

Abu Ghraib abuse: new revelations of top-level involvement

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Preliminary hearings are under way in Fort Meade, Maryland for two low-level dog handlers at the Abu Ghraib prison complex in Iraq. According to testimony from US soldiers in the case, the use of dogs to abuse and intimidate Iraqi prisoners is a technique that was brought to Abu Ghraib from Guantánamo Bay, under the direction of a top military general dispatched by Defense Secretary Donald Rumsfeld.

The two US soldiers, Sergeants Santos Cardona and Michael Smith, are accused of maltreatment of detainees. They allegedly used unmuzzled dogs to attack and terrify Iraqi prisoners. They also reportedly engaged in a contest to see who, through the use of the dogs, could get their prisoner to urinate or defecate on himself first. The preliminary hearing will determine whether or not they will face a military court martial.

The alleged incidents occurred in December 2003 and January 2004, around the same time as the abuse pictured in the infamous Abu Ghraib photographs.

In August 2003, General Geoffrey Miller, then the head of the US prison at Guantánamo Bay, Cuba, was sent to Iraq by the Defense Department to help extract more information from Iraqi prisoners. At the time, the US military was looking for ways to counteract a growing insurgency that followed the American invasion in March of that year. One response was to “Gitmoize” Iraq, that is, to transfer the interrogation methods used in Guantánamo Bay to deal with the situation in Iraq.

Major David DiNenna, the former warden of Abu Ghraib, testified on July 27 that the use of dogs was a method specifically recommended by Miller. The defense is basing its case on the grounds that the soldiers were following established procedure for military interrogations. “We understood that [Miller] was sent over by the secretary of defense” Rumsfeld, DiNenna said, in order “to take their interrogation techniques they used at Guantánamo Bay and incorporate them into Iraq.”

A military interrogator, Specialist John Harold Ketzer, testified that he had been trained to use dogs during

interrogations by Staff Sergeant James Lucas, who was part of a team of interrogators sent from Guantánamo Bay to Iraq shortly after Miller’s trip in August. According to the *Washington Post*, Lucas told army investigators that his team was sent to Iraq to bring “lessons learned” in Cuba and to “provide guidelines” for the interrogators at Abu Ghraib.

Private Ivan Frederick, one of the first to be convicted in the Abu Ghraib torture revelations, repeated allegations that the guards had been encouraged to abuse detainees as part of the interrogation procedure. In testimony at the hearing, he said that interrogators provided the guards with lists of detainees they wanted intimidated with dogs.

Another soldier testified that other techniques such as sleep deprivation and forced nudity were approved tactics at Abu Ghraib.

A *Washington Post* editorial from July 29 notes that the testimony directly contradicts previous statements from Miller. “In statements to investigators and in sworn testimony to Congress last year,” the *Post* writes, “Gen. Miller denied that he recommended the use of dogs for interrogation, or that they had been used at Guantánamo. ‘No methods contrary to the Geneva Convention were presented at any time by the assistance team that I took to [Iraq],’ he said under oath on May 19, 2004. Yet Army investigators reported to Congress this month that, under Gen. Miller’s supervision at Guantánamo, an al Qaeda suspect named Mohamed Qahtani was threatened with snarling dogs, forced to wear women’s underwear on his head and led by a leash attached to his chains—the very abuse documented in the Abu Ghraib photographs.”

Many abusive techniques—including the use of dogs—were approved by Rumsfeld for use in Guantánamo Bay in December 2002. After opposition from military lawyers, Rumsfeld withdrew the list of approved techniques and appointed a working group to recommend a new one.

While Rumsfeld eventually issued a slightly more restrictive version of the list, the working group report based itself almost entirely on arguments coming from Justice Department and White House lawyers that gave a very broad

sanction to military interrogators to torture prisoners. Beginning shortly after the attacks of September 11, administration lawyers, including the current attorney general and then White House Counsel Alberto Gonzales, sought to create a legal rationale for denying any rights to prisoners captured by the United States.

On September 14, 2003, Ricardo Sanchez, then the top military commander in Iraq, issued a memo authorizing a number of techniques for use in Iraq, including the “presence of military working dogs” on the grounds that this technique “exploits Arab fear of dogs while maintaining security during interrogations.”

The fact that these low-level guards were using military dogs to intimidate Iraqi prisoners and “soften them up” for interrogation is therefore entirely in line with official Defense Department policy approved by Rumsfeld and Sanchez.

Underscoring the administration’s determination to continue abusing prisoners, the White House has moved to block legislation in the Senate that would ban the military from using “cruel, inhumane and degrading treatment” on any of its detainees held anywhere in the world. The legislation is sponsored by several Republican senators, including John McCain and Lindsey Graham, who are concerned that the military’s policy of abuse will undermine morale and endanger US soldiers captured by other countries.

The measure was to be included as an amendment to a defense operations bill. Other amendments proposed by the senators included one that would prohibit the hiding of detainees from the International Red Cross and prevent the military from using any methods not authorized in the Army Field Manual. These actions are already illegal under international law, but have been routinely violated by the administration. Army investigations have reported that hundreds of prisoners, known as “ghost detainees,” have been held without access to the Red Cross.

The amendments would not have affected the actions of the CIA, which currently operates a network of secret detention facilities in different parts of the world.

According to a *Washington Post* article of July 23, Vice President Dick Cheney met with the Republican senators on July 21 “to press the administration’s case that legislation on these matters would usurp the president’s authority and—in the words of a White House official—interfere with his ability ‘to protect Americans effectively from terrorist attack.’”

The article continued by stating that the White House “bluntly warned in a statement sent to Capital Hill on [July 21] that President Bush’s advisers would urge him to veto the \$442 billion defense bill ‘if legislation is presented that

would restrict the President’s authority to protect Americans effectively from terrorist attack and bring terrorists to justice.’”

In other words, the White House continues to maintain that the abuse of prisoners and their illegal detention under international law is part of the president’s constitutional authority. Having failed to remove the amendments, the Republican leadership, aligned with the Bush administration, shelved the operations bill for the time being.

In a related development, the American Civil Liberties Union (ACLU) and the Center for Constitutional Rights (CCR) have denounced the administration for blocking the release of all photos and videos depicting torture at Abu Ghraib. The two organizations, together with several other rights groups, filed a lawsuit in June 2004 demanding that the Defense Department release all evidence.

According to a July 22, 2005 statement by the CCR, “Since then, the organizations have been repeatedly rebuffed in their efforts to investigate what happened at the prison. In June, the government requested and received an extension from the judge stating that they needed time in order to redact the faces of the men, women and children believed to be shown in the photographs and videos. They were given until today to produce the images, but at the eleventh hour filed a motion to oppose the release of the photos and videos, based on an entirely new argument: they are now requesting a 7(F) exemption from disclosure under the Freedom of Information Act to withhold law enforcement-related information in order to protect the physical safety of individuals.”

The unending stream of revelations regarding abuse carried out by US forces indicates once again that torture of prisoners has become government policy and is the product of decisions made at the highest levels of the Bush administration.



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