebrating the arrival of American troops is having a shaming effect throughout the region'.[52] Furthermore, as Seymour Hersh reported in May 2004, shortly after breaking the Abu Ghraib story: 'The notion that Arabs are particularly vulnerable to sexual humiliation became a talking point among pro-war Washington conservatives in the months before the March, 2003, invasion of Iraq.' Hersh stated that many of these individuals had read and used Raphael Patai's book, *The Arab Mind*, as its theoretical resource:

> The Patai book, an academic told me, was 'the bible of the neocons on Arab behavior.' In their discussions, he said, two themes emerged – 'one, that Arabs only understand force and, two, that the biggest weakness of Arabs is shame and humiliation.'[53]

By exposing and challenging (through engaging the taboo of homosexuality, for instance) Arab sexuality, the treatment of prisoners at Abu Ghraib was a further extension of US authority and ostensibly US security practices intended to demolish the Arab sense of Self, as evidenced by the photo taken at Abu Ghraib of a 'pyramid' of naked Iraqi men.

Perhaps the most prevalent argument for allowing torture (however it is termed) is that it serves to extract information vital to foiling future plots which threaten

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US citizens, the so-called 'ticking bomb' scenario.[54] As Mark Bowden explains: 'Professional terrorists pose a harder question. They are lockboxes containing potentially life-saving information.'[55] Thus, the expediency of torture guarantees the physical integrity of the nation-state.[56] This scenario has permeated US society through its pop culture, specifically through the popular US program *24*:

> The show's appeal, however, lies less in its violence than in its giddily literal rendering of a classic thriller trope: the 'ticking time bomb' plot. Each hour-long episode represents an hour in the life of the characters, and every minute that passes onscreen brings the United States a minute closer to doomsday.[57]

What is especially noteworthy in general is that 'Since September 11th, depictions of torture have become much more common on American television' and that on the specific program *24* alone, 'sixty-seven torture scenes' have been depicted in 'the first five seasons'. While the torturers are sometimes the 'villains' of the show, it nevertheless includes depictions of 'heroic American officials' torturing suspects. What is most important to note is that while this show is popular with members of the Bush administration and its supporters, the show maintains consistently high ratings with the US public writ large.

Certain logics of torture will often reinforce one another, whereby because the state is the one which ensures security, it becomes a quasi-love-object, its authority fetishized. This is in line with Reinhold Niebuhr's thesis that moral men aggregate into immoral societies, where 'the man in the street ... projects his *ego* upon his nation and indulges his anarchic lusts vicariously'.[58] In fact, if it is the case that 'torture offers no advantage to intelligence gathering', as Darius Rejali suggests, then the primary objective for torture is to celebrate authority through a vehicle of revenge.[59] Acting upon such revenge is perfectly consistent with honor – Oded Lowenheim and Gadi Heimann, for instance, posit that honor cultures tended to be the *most* revenge-filled.[60]

Another factor which allows for such abuse as practiced by democracies is that such practices are largely obscured and remain hidden from 'public view'. This is the basis for both their efficiency and their compatibility in a democracy. When images of discipline remain private, it allows democratic citizens to imagine such practices to be 'not that bad'.[61] Additionally, and just as importantly, if we do not see the *subjects* of disciplinary practices, if they are concealed, then we can imagine ('forming a mental image') them to be as bad as possible. *The invisibility of the detainee is necessary for the citizen of the country detaining such individuals to perceive such treatment as necessary*. Readers familiar with her work will note here the overlap with Judith Butler's thesis on the 'derealization' of those detained in the War on Terror:

> If violence is done against those who are unreal, then, from the perspective of violence, it fails to injure or negate those lives since those lives are already negated ... They cannot be mourned because they are always already lost or, rather, never 'were,' and they must be killed, since they seem to live on, stubbornly, in this

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> state of deadness ... The derealization of the 'other' means that it is neither alive nor dead, but interminably spectral. The infinite paranoia that imagines the war against terrorism as a war without end will be one that justifies itself endlessly in relation to the spectral infinity of its enemy.[62]

How might the 'unreal' become 'real'? As a first step, an international agent of transparency, such as an international non-governmental organization, can reveal those subjects to be less than that dystopic ideal of a monster or a specter, making them less unreal, as it were. However, we might assume that those subjects are, so to speak, 'still hiding something'. Because we have only countered a description with another description, there still exists an opportunity for discourses of power to obfuscate the *practice*, the victimized *subject*, or both. I suggest below, therefore, that besides discursive contestation, what might also be needed is 'imaging' – the power of an image to shatter such disciplinary discourses which obscure the reality, deconstructing what goes on in the privacy of these detention camps. As Javal Davis, a court-martialed Abu Ghraib military policeman stated, 'If there were no photos, there would be no Abu Ghraib.'[63] Such 'deconstruction' of power is a revelation of reality: the means by which one might reconstruct power in its *explicit* form or formulation. Once revealed, it might meet resistance.

Rosemary Foot observes that:

> what we are witnessing is the resurrection of some of these other time-honored functions of torture – particularly those related to the demonstration of power and its usage against 'enemies of the state' both to deter and to intimidate. These older functions of torture have been given a new lease of life.[64]

Because the United States has endorsed systematic torture, the 'peremptory norm' against it that had been 'embedded in law and in state and inter-state institutions' is being disassembled, since 'the consequences ... for other countries' behavior are also devastating for the torture norm'.[65]

Foot's compelling article nevertheless generates two observations. First, she posits that, in Foucauldian terms, the pictures of the abuses were intended for an audience to view 'the absolute sovereign demonstrating its "unrestrained presence", the "absolute power of life and death" through punishment that is "both personal and public"'.[66] This is true, as I have stated previously, yet what is missing here is the recognition that such 'demonstration' is a projection of the US Self to not only deter others but to realize the sense of strength that had been part of that Self. Additionally, Foot fails to distinguish how the publicization of these images might instead *challenge* the very efficiency of US hegemonic power that they are supposed to portray. I am referring here to Foucault's observation that panoptic efficiency to discipline

> can be assured only if, on the one hand, it can be exercised continuously in the very foundations of society, *in the subtlest possible way*, and if, on the other hand, it functions outside these sudden, violent, discontinuous forms that are bound up with the exercise of sovereignty.[67]

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There is nothing subtle in the recently released images of US torture. Here we see the hegemon itself in full view, and in the process displaying a *lack* of self-discipline. Historically, efficient panoptic surveillance was based upon the subjects 'not knowing' whether they were being viewed or not. What allows for the 'disciplinary mechanism [to be] democratically controlled' in this case is that such punishment was obscured and hidden from US citizens.[68] Pictures of Abu Ghraib actually remove this 'unreality', as they reduce the uncertainty that is otherwise necessary for panoptic discipline to be achieved.

The focus upon anti-torture as an international 'norm' leads Foot to conclude that 'US institutions on their own are not enough to address the breaching of the torture norm'.[69] Foot sees international institutions and bodies, such as the UN's Counter Terrorism Committee and the United Nations Commission on Human Rights, as forms of activism that can presumably act to eventually curb US policies. This assumes that these institutions help constitute a thick version of intersubjective morality – but this is a form of morality that I am skeptical the United States truly feels committed to uphold. I tend to believe that in the case of the United States, 'the idea of morality as obedience to a code of rules is now disappearing' because the United States *resists* this code as a form of counter-authority to its hegemony.[70] The same patriotic fervor previously referenced (via Niebuhr) which can at times allow the nation-state carte blanche to use its power, constrains the efficaciousness of such moral codes. Andrew Linklater's insight here is important: 'As far as many actors are concerned, appeals to global norms may be counterproductive and activate concerns that submitting to external pressures will curtail sovereign rights to respond to terrorist threats with maximum efficiency.'[71] Indeed, it is presently quite politically advantageous in the United States for opinion leaders to eschew and ridicule the international, and some of this probably stems from the 'exceptionalist' identity of the US Self. Additionally, being dependent upon international codes of conduct also sacrifices the US's ontological status of 'strength'.

To illustrate the distinction, I note here the following statement made by US Senator John McCain in July of 2005 that 'We are Americans, and we hold ourselves to humane standards of treatment of people no matter how evil or terrible they may be. To do otherwise ... undermines our greatness as a nation. We are not simply any other country.' Foot states that:

> one unfortunate effect [of McCain's statement is] that it reinforces the 'us versus them' argument. Moreover, it may not have much influence on perceptions of America outside the United States. Nevertheless, *it is couched in terms which carry weight inside the country*.[72]

What I would suggest is that the reason why McCain's argument 'carries weight' in the United States is precisely because it is 'exceptionalist' and draws upon the US Self ('who we are'), rather than any international standards that the United States would compromise by torturing terror suspects.[73]

Additionally, the senators or other individuals who have made this argument on subsequent occasions – Senators McCain, John Warner, and Lindsay Graham, and

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former Secretary of State and Joint Chiefs Chairman Colin Powell – are all themselves military veterans and embody the sense of 'martial honor' noted above.[74] Armed with these observations, I posit in the following section two counter-practices which might serve to halt the institutionalized practice of prisoner abuse by the United States.

Revelation and engaging internal honor: reflexive discourse and interrogative imaging

The same US internal honor which produced the practices of punishment such as torture might also possess the openings for strategies which can re-form the US Self to avoid such practices in the future. This draws upon Foucault's late work on ethics, a view where the agent is responsible for the formation of its Self, stemming from: 'the kind of relationship to have with yourself, *rapport à soi*, which I call ethics, and which determines how the individual is supposed to constitute himself as a moral subject of his own actions', and this includes, for Foucault, four aspects, one of which is 'the mode of subjection ... the way in which people are *invited or incited* to recognize their moral obligations'.[75]

The focus here is on the aesthetic value of the US Self, the sense of beauty that is the idea of 'America', and how the Abu Ghraib photos especially challenge that sensory image. The aesthetic and the political are 'directly linked' in that 'glory cannot be dissociated from aesthetic value ... political power, glory, immortality, and beauty are all linked at a certain moment'.[76] Noteworthy in this context are the statements made by President George W. Bush shortly after the Abu Ghraib photographs were published, calling the scenes 'a *stain* on our country's honor and our country's reputation ... Americans, like me, didn't appreciate what we saw, that it made us *sick to our stomachs*.'[77] Such images not only implicated the US Self – Bowman avers that Bush 'seems to have found it natural to reach towards another and better honor culture, even one that could hardly be said to exist anymore, as a *corrective* to such atrocities'[78] – but also de-aestheticized the US Self with their ugliness, with their 'stains'. Foucault's 'aesthetics of the self' is constructed from the 'ethical relations to the self' which provide a 'third axis in addition to power and knowledge' as 'a way for us to get free of ourselves'.[79] We construct our Self aesthetically, as a work of art, because 'the self is not given to us'.[80]

The possibilities for transforming the US Self can be located in its internal honor, and the ability of images to engage what Jane Bennett terms a '*disciplined* form of sensuousness' that 'is culturally encoded and temperamentally delimited, but also educable (to some degree) through careful techniques of the self'.[81] The images of Abu Ghraib challenge the core of the US Self as a work of beauty so visualized by Americans – thus the incentive exists to repair such images in order to repair aesthetic integrity. Because US honor must be kept 'pristine', the 'stains' can be wiped away by reforming those disciplinary practices of others that produce such ugliness.

Discipline itself, Foucault notes, must 'neutralize the effect of counter-power that spring from [it] and which form a resistance to the power that wishes to dominate

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it'. These forms of counter-power include 'anything that may establish horizontal conjunctions'.[82] In the context of the US policy of torture, there exist two practices which can provide such 'horizontal conjunctions'. The first of these I have termed in my other work 'reflexive discourse',[83] a form of 'rhetorical coercion',[84] whereby international or domestic actors call out the discrepancy between a targeted state's actions and its self-narrative. Contrary to some forms of communicative discourse, the purpose of reflexive discourse is not to *change* a targeted state's identity by forcing it 'in line' with the intersubjective structures of international society,[85] but rather to incite a targeted state to reflect upon its sense of Self in light of its actions. In the context of US internal honor and Abu Ghraib, this could be done by way of unfavorable historical analogy. The remarks made by US Senator Richard Durbin in the US Senate on 14 June 2005 provide but one example of this strategy. After quoting from an FBI account which detailed the conditions of detainees' interview rooms and of the detainees themselves, Durbin stated the following:

> If I read this to you and did not tell you that it was an FBI agent describing what Americans had done to prisoners in their control, you would most certainly believe this must have been done by Nazis, Soviets in their gulags, or some mad regime – Pol Pot or others – that had no concern for human beings. Sadly, that is not the case. This was the action of Americans in the treatment of their prisoners.[86]

Durbin's point, and the position noted by Ian Fishback cited at the beginning of this article, has everything to do with the US Self. There is no mention, it seems to me, of the moral responsibilities that the United States had to *international* obligations, but rather the incentive via a counterfactual to avoid acting (and *being*) like Nazi Germany, Soviet Russia, or Khmer Rouge-era Cambodia. Of course, at the same time, the reaction Durbin's remarks engendered in US society also demonstrate the disciplinary function of US self-identity that I noted in my opening pages – in that many considered Durbin's likening of the United States to these genocidal regimes to cross a line of propriety. The fact that Durbin one week later *apologized* for the remarks demonstrates the limits of reflexive discourse in manipulating the internal and robust sense of the US Self, and its power to discipline.

Thus a second practice of counter-power we might term 'self-interrogative imaging' – whereby the images of deviance of the US Self are projected, in this case through the Abu Ghraib photos, in full view for all to see. They may serve to shatter the obfuscatory discourse, the 'illusion' that those being punished are wrong and those doing the punishing are right. They use the precise anxiety US politicians and citizens have over using the word 'torture': for instance, to describe these actions by US soldiers, to explicitly reveal these disciplinary practices as precisely that. Such heterotopic images serve to directly counter, even shatter, the ability of Americans to engage in utopian imaging (that the punishment must 'not be torture') that was noted above.[87]

Furthermore, such images project a visual representation of the US Self, and can be used to incite by producing the inverse of honor – shame. Such imaging extends a

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deeper critique than pure reflexive discourse; state agents cannot as easily disguise a particular identity disconnection in light of a visual presentation of the state. Imaging strategies have been employed, for example, by bloggers such as Andrew Sullivan, or artists such as Clinton Fein.[88] Sullivan has on several occasions posted the Abu Ghraib prison pictures, as well as a photo of a water-board from Tuol Sleng Prison in Phnom Penh, Cambodia. The latter is a museum dedicated to displaying the institutionalized practices of the Khmer Rouge. Sullivan's express purpose is to implicate the US Self with an image, writing: 'This is America under this president. Look at it.'[89]

Yet such imaging does not even have to be part of a concerted strategy, in my view, as the reaction by Bush ('sick to my stomach') to the Abu Ghraib photographs suggests. The mere publication of those images can come to 'define the United States ... The US, which was viewed as certainly one of the principal advocates of human rights and ... the dignity of human beings in the world, *suddenly* is viewed as a principle expositor of torture.'[90] If nation-states have a Self, and if the Self is constructed aesthetically, and, finally, if such aesthetic construction is a prerequisite for 'ethical action', then the inverse 'shameful' ugliness of the images of torture might serve to ontologically insecuritize Americans regarding the policy of torture.

Admittedly, images are, like language, multivalent. Foot also discusses in her article, the 'particular [US] reputation has been projected via demonstrations of military and technological strength, [and with] images of the subjugation of the enemy'. This was also a matter of US self-identity – images projected by the state to 'discipline' both US citizens and the world at large by '*demonstrat[ing] mastery* over the enemy'.[91] Considering the applause that accompanied the 'tough' lines expressed by US presidential candidates in the debate noted at the beginning of the article, this is a valid concern. Thus the same aestheticism and sensuousness may lead some to celebrate those images – that some Americans might take 'pleasure in exercising power over others'.[92] Or, as Hannah Britton suggests, the discussions generated by such images could simply be 'on the pictures and their release – rarely on the actions'.[93] There is of course no guarantee that self-interrogative imaging will force nation-states to engage their disciplined sense of internal honor – but such a lack of guarantee should not prevent scholars from identifying similar policies and measuring their effectiveness, locating when and where such imaging resonates, and if it serves as a basis for active reform.

Conclusion

Foucault posited that torture as a 'spectacle' was on the decline because of the internalized self-discipline which accompanied modern forms of disciplinary surveillance.[94] From this perspective, the explicit US institutionalization of prisoner abuse represents not a further spread of US hegemony, but signals instead a decline in US influence and ability to discipline – a decline further accelerated by the resentment produced by such images of US abuse. Yet it should also be evident to the reader that I see the national 'shame' which many Americans experienced and

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continue to experience when such abuses are uncovered as a *positive resource*, in that it is 'central to safeguarding the freedom of the body, hence, to keep alive our freedom to act responsibly'.[95] Shame stimulates action and provides opportunistic openings where the disciplinary mechanism of internal honor can be re-formed. As Linklater notes: 'countervailing normative power is found nonetheless in the belief that shame is attached to the "sacrifices of value" which have occurred in the "war against terror"'.[96] The counter-aesthetic of shame is a powerful deterrent indeed. However, it is at the point when such revulsion no longer occurs, when, to paraphrase Jean-Paul Sartre, such 'nausea' 'is no longer an illness or a passing fit' but rather 'it is I [the US]' that Americans have lost more than simply the 'ideals' of which Captain Fishback speaks.[97]

Notes

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3 'Exposing the Truth of Abu Ghraib', available at: www.cbsnews.com/stories/2006/12/07/60minutes/main2238188_page3.shtml (accessed 15 February 2008).

4 The vote tally was 65–34; see: www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=109&session=2&vote=00259#top (accessed 15 February 2008).

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6 Karen Greenberg and Joshua Dratel, *The Torture Papers* (New York: Cambridge University Press, 2005), p. xviii.

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8 Andrew Linklater, 'Torture and Civilization', *International Relations*, 21(1), 2007, pp. 116–17.

9 Richard Ned Lebow, 'Constructive Realism', *International Studies Review*, 6(2), 2003, p. 347.

10 Jack Donnely, *Realism and International Relations* (Cambridge: Cambridge University Press, 2000), p. 67.

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94 'At the beginning of the nineteenth century, then, the great spectacle of physical punishment disappeared; the tortured body was avoided; the theatrical representation of pain was excluded from punishment': Foucault, *Discipline and Punish*, p. 14.
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96 Linklater, 'Torture and Civilization', p. 117.
97 Jean-Paul Sartre, *Nausea*; trans. Lloyd Alexander (New York: New Directions Publishing, 1964), p. 170.

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