

Not only does the discourse of war belong to the discourse on society but it assigns it its meaning: the idea of war measures the idea of society.

—Pierre Clastres, *The Archaeology of Violence*

A man stands disarmed and naked with a weapon pointing at him; this person becomes a corpse before anybody or anything touches him.

—Simone Weil, “The *Iliad*, or the Poem of Force”

Fight, rape, war, pillage, burn. Filmic images of death and carnage are pornography for the military man.

—Anthony Swofford, *Jarhead*

The scandal of torture in the war on terror has diminished noticeably since it first erupted in 2004, when photographs of a grinning young woman, poised and posed next to a nude Iraqi detainee, entered the contemporary mediascape. Already, the discourse of alternative techniques has begun to paper over the wound of torture with a veneer of academic propriety or, at least, of logical necessity. Without more new images to fill out and, as it were, en flesh the debate about torture, widespread opposition to its continuation has lost some of its vociferousness. In the end, however haunted we may be by the image of a hooded man standing as though crucified on a box, or of a naked man on a leash, or of a scrum of stripped bodies splayed for the camera, the news photograph has a short half-life and fades quickly. The recent passage of legislation permitting some forms of coercive interrogation previously thought to be torture is evidence that the restraining force of that scandal has indeed dissipated.<sup>1</sup> For this reason we would do well to recall, if we can, our shock at that first sighting. However, the utility of this gesture will be realized only if we acknowledge that what offended us was less the torture than the apparent enjoyment expressed in the faces of those who were its perpetrators.

Michelle Brown had made this point already in 2005, when she wrote that the shock of the photographs from Abu Ghraib consisted in the “patriotic delight of the torturers, in America ‘out of place.’” For Brown, Abu Ghraib represents the exportation of a penal culture that has nor-

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malized the exceptional and exceptionally violent treatment of prisoners.<sup>2</sup> She is undoubtedly correct in her diagnosis of the relationship between the development of penal cultures in the United States and abroad, but this institutional and political development does not account for what she rightly recognizes as the affective investment of the torturers, nor for the particular forms of violence that occurred in Abu Ghraib and other spaces under U.S. military control in Iraq. And it is to that particular question that I want to turn in the pages that follow. There is, as Pierre Clastres says, something to be discerned about a society in the manner that it pursues war, and in the way that it conceives of its enemies.<sup>3</sup>

Construing torture as technique (method), and even as a necessary evil (means), as policy makers tend to do, effaces both the actuality of the event as it is experienced by those tortured and the conditions within which it has been practiced thus far. Indeed, it distracts us entirely from what such activities might represent more generally. The conclusions of all investigative reports on Abu Ghraib state that most of the torture was unrelated to intelligence gathering. Hence no consideration of torture as method or means can address its fundamental characteristics or its “function” within the current political scene.<sup>4</sup> Function is, in fact, an inadequate term to describe the place of torture in the current war—where it exceeds the means-ends relation and symptomatizes a transformation in the “sexual economy” of war, or rather an apotheosis of the sexuality of that economy. It is this transformation that I wish to discuss here.

I begin with the assumption that, in general, war entails the libidinization of the entire social field. War is a regressive institution in many regards but most specifically in the way that it strips away the usual prohibitions on both an intimacy with death and the pursuit of sexual satisfaction outside of generally legitimated (though not necessarily normative) contractual social relations—whether these take the form of companionate relationships, interfamilial bonds, dynastic partnerships, or some other form. This stripping away is not accidental of course; it is structured by forms of discipline and pedagogy, as well as by the discursive elaboration of war in and beyond the actual space of militarization. Such institutional structuring is what distinguishes the criminal sexual violence of war from that in nonwartime contexts, but, of course, it is also what constitutes the basis of their continuity.<sup>5</sup> Determined and overdetermined by social institutions and histories, these liberated drives may express themselves in any number of ways, but often enough they entail sexual violence directed at one’s enemies.<sup>6</sup> One may understand such violence as compensation, as cathartic discharge, as an unconscious effort to cancel death with eros, as the form of a violent effort to institute reciprocity in a negative mode, and so forth. And all of these factors may be at play. The point is that this

violence has heretofore constituted a mode of relationality with the other, however ironic, unethical, or brutal.<sup>7</sup> This is why, indeed, it is generally thought that war occurs between others who might have been friends. For the same reason, its resolution is generally construed as the conversion of hostility into fraternity through the production of a common language, usually in the form of negotiated settlements and binding treaties. Let the gendered language of fraternity reveal what is at stake in the form of peacemaking that can emerge from war: this is a patriarchal relation.

One may make a distinction for analytic purposes: the absolute annihilation of the other, and hence a surpassing of the possibility of relation with the other, however violent, is a goal and a property not of war, at least in the sense I am using the term here, but of complete genocide and perhaps of that exceptional case of war we call Total War. Here, however, I am interested in the transformed nature of the libidization and the sexual economy of war in the era of real-time and reality TV, a transformation that Lacan addressed under the shorthand of shamelessness. We discern something new emerging in and against these other logics in the current conflict, exemplified in the case of Abu Ghraib. This newness consists neither in the libidization of war, which is old, nor in the fact of sexual violence, which is similarly ancient and persisting. Rather, it consists in a partial displacement of the former structures of violent relation and fantasy by an extreme literalism, and a narcissistic economy in which, instead of obtaining satisfaction through the violation of the other, the other is made to perform his own (self-) abuse and to perform that abuse as enjoyment in a grotesque parody of consent. I hope to show that this demand for the performance of a consent to be violated, and moreover of that violation as satisfying, as in Abu Ghraib, works to obviate the perpetrator's need for fantasy even as it institutes a mirroring (though not identification) in the place of relation. It is a development that expresses on the plane of corporeal experience and psychic life the logic of a political relation already described by Jean Baudrillard (in relation to the 1991 Gulf War) as one in which alterity has been banished by the demand for mimesis. According to this logic, one only speaks to those who resemble oneself. Difference here is construed not as that which demands the labors of language—converse and listening, translation and interpretation—but rather that which prohibits it. In this essay, I want to try to explain how this transformation came to be.

Like many others (including, most notably, Allen Feldman, Nicholas Mirzoeff, Paul Virilio, and Samuel Weber), I see this development as being crucially related to trends in media culture.<sup>8</sup> Nonetheless, I do not think that what is occurring in the war on terror, and what happened at Abu Ghraib, is explicable in terms of the ethically distancing effects that

are correlate with the hallucinatory proximity of television or with the transformation of thought that emerges at the point where social relations are overtaken by the network and the internet (Weber). Nor do I think it is exhausted by concepts of scopophilia and spectacle, even when those concepts are specified in terms of surveillance, the politics of risk (Feldman), and the shoring up of imperial masculinity through the projection of a sodomitical alterity (Mirzoeff). All of these readings remain devoted to an analysis of contemporary visual culture in terms of a gaze structured by sexual difference, in which mastery is the goal and spectatorial authority, even when assigned to professional elites, is the locus and the primary form of political power and sexual subjectification. But, as Lacan had already intuited in his analysis of television following the student protests of May 1968, the category of the gaze is transformed in the regime of television, as the question of looking is dissociated from the process of shaming.

In the interest of clarity, let me briefly sketch the contours of an argument still to come. In the current conflict, for which Abu Ghraib has become so crucial a sign, older logics of war based in sexual difference and newer ones oriented by technologized scopophilia are still operative, but they are now augmented by an emergent economy beyond sexual difference, beyond the still-human opposition of friend and enemy, and beyond shame. It is notable in this context that even the discourse of common soldiers reveals a sense that the current war has a different sexual logic; as discussed below, they often describe this new logic in terms of desexualization. Members of the military elite refer to it under the rubric of dehumanization. In any case, there is a palpable sense of change. I trace this change to the end of the U.S.-Vietnam war, and the period of reflection that followed it, which seems to have culminated in a sense that war, if it is to be redeemed, must be desexualized.<sup>9</sup> This gesture became possible only after the failure of that war was reduced to the question of sexual violence, itself rendered as an excess of the war. In other words, the politics of empire had to be effaced, in order that empire might return—first as a rescue of women and then as the enactment of an absolutely racialized and religious otherness.

Ironically, perhaps, some of the effort to reclaim war from within the United States received support from dissident antiwar documents (novels, films, and other artifacts) emanating from Vietnam. Many of these documents repudiated the idea of military heroism even in wars of national liberation, and converged with much American antiwar discourse in figuring war's depravity as sexual violence. In the sphere of cultural production, the rehabilitation was accomplished, if not consciously intended, through the revival of World War II as the primary object of cinematic war storytelling.<sup>10</sup> In recent actual conflicts, it has been accomplished through the

displacement of sexual difference by racialized religiosity as the organizing principle of collective violence.

Clearly, this displacement has been enabled by several geopolitical factors, including, most important, the collapse of Soviet socialism, the globalization of capital, and the emergence of new Islamic internationalisms. It has also been facilitated by developments in media culture. If the U.S.-Vietnam war inaugurated the phenomenon of the living-room war, the televisual presentation of a distant battle was nonetheless limited to nightly news segments, edited according to the principles of narrative documentary cinema. The Gulf wars have given us twenty-four-hour, real-time coverage, the phenomenon of warhead-mounted cameras, embedded journalists, and a sense that we are not always looking so much as we are constantly being exposed to the world of and at war. Even when power assumes the form of telling us that “there is nothing to see,” as Jacques Rancière claims, the drive and the ideal of popular culture takes the form of exposure—often enough without judgment.<sup>11</sup> It relentlessly attempts to circumvent the processes of concealment and dissimulation by which (anachronistic) state powers try to maintain their hold on knowledge. So, for example, what the nightly news fails to broadcast, we can often see on YouTube. The repudiation of editing (on the grounds that it is always political subterfuge) never achieves its goal, of course. But it has a psychic corollary nevertheless. By means of what can be called the pornography of actuality, it displaces and supplements the existing structures for generating reality effects and a symbolically mediated realism. If this appears to liberate us from the censoriousness of the state, it has also been accompanied by the atrophy of fantasy and the violent demand that the other perform his submission to violation as a source of satisfaction. For it is this satisfaction in self-violation that appears to constitute the core of a new military eros, one that can no longer be adequately conceived as a form of relation with the other. Its medium is reality TV, of which digital cameras and cell-phone imaging devices are the supplement. This is visual culture that attempts to exempt itself from the gaze, and that has an infantile narcissus as its ideal subject. Or so I will attempt to demonstrate.

### **Language of the Prison-House**

To read Abu Ghraib as a sign or symptom of an emergent mode of war requires, before all else, that we ask in what sense, or to what extent, it can be conceived of as representative. Official opinion focuses on the exceptionality of the events, the small numbers of participants, and the formal irregularity of the activities vis-à-vis military law. However, these

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statistical arguments do not yet address the deeper questions of representativeness. Let us then begin with the military's self-assessment.

Under Army Regulation 15-6, two investigative reports on Abu Ghraib were written, one by Lt. Gen. Anthony R. Jones, the other by Maj. Gen. George R. Fay. These reports have come to be known jointly as the Fay-Jones report and formed the basis, along with the Taguba report and assorted internal review documents, of the "Final Report of the Independent Panel to Review Department of Defense (DoD) Detention Operations" conducted under the chairmanship of James R. Schlesinger and submitted to Secretary of Defense Donald Rumsfeld on 23 August 2004. By far the most systematic of the reports is that by Fay.

In his report, Fay concludes as follows:

Physical and sexual abuses of detainees at Abu Ghraib . . . spanned from direct physical assault, such as delivering head blows rendering detainees unconscious, to sexual posing and forced participation in group masturbation. At the extremes were the death of a detainee in OGA [other government agency, usually CIA] custody, an alleged rape committed by a U.S. translator and observed by a female Soldier, and the alleged sexual assault of a female detainee. These abuses are, without question, criminal. They were perpetrated or witnessed by individuals or small groups. Such abuse can not be directly tied to a systemic U.S. approach to torture or approved treatment of detainees. The MPs [military police] being prosecuted claim their actions came at the directions of MI [military intelligence]. Although self-serving, these claims do have some basis in fact. The environment created at Abu Ghraib contributed to the occurrence of such abuse and the fact that it remained undiscovered by higher authority for a long period of time. What started as nakedness and humiliation, stress and physical training (exercise) carried over into sexual and physical assaults by a small group of morally corrupt and unsupervised Soldiers and civilians.<sup>12</sup>

In many ways, Fay's report expresses the aporia of the idea of war crime—a crime written into the interior of the legitimated state of war which would otherwise be a travesty of law. The idea of war crime is an idea of exception, by which the normalization of war is effected. War crimes are a necessary exception, an illogical but reasonable categorical interruption of what would otherwise be the generalization and even the totalization of war's violence.<sup>13</sup> But if the notion of a war crime may constitute something of a limit to the atrocities perpetrated in war, it cannot address the question of war itself and may indeed be the instrument by which we finally relinquish the idea of an opposition to war per se.

That the violence at Abu Ghraib was socialized, but at the same time exceptional, creates particular problems for Fay in this context. Hence,

he invokes not war, but environmental factors to explain what occurred. These factors include the understaffing of the facility; lack of integration of policies on interrogation, stemming from the “migration” of individuals and practices from GTMO (Guantánamo) and Afghanistan to Iraq (28–29); the fact that the facility was in a combat zone and was regularly hit by mortar fire, leading to the injuries, deaths, and terror of both soldiers and detainees; the reliance on contract interrogators and interpreters (supplied by the Titan corporation<sup>14</sup>) whose qualifications were unclear, and whose training was limited (46, 50–51); the lack of any doctrine as the basis for integrating contract civilians into military operations (19); the lack of a doctrinal basis of the organization and oversight of the entity responsible for the Joint Interrogation Debriefing Center (JIDC) at Abu Ghraib, a newly created body comprised of members from numerous different units who had previously not worked together and who had no clear understanding of each other’s roles (41–42); poor communications and information systems (“some interrogation related information was recorded on a whiteboard which was periodically erased” [47]); and lack of leadership.

The dilemma that confronts Fay, however, is in adjudicating whether the events were themselves exceptional or whether they were merely illicit in the sense outlined above—namely, as violations of the normative codes of warfare. On the latter, all of the investigators concur: the activities of the “demented night shift,” as Christian Parenti would describe the perpetrators at Abu Ghraib, were breaches of law, and specifically of the laws of war. The Fay report cites the relevant regulations, and one has only to consider two to recognize how unquestionably criminal the guards’ activities were. Thus, for example, “Photographs of detainees are strictly prohibited except for internal administrative purposes of the confinement facility.”<sup>15</sup> And, “At all times, the Civilian Internee will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. The Civilian Internee will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attacks such as rape, forced prostitution, or any form of indecent assault.”<sup>16</sup>

On the question of exceptionality, however, the various authors of the many investigative reports appear to be ambivalent or in disagreement. Fay’s claim that the abuse was not systemic but encouraged by environmental factors that were within the control of the military seems to evade the question. The final combined report (of Jones and Fay) commences with an executive summary that emphasizes individual culpability: “The primary causes are misconduct (ranging from inhumane to sadistic) by a small group of morally corrupt soldiers and civilians, a lack of discipline

on the part of the leaders and Soldiers of the 205th MI BDE [Military Intelligence Brigade] and a failure or lack of leadership by multiple echelons within the CJTF-7.”<sup>17</sup> The Schlesinger report concludes, to the contrary, that “the abuses were not just the failure of some individuals to follow known standards, and they are more than the failure of a few leaders to enforce proper discipline. There is both institutional and personal responsibility at higher levels.”<sup>18</sup>

Beyond such official disagreement, however, there is a wide and often acrimonious debate about what Abu Ghraib represents in relation to the U.S. military and the society on whose behalf it wages wars—though majority opinion within the United States certainly appears to read the events there as anomalous, which is to say that these were nonrepresentative eruptions of disorder. Such a claim rests on a statistical conception of representativeness, which is itself subject to some doubt and which ultimately fails to address the possibility that Abu Ghraib represents something more than itself, that it might symptomatize a more general development. Nonetheless, the defense on the grounds of statistical rarity also requires some debunking.

Fay’s report was based on an analysis of forty-four incidents involving twenty-seven individuals alleged to have committed the abuses. By the time of the Schlesinger report, there were 66 substantiated cases, with 300 reports of abuse in Guantánamo, Afghanistan, and Iraq, of which only 155 had been investigated.<sup>19</sup> In other words, evidence could be found for more than 40 percent of the abuse claims. The others were not necessarily unsubstantiated, but they lacked evidence and had not been deemed credible or otherwise at the time of writing. More revealing, perhaps, is the number of personnel involved: 27 military intelligence individuals, by Fay’s count. This number seems relatively small when compared to the 150,000 troops deployed. But Abu Ghraib itself was staffed by a total of only 160, including 45 interrogators and 18 linguists/translators from six different battalions.<sup>20</sup> Many of the MI people had limited or no contact with the detainees; therefore, one can say, a sizable proportion of the military personnel with opportunity used it at Abu Ghraib to abuse their charges.

Equally significant, I believe, are the statistics about the number of detainees at Abu Ghraib, where the ratio of military intelligence to detainee reached 1:75, although interrogation policies imported from Guantánamo were premised on a ratio of 1:1. By December 2003, between four and five thousand people of “potential security interest” were being held in Abu Ghraib, and when the Schlesinger report was being written, approximately fifty thousand people had been apprehended.<sup>21</sup> Forty-five thousand people had thus been detained “by mistake,” as the International Committee of

the Red Cross (ICRC) states. Among them the “juveniles” locked in a cell and terrorized by dogs; the Egyptian medics incarcerated and “ghosted” (held without their identities being recorded by the CIA); the sixty-one-year-old man, arrested and severely burned when his face was placed on the hot engine of the transport vehicle (a tactic repeatedly used at intake, often with long-term scarring, infection, and even, in some cases, requiring skin grafting and amputation); the young women accused of prostitution; the thirteen-year-old boys gathered up with their grandfathers; the ailing people abducted in the middle of night, without bedclothes and deprived of medications;<sup>22</sup> and so forth. While the physical violence directed against the detainees has been repudiated, there has been no serious effort to address the systematic incarceration and deprivation of tens of thousands of innocent people, with no recompense for their losses and no care for their traumatized selves. At best, a more expeditious and efficacious processing has been advocated.

The context for the violence was, quite simply, mass detention. This is the prison nation abroad identified by Michelle Brown.<sup>23</sup> But here one must pause. For the ideological manifest on which detention is based is not so much the idea of a generalized criminality as much as it is the notion of consent. The significance of this conceptualization of criminality cannot be overestimated, and it has profound implications for the management and form of violence in Iraq. The “Ethical Foundations of Detention and Interrogation,” as outlined by the Schlesinger panel, states that “Criminals, by not respecting the rights of others, may be said to have consented—in principle—to arrest and possible imprisonment. In this construct, and due to the threat they represent, insurgents and terrorists ‘consent’ to the possibility of being captured, detained, interrogated, and possibly killed.”<sup>24</sup> In other words, in Iraq criminality is defined as the act by which freedom expresses itself in surrender to detention.

The authors of the report use this spuriously named ethical principle to delimit the category of who may be detained and for how long; it implicitly legitimates the subjection of some individuals to extraordinary treatment (namely, that applied to criminals rather than prisoners of war or civilians).<sup>25</sup> As with all arguments in defense of torture and detention, it presumes the omniscience of the apprehending forces and bypasses demands for habeus corpus.<sup>26</sup> There is no presumption of innocence. After all, the policy has identified the one who consents to be apprehended as, precisely, the criminal. In posing the issue in these terms, then, the authors elide the deployment of force by the apprehending and/or detaining body, which, by this analysis, is merely actualizing the consent that the criminal implicitly grants. In the language of the report, consent is the “manifestation of the freedom and dignity” of the person. In other words, what the consenting

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person consents to, as a free and dignified being, is the surrender of his freedom and dignity. Here we can discern a relationship exceeding contextuality between official policy and the violence of Abu Ghraib.

It is not incidental that one of the most common recurrent forms of violence described in the reports is that which commands others to perform their sexual satisfaction for the torturers. This scenario, in which the detainee's submission to the torturer's very command is made to appear as the source of the detainee's own enjoyment, and where the generalized deprivation of all individuals is represented as an expression of their consent, suggests that the war in Iraq has moved beyond older forms of warfare that were organized by sexual difference, and oriented toward abduction—of women, labor, resources, land, and all those things that, in peacetime, would have been the subject of contractual negotiations and less violent exchange.

In the end, one may say, it amounts to the same thing: death, physical suffering, psychic trauma, unlivable lives. But it matters that war is no longer conceived of as war, that it has been inscribed into a discourse of freedom (Juliet Flower MacCannell will call it love; see below), and that it is tending toward a hatred that transforms and at times prohibits even violent sexual contact. This last utterance must sound odd, if not offensive, or even outrageous. Surely sexual violence is not a mode of relation, let alone a form of recognition through which peace can be made to supplant war? In the Lacanian sense, of course, there is never any sexual relation, and not only because sexual violence inhibits it. The subject is endlessly split by desire, and desire is separated from fulfillment.<sup>27</sup> There is thus only sexual nonrelation. Moreover, as Freud argued with increasing acuity over his career, sexuality is always ambivalent and combines within itself the tendencies of both love and hate, the drive or drift toward both fusion and fragmentation (the latter resulting from aggression).

So, I need to be clear. My invocation of something called “sexual relation” is intended to reflect the consequences, both ideological and material, that arise when one speaks, however imprecisely, of a sexually violent relation. For within normative Western discourses of war, sexual violence has been precisely the awful form of an acknowledgment that, if not war, then peace—between men or the patriarchies they represent. And vice versa. For now, let us limit ourselves to acknowledging that, in the scenario we now occupy (and I use this word with all self-consciousness), there is violence, there is even sexually demeaning violence. But this violence increasingly holds apart and rests on the absolute (because absolutized), unending, and untraversable difference of race and religion, beyond which there is no possibility of any termination, nor, therefore, of relation—including that nonrelation of which Lacan speaks. This

scenario has not been finally accomplished; it remains an emergent possibility, the anticipatory seeds of which were discerned by Lacan in 1973, when he remarked that “our *jouissance* [is] going off track, [and] only the Other is able to mark its position, but only insofar as we are separated from this Other.”<sup>28</sup> He linked this fact, as well as the emergence of new fantasies, to a new discourse, which he called “humanhysterianism” [*humanitairerie*]. Under the guise of this “humanhysterianism,” the West continues to extort from the rest of the world defined as “underdeveloped.”<sup>29</sup> The once-new fantasies are, I believe, now familiar. They have a form. When one sees soldiers demanding that others violate themselves while pretending to self-satisfaction, in order that the bearers of the commandment may receive their own fulfillment, one recognizes it. How did this come to be the case? By what processes did war, and the violence that accompanies it, come to exceed the question of sexual difference by assuming so acute a form of racism? This is a question about the new nature of war, but it is also a question about the regression of our increasingly technologized forms of war making. Let me try to trace the contours of an answer—or rather, a history and an analysis—by which we might understand it and what is at stake in its transformation.

### **War; or, Love’s Fate: Displacing Vietnam**

In the beginning, as it were, the war against terror began with an assault on Afghanistan, an assault that was not only intended to open the way to bin Laden but, more positively, to save that nation’s women. The pursuit of bin Laden would, in fact, take place within the discursive space of this other war, and the eviction of the Taliban found its initial ethicopolitical justification—as have so many colonial wars—in the claim that it would also liberate women. That this liberation would make them available for exploitation by foreign capital rather than by their fathers, brothers, and husbands would be concealed in the rhetoric of equality and in the imitation honor of the chivalrous forces descending from clouds of dust. But women’s liberation would be the call and cause to which the noncombatants of America would be summoned.

It is an old dream, this rescue of women from the hands of their lascivious abductors. But it is also a new dream. It is there in the mad, ruinous war to liberate Helen, told and retold by Homer and his heirs. And it is there, Slavoj Žižek tells us, in the impotent fantasies of the husbands whose wives were incarcerated in the rape camps of Bosnia.<sup>30</sup> Now, in *Disgrace*, J. M. Coetzee has imagined this story for us in its African, postcolonial form.<sup>31</sup> The story of women’s liberation is not entirely absent in Iraq, but,

I want to argue, its relative attenuation in the war on terror as waged in Iraq represents a significant development in the nature of U.S. war making, and thus in the nature of American society. Its gradual diminution must be understood as a stage in the long transformation set in motion at the end of the U.S. wars in Southeast Asia, and particularly in reaction to the conflict in Vietnam.

One sees tokens of such transformations in the popular-cultural landscape, notably in the displacement of dystopian post-Vietnam-era war films by those depicting American heroism in World War II. *Saving Private Ryan* (1998) was a watershed development in this regard. The ratings triumph of *Band of Brothers* (2001) on HBO television secured the amnesiac transformation and made possible the kinds of 9/11 films now entering the scene: *United 93* (2006) and *World Trade Center* (2006). But the enormous popularity of these films was already foreseeable in the success of Bao Ninh's great antiwar novel, *The Sorrow of War*, which was translated into English in 1995 and immediately embraced by the American literati as well as broader war-story audiences. Hailed for its aesthetic mastery and antiromantic honesty, the novel conveys a "sorrow of war" even among the victors of anticolonial conflict.

In fact, the English title constituted something of a restoration for the novel, which had not appeared in Vietnamese under its intended title because publishers feared opposition from government censors. Bao Ninh had wanted the book to appear as *Nỗi Buồn Chiến Tranh* (*The Sorrow of War*), but the press felt the reading public was not ready (in 1991) to hear of their "glorious victory" in such critically melancholic terms. They opted, instead, for *Thân Phận Của Tình Yêu* (*The Fate of Love*).<sup>32</sup> The English publishers found in the original title the story they desired. This was not a story of the meaning-producing, self-sacralizing gesture of sacrifice in war (which orients the sexual relations of the novel). The "sorrow of war" was read instead as the meaninglessness that afflicts the survivors of such sacrifice (which negates the political demands and moral claims of the anticolonial movement in Vietnam).

The protagonist of Bao Ninh's novel, Kien, is a member of a corpse-gathering team, the Vietnamese counterpart of the MIA search-and-rescue mission. In this role, he must visit the scene of war, and while doing so, he encounters not only bodies but the spirits of the war-dead. In a profound sense, *The Sorrow of War* is a ghost story. Its apparitions invariably make themselves heard before, and often in the absence of, achieving visibility; they laugh, weep, cry out, soliciting the ex-soldiers but never responding to the calls made by the living. The sorrow of war, evoked so powerfully in these recurrent specters, has another dimension, however. For it is

experienced by Kien as inseparable from the grief that he suffers when his beloved, Phuong, vanishes from him in the midst of war, first when she is gang-raped by local laborers after the train they are riding is derailed by an explosion, and then when, following this trauma, she becomes a prostitute. The latter event marks the irrevocable departure of Phuong from any familial (patriarchal) structure of desire, and Kien cannot bear this. But if he cannot forgive Phuong for what he believes to be a perpetual reenactment of her trauma in gang rape, he does grieve for the guide of his own platoon, Hoa. She sacrifices herself by diverting an American patrol and then submitting to gang rape and, presumably, death at their hands, so that her Vietnamese comrades can use the American distraction to escape and, she hopes, wage war against the imperialists. Thinking of her, Kien is moved to wonder if war is not the condition within which “such sacrifices” become an “everyday occurrence.”

To a certain extent, then, it made sense to transmute the one title into the other, to render the sorrow of war as the fate of love. Both Kien and the women he loved have submitted themselves to the war in an orgy of anti-colonial nation-love (nationalism), but in the end only Kien, the protagonist, is left to bear the burden of survival among the ghosts of the war-dead. And even his status—as living witness or as the morbid shade of a suicide, ventriloquized by a cynical author—is ultimately in question. Living or dead, the specter that Kien cannot accommodate, however, is that which supplants the intimacy of familial love with the circuitries of completely commodified relations. The sorrow of war, for him, then, is that he could not rescue the women he loved. The fate of love in war is, by contrast, its disarticulation from normative forms of intimate relation—even though these are inevitably “built from repression.”<sup>33</sup> Ultimately, the grief of surviving war—the war in Vietnam, the war between socialist, anticolonial nationalism, and national-monopoly capitalism—lies for Bao Ninh in the intimation that there is no longer any intimacy beyond either commercial exchange or sexual violence.

Kien remains impotent before the image of his violated beloved. But this does not prevent us from resignifying the novel’s narrative. For it is also possible to tell Phuong’s story as the consequence not only of her rape but of the patriarchal sorrow that leaves her lover incapable of acknowledging her survival (even if that survival entails a certain repetition compulsion). Phuong lives the consequences that emanate from this fact: the rescue of women is inevitably an ideological obfuscation of the abduction of women. More than any war before it (though perhaps not as strongly as would be the case in Bosnia, or even Darfur), the conflict in Vietnam revealed the continuing force of a conception of war dominated by the drive to “get”

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women. No master narrative of geopolitical conflict could conceal the crucial fact that rape was a constantly erupting event, and an even more pervasive fantasy, among combatants.

Today, the rapprochement between former enemies can be read in the return of the novel's "original" title to Vietnam. It is now published as *Nỗi Buồn Chiến Tranh* (*The Sorrow of War*). Much, however, was lost in translation, even as that translation appears to reinstate the author's intentions. For if the Vietnamese author wishes to signify the impossibility of retrieving life from war, even an anticolonial war of independence, the novel's movement into English cannot be separated from the effort to recuperate war for empire. This latter gesture can only be accomplished, however, by finally leaving behind the U.S.-Vietnam war itself (though it has never been officially declared as such), the war so indelibly marked by the images of rape (which its cinema endlessly replays), and the ultimate failure of the United States to extract itself from death.

To this end, the negation of the heroism of war in Bao Ninh's novel facilitates the revisionist narratives of World War II, and the fantasy of rescue—but with a difference. For one of the crucial lessons of Vietnam, from the perspective of war's proponents, is that today in the United States, the overt sexualization of war contaminates its moral claims. To go forward by going back, war must go beyond sexual desire, must be returned or catapulted toward a pure violence, at once mechanistic and infantile.<sup>34</sup> If one wants to know what this new kind of war looks like, sexless but technologically sophisticated, one has only to turn to Abu Ghraib and the theater of violent self-satisfaction that it incarnates. To the extent that Abu Ghraib has come to be associated in most people's minds with the "tactics" of nudity and sexual humiliation, however, it is necessary to explain what is meant by the idea that war today exceeds the sexual economy whence it came and from which it was previously inextricable.

Thanks to the intermediary role of World War II, which returns now as the scene onto which new aspirations can be projected, this aspect of the military operation in Vietnam has been displaced. Or rather, the return to World War II allows the particular forms of sexual violence in the U.S.-Vietnam war to appear as that which has been surpassed in and through a new civilizational mission. One initially imagined such claims to be self-deluding ideology. But their secret truth had not yet been revealed, or understood. We need to understand, precisely, what was supposed to have been surpassed; then we may understand in what ways it was really transformed and hence extended.

I am reminded here of an episode that occurred shortly after the beginning of the U.S. military operations in Afghanistan. At that time, an incident at a teach-in at Columbia University drew national attention, and

as a result, certain members of the department of anthropology received hate mail because of their perceived lack of support for individual members of the U.S. military. Occasionally, letters arrived that attempted to explain the good intentions of the men who were thought to have been maligned by our faculty members. One such letter came to me from a woman whose husband had just enlisted, and it explained, in tones at once poignant and pathetic, that the man was a person of honor and decency and concern for others, especially those whose land was about to be occupied. “My husband,” the woman wrote, “will not rape anyone.” I thought it extraordinary that a woman would imagine her husband as a rapist—if only in order to repudiate the possibility that he was one. And I was moved, if also repelled, by the awful predicament of a woman who recognized, despite all else, that, for most people, indeed for her, war means rape. Her efforts to imagine her husband as an exception to this rule only proved its validity.

We are all familiar with this semiotic formula and its presumption of a structural identity between collective violence and sexual coercion. It is coded in the myriad myths that come to us from history’s multiple traditions, and from the anthropological theories that travesty the sentence “war *means* rape” by representing sexual conquest as the end and apotheosis of war, and, at the same time, as the condition of possibility of war’s transformation into peace through marriage. It is this linkage that lies buried in the repeated translations of the title for Bao Ninh’s great novel.

Structuralist—and, by extension, much contemporary—anthropology explains all war in nonstate societies as the violent pursuit of women and/or as the repudiation of exchange by peaceful means.<sup>35</sup> In marital relations, the structuralist argument goes, women move between communities of allies.<sup>36</sup> Marriage permits the reproduction of the communities, and even their growth, but no one (no male-dominated society) gains anything relative to anyone else through such peaceful, contractually regulated exchanges.<sup>37</sup> To gain absolutely requires violence; it requires the abduction of women—or whatever it is that constitutes the desired, the feminized object. There is much to be said by way of criticism of this argument, either in its Lévi-Straussian form or in its subtler, more radical articulation by Pierre Clastres. And whether it is true or not that women can be construed as tokens of exchange, analogized either as objects or signs, as structuralists want to suggest (and feminists generally dispute), the form of the argument is exactly commensurate with the ideology of war as it has been articulated in patriarchal contexts—until now.<sup>38</sup> We might say that a structuralist theory of war as the abduction of women is the dream of a warring patriarchy, just as Lacan said that Oedipus was Freud’s dream. The difference between the simple form of its articulation, say, among the Guayaki Indians as described by Pierre Clastres and that

found among the British imperial forces in India is that the imperial model narrates the exchange of women as their liberation.<sup>39</sup>

For those of us raised in the West, the urtext of this ideology of war is perhaps Homer's *Iliad*, the text Simone Weil described as the poem of force. In the *Iliad*, she wrote, "we see force in its grossest and most summary form—the force that kills."<sup>40</sup> It transforms all of the living into corpses in the moment that it appears. Weil's humanism, though aesthetically persuasive, may have led her to overlook the sexual dynamics of the conflict being portrayed. For the *Iliad* commences with a nearly absurd conversation about who will have whom as spoils of war. Achilles, Agamemnon, and Patroklos fight over whether their booty is adequate to their contributions to the fighting, and Achilles is so incensed that he will not have Briseis, whom Agamemnon has taken for himself, that he threatens to withdraw his own swift brilliance from the war. Pouting, he ensures that the *Iliad* opens in doubt about war and not with the story of Helen, whose affair with, or abduction by, Paris and flight from Menalaos ostensibly constitutes its ultimate cause. And in this mode of petulant negation, Homer himself makes visible, if only for a moment, a countertheory of peace as that which would be possible if war were not construed as the instrument of a phallicized eros, as the means to abduct women.

But of course, that is only the first book of the epic; there are another twenty-three to go, and as we all know, the moment of possible suspension is overcome by a drive that will consume Troy, and give us the unbearable story of the Trojan women. What Weil failed to comprehend is how this force works to unmoor desire from the structures in which it is otherwise restrained—most notably by kinship. It is, after all, war and the exile that follows upon it which lead Oedipus to make his fateful mistake. In the *Iliad*, desire is at the origin of the story of war. It is, in some sense, at the origin of force, and it is the socially organized force that, ironically, appears to desocialize desire. This understanding of the relationship between force and desire, it should be stated, is the opposite or the inverse of that total libidization that Deleuze and Guattari speak about in *Anti-Oedipus*. There they approve the accomplishments of feminists who they believed had more or less understood that liberation consists in the investment of the total social field by desire.<sup>41</sup> Such an investment was, for them, correlate with a disinvestment of the repressive structures in society, namely those of Oedipality, through which desire would be contained in the family and instrumentalized in the interest of reproductivity. But their analysis can only operate within society, and not in the relations between societies. If the laws of war have historically attempted to contain this force by producing an identity between the categories of woman and noncombatant, for example, they have nonetheless been cultivated by the structures

of militarism and the pedagogies that undergird it. The laws of war are always belated to this inevitable eruption of an event whose arrival we can anticipate from the start.

War imagined as the rescue of women merely defers the violence against women and posits it as the outside of war—either as its objective, which is dissimulated as peace (wartime brides, and so forth); or, as its criminal interruption (wartime rape, punishable under the codes of military justice). In either case, Thanatos and Eros are held apart. Freud famously offered a countertheory for this oppositional model when he posited the death drive—noting that the effort to repetitively achieve satisfaction constitutes a movement toward stasis and death. But when he wrote that every organism chooses its own form of dying, he was only partially correct; it also chooses the form of the death it perpetrates on others.<sup>42</sup> The form of death being disseminated in the war on Iraq has, as its structuring principle, not sexual difference (on which the entire theory of the abduction of women was based), but a racial difference so severe that it can only be framed as a relation between the human and the not-human, a fact recognized by the Fay-Jones report, which rightly understands nudity not as sexualizing, but as dehumanizing. The brutal irony of this new economy is that it masquerades as an abstract kind of love and a new kind of rescue.

As Juliet Flower MacCannell has so incisively argued, the current regime in the United States has chosen the love of others as the discursive form of their annihilation. Her argument takes Lacan's marvelous neologism, of "humanhysterianism," to its theoretical outer limits. In the cause of liberating societies from despotism, saving them from dictatorial patriarchy, or simply enabling them to restructure their economies along neoliberal lines, the U.S. government has justified the bombing of cities, and with it the deaths of tens of thousands of people.<sup>43</sup> Identification with the wounded, whether through rituals of political solidarity like "die-ins" or in the dropping of humanitarian supplies from thousands of feet in the air, is, according to MacCannell, the basis of a situation in which "war is now a means of radiating love." She writes, "Late capitalism . . . still requires real destruction and loss to generate surplus *jouissance*, but now hostility—even open hostilities, war itself—must be absorbed in the aura of universal love."<sup>44</sup> For this reason, one might say, the sorrow of war is indeed love's fate.

MacCannell attributes this development to the new demands of capitalism and to the displacement of a structure of mastery by that of leadership. Here, she follows Lacan and contemporarizes him. In Reagan she discovers the real leader, someone who is not thought to incarnate the power of the master, to bear the law or to exercise the threat of castration,

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but someone with whom everyone can identify, someone whose primary attribute is a wealth that is said to be available to everyone else (by way of trickle-down economics) and whose achievement of stature has been, precisely, painless. One can therefore hardly imagine a more appropriate heir to the Reagan phenomenon than the one who gave us the idea of a “kinder, gentler America” or his son, the man of post-Schmittian simplicities, a huckster of the “friends or enemies” theory of international relations. The kind of leadership exemplified by these men is like populism, but seemingly it lacks the structure of mastery; it is based, instead, on the possibility of identification between “ordinary people” and their “leader,” and for this reason, it is obsessed with the concept of consent.<sup>45</sup> The war that is waged in the form of universal love has as its corollary the demand that the losers and the victims consent to their subjugation, that they show themselves consenting, and even more, that they show themselves enjoying this consent. Herein lies the origin of the current war’s perversion. It is not unrelated to the fact that, as MacCannell says, in the world of the leader, sexual division “is displaced as the primary mechanism of social organization.”<sup>46</sup> If this is correct, then the war in Iraq and elsewhere would be characterized by violence that is defined by an extreme literalism and a lack of differentiation among male and female victims. It would entail violence that exposes itself while asking others to perform their own self-abnegation, which is then read not as submission, but consent. All of these characteristics can be seen in the abuse of Abu Ghraib. Perhaps, one realizes now, they could be seen already in the Gulf War of 1991.

### **(No) Satisfaction, Literally**

The 1991 Gulf War has generated a rather slender body of literature, but one of its most incisive and astute narrations comes in Anthony Swoford’s *Jarhead: A Marine’s Chronicle of the Gulf War and Other Battles*—a book that stands to the Gulf War as Michael Herr’s *Dispatches* and Tim O’Brien’s *The Things They Carried* stood to the U.S.-Vietnam war. The book’s autobiographical narrator is reading the *Iliad* while waiting for training on the latest sniper weaponry: a Barrett .50-caliber gun with a pistol grip and a range of two thousand yards (a gun that would later be used by white-supremacist militias and homegrown terrorists like Timothy McVeigh and the Branch Davidians, the author informs us). But he is less concerned than Patroklos or Achilles had been about the possibility of female booty, despite having spent his early training days watching Vietnam War films for the excitement of the rape scenes. He experiences Saudi as “sexless.” It is all the more significant, then, that at the end of

the war, when he and his battalion mates are charged with the awful task of disposing of the Iraqi war dead, he describes their predicament as one lacking satisfaction. Compared to the Vietnam vets in his own family, he and his fellow soldiers have experienced a superfluity of discourse about the war, a superfluity of technology that the military had exposed in massive displays of weaponry staged for the watchful eyes of CNN cameras—and almost no combat.

Swofford's platoon mate compensates for the lack of satisfaction by mutilating the bodies of dead Iraqis and then photographing them. This combination of desecration and photography produces something less than total satisfaction—the soldier cannot get enough of it, and so repeats the act, but the photographing of the damage seems to be part of the effort to achieve such satisfaction.<sup>47</sup> It constitutes the moment whereby the violence is transmuted into scopophilia. The soldier photographs the violence for his own visual consumption, and it is this viewing that stands in the structural place of Briseis in Homer's text. The implication, of course, is that the soldier's satisfaction will come when he can see himself satisfying himself. This satisfaction seems to entail the literalization and externalization of all his rage. He wants to destroy the body of the Iraqi, to render it mere pulp, to evacuate even the trace of its humanity. In this way, he will complete the cycle begun in boot camp. Earlier in the book, Swofford remarks of the same soldier and another platoon mate: "because they are ignorant and young and have been well trained by the Corps, [they] are afraid of the humanity of the Bedouin."<sup>48</sup> Though they have left the Bedouins behind, the soldiers of Swofford's platoon have brought with them their incapacity to regard the other in his or her humanity. This is why the soldier can and does mutilate the corpse.

In the awful scene of violent literalization (and literal violence) that culminates Swofford's Gulf War memoir, one finds an uncanny resonance with scenes described by Klaus Theweleit in his analysis of the German *Freikorps* and Nazism. Theweleit similarly emphasizes the rage that transforms the enemy into pulp, but he also attends to the forms of torture that were most commonly practiced in more controlled circumstances. His analysis of the erotics associated with such torture is instructive for our own case, both because of the continuity of literalism that links them and because of the different sexual economy within which it operates.

In one witness's account reported by Theweleit, the presiding commandant in a war camp is seen to masturbate while watching a flogging. The witness also claims that such masturbation was a frequent part of such public rituals, which demanded that the coerced audiences (including other prisoners and lowlier military personnel) observe not only the humiliating flogging of victims' naked buttocks but also the public sexual

self-satisfaction of the man in charge. Theweleit refuses to ascribe to this scene of physical violence and scopophilic pleasure a properly homosexual dimension, although he grants to ritual flogging the status of the most phallic and most sexual of all tortures. Its function, in his analysis, is to combat “Ego-disintegration,” but, he adds, it also “*absolves [the torturer] of the requirement that he fantasize in order to gain pleasure. Masturbation released him absolutely from his own threatening interior since this now takes the externalized form of the victim at the whipping post.*”<sup>49</sup>

The scene is thus pornographic: enacting the absolute literality of the actual. It does not transform, dissimulate, or express a desire for something else. Indeed, this is how Theweleit reads the phenomenon of the *Freikorps* (and Nazism in general): not as the metaphoric translation of another process, or the expression of a prior or deeper reality—whether this be the logic of capitalist production, the crisis of the ego in the aftermath of World War I, or some other system—but as the literal articulation of a sexualized code that “places sexuality in the service of destruction.”<sup>50</sup> He takes seriously the language in which its practitioners wrote of their ambitions and their memories, and it is the language of a specifically misogynist sexual violence—directed almost exclusively against maternity, against women, against the feminine.

Theweleit’s formulation of the relationship between observer, torturer, and victim owes something to psychoanalysis, but it is perhaps useful to clarify that what he means by fantasy is not precisely what many others, particularly those with Lacanian inspiration, mean when they deploy the same concept to explain seemingly similar phenomena. Slavoj Žižek, for example, insists that we include torture and murder as possible sources of the sublime, which he understands as a passive observational status vis-à-vis that which exceeds comprehension. Expanding on Kant’s category, and occluding the moment of the sublime that Kant emphasizes, namely the retreat into Reason that follows upon the experience of blissful impotence in the face of an unfathomable enormity, Žižek defines fantasy as the process by which “the subject is reduced to a pure impassive gaze witnessing the phantasmic scene whose reality has been suspended.”<sup>51</sup>

Žižek made this statement in the space between our collective witnessing of the war in the former Yugoslavia, and specifically the rape camps in Bosnia, and what we now term the first Gulf War. His concern is with the complicity of the gaze and, hence, with those who “watch”—whether by compulsion or choice. While this is an urgent issue even today, its privileged position in Žižek’s discourse appears to displace analysis of the power of the one who may be committing the violence in actuality, whether as the possessor of torture’s instruments or as the possessor of the commandment. In any case, and if it is true that one is always witness to one’s own

deeds (if not one's doing), the perpetrator is not merely an "immobilized witness who cannot but observe what goes on." That person—who seems to be the primary object of Žižek's analysis—may be the father forced to observe his daughter's or his wife's assault (this is the scenario invoked by the Iraqi police in their own interrogation scenarios), or the woman forced to observe her child's mutilation. But these witnesses, who are less passive than pacified, cannot form the basis for a theory of what occurs in the scenario of military torture—at least not insofar as the torturer is the one who, though always watching, exceeds the role of witness. The need for a different analysis becomes evident when one considers Žižek's concluding reading of the guilt or shame of the perpetrator. Žižek asks, "Why . . . is the observer passive and impotent?" And he answers, "Because his desire is split, divided between fascination with enjoyment and repulsion at it."<sup>52</sup> This is true of all desire, but if all desire is tortuous, it is not always torturing. The problem with Žižek's analysis is that he cannot think the question of torture except as that of the spectator, which is to say his own position. In this moment, the torturer is elided and fantasy becomes precisely that which holds him in thrall.

What we see in the photographs from Abu Ghraib, however, is the apparent vanishing of repulsion on the part of the observers and the torturers, who, via the circuitry of the digital camera, can anticipate possessing the very gaze that will observe them(selves) in the (slightly deferred) future. In *Jarhead*, the soldiers hacking at the Iraqi dead were interrupted in their apparently commonplace act of desecration by a sergeant who threatened punishment if the men were caught violating the corpses or taking pictures of them. The threat of punishment appeared to curtail some of the activity, even if the men resented the circumscription of their pleasures. At Abu Ghraib, there is, instead, what Brown calls delight and what I call satisfaction. This is an extreme moment in what Jacques Lacan referred to as the historical development of shamelessness—now writ large and inscribed into the geopolitical narrative of American aspirations to hegemony.

### Showing to Be Seen: Shameless Satisfaction

If, in the end, Žižek's conception of fantasy seems inadequate to comprehend the scene at Abu Ghraib, his thought nonetheless does converge with Theweleit around the conception of symbolic failure. In the era of "post-modern warfare" (which he believes has been correctly understood but for the wrong reasons), remarks Žižek, the world has become saturated by extremely realistic images of war. As a result, it suffers from an atro-

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phying of symbolic activity. Symbolic fiction depends on a space between representation and reality. In its absence, Žižek argues, there is opened the possibility, perhaps even the likelihood, of violence—especially what he terms “‘irrational’ war violence.”

Unlike Theweleit’s *Freikorps*, the rage and the libidinous aims manifest in the photographs of torture at Abu Ghraib do not articulate a uniform rage against the feminine, although they often depict the explicit demasculinization or humiliation of male subjects. The violence appears capable of generating satisfaction precisely to the extent that it can be (re)viewed in photographic form. This viewing is not, however, strictly contained by the historically expected codes of the masculine gaze within military cultures, not even those of an expressly imperial sort.<sup>53</sup>

At Abu Ghraib, of course, not all the perpetrators were male. In fact, three of the seven soldiers first charged with criminal abuse in the initial proceedings were women.<sup>54</sup> Their commanding officer, Brig. Gen. Janis Karpinski, commander of the 800th Military Police Brigade, was also a woman. Moreover, there were sexual relations between at least two of the soldiers. (Lynndie England was pregnant by Charles Graner.) To be sure, a number of photographs from Abu Ghraib depict the bared breasts of women, who had been forced to pose for the camera in various states of undress and seductive posturing.<sup>55</sup> The generic codes of pornographic photography can be discerned in the photographs of the women. But it is in the images of the torturers with their naked male victims, oftentimes shackled to each other, that one can discern the pornographic in Theweleit’s sense.<sup>56</sup> In the triumphant jubilation evident on the torturers’ faces and in the gestures of “thumbs up,” there appears to be an immediate relationship to the victims. There is no suggestion in these images that the torture is performed toward other, deferred ends, or that the torturers are awaiting their victims’ responses. The torture is a kind of self-sufficiency, it is satisfying in itself, or at least it will come to appear to have been satisfying in the moment when the photographs are viewed. No fantasy, then, just carnal enjoyment derived from the material fact of the wounded Iraqis.

A clear pattern in U.S. practices of humiliation can be discerned not only in the U.S. military’s own internal inquiries but also from the ICRC report. The humiliation ranged from forced nakedness (either in solitary confinement or as part of a parade in front of other prisoners), to being forced to wear women’s undergarments, to the extreme cases of forced (simulated) oral intercourse with other inmates and sodomization with an object.<sup>57</sup> Nudity was commonplace. But nudity was not simply one among other abuses; it conditioned the others. Thus, Fay writes, “The use of nudity as an interrogation technique or incentive to maintain the cooperation of detainees was not a technique developed in Abu Ghraib,

but rather a technique which was imported and can be traced through Afghanistan and GTMO. . . . The use of clothing as an incentive (nudity) is significant in that it likely contributed to an escalating ‘de-humanization’ of the detainees and set the stage of additional and more severe abuses to occur.”<sup>58</sup> This dehumanization needs to be understood, above all, as a refusal to acknowledge the symbolizing capacities of the other. The Iraqis denuded and compelled to masturbate were forced, among other things, to perform the presumptive loss of their own capacities for fantasy. Only then could they serve the purposes of torturers, who can be seen as themselves incapable of fantasy and thus devoted to the violent literality of physical torture.

It is interesting to note, in this context, a slight difference in tactics deployed by the Iraqi police. The Iraqi police, who were then performing under the jurisdiction and supervision of the Command Force, deployed techniques that were often physically brutal—including beatings by hand or with guns, and burnings with cigarettes. They also made recourse to sexually significant threats. However, reviewing the incident reports of abuse against members of the Iraqi police, these appear to be directed less against the sexual body of the male detainees than against the hallucinatory image of the violated bodies of their wives, sisters, or daughters. In the threats of rape or sexual humiliation that the police conjure for those in their custody, one could possibly adduce a culturalist stereotype of honor and shame. But this stereotype offers us no insight. (The same threats, delivered in other contexts, would undoubtedly produce comparable fears.) The more important issue, in this context, is that the Iraqi tactic deploys the victims’ fantasy as an instrument of terror.<sup>59</sup> By contrast, the American practice appears to have been formulated in behaviorist terms such that the victim will seek relief from his own suffering and humiliation. In the effort to escape his own humiliation and dehumanization, it is thought (and, undoubtedly, hoped) that he will enter into submissive relations with the commanders or, more properly, the bearers of commandments, namely the Combined Forces personnel. And no wonder, for the personnel themselves have been trained according to the same principles. As Anthony Swoford writes, “The Marine Corps environment is one of cause and effect, the first pragmatic principle we learn as children. When red, the stove is hot.”<sup>60</sup>

It is therefore significant that, as part of its remedial plan after Abu Ghraib, the independent panel chaired by James R. Schlesinger advocated using “more specialists for detention/interrogation operations.” The only scientific personnel identified in this group are “behavioral scientists.”<sup>61</sup> Here, perhaps, is the discursive link between U.S. policy, science, the torture at Abu Ghraib, and what can only be described as a mode of war.

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Behaviorism is, of course, the science of an immediate relationship to one's environment, based on an analysis of human activity that bypasses the mental activity of symbolization and fantasy, or that conceives of it as merely "covert speech." It conceives of obedience before the law as conditioned response (read compliance), or as the mere avoidance of future pain. It is within this same report that we find the statement on ethics, cited above, which claims that "Criminals . . . 'consent' to the possibility of being captured, detained, interrogated, and possibly killed."<sup>62</sup>

The idea of consent allows one to render one's own satisfaction as the satisfaction of another. It is what lets the torturer enjoy the forced masturbation of the detainee: the perverse extension of war in the mode of love, and the surpassing of it as the deferral of sex. In this context, we can expect to hear a great deal about the enjoyment experienced by the torturer. We can expect something like what Swofford describes as the "torturer's smile . . . [which] says, 'I am enjoying this, I am enjoying every second of fucking you.'"<sup>63</sup> And of course, we find that in the photographs themselves. But we find it elsewhere as well.

Documents released by the Department of Defense and the Department of the Navy, and re-released to the public by the ACLU, repeatedly mention American military personnel laughing while interrogating detainees. In April 2004, at the Forward Operating Base in Mahmudiya, marines used electric shock and hooding simply because the detainee repeatedly grabbed the bars of his cage. (Hooding is "standard operating procedure," but electric shock is strictly in violation of Geneva conventions.) The official inquiry report described the marines as laughing at their victims.<sup>64</sup> Laughter is also mentioned in the trial record of Corporal Scott A. Burton, of the 81mm Mortar Platoon, who was court-martialed for spraying the face of a man with a fire extinguisher in July 2004. The man was unarmed and unthreatening, and the witness testimony makes it appear that the corporal committed this act for fun.<sup>65</sup> Conscious of the aggressivity that could be communicated in and through laughter, and aware that it might be the sign of an attitude beyond the putative utilitarianism of the war on terror, the Combined Forces Command in Afghanistan actually issued a general order setting out standards for the treatment of detainees and prohibiting laughter, taunting, and the use of humiliation. It also prohibited the personal possession of photographic equipment on the grounds of any detainee facility.<sup>66</sup> In Iraq, however, the laughter continued. This laughter, far from mere nervous defensiveness, is precisely correlate with the extreme excessiveness of the detention operation itself. It is made possible by that very excessiveness, which precludes any arguments about the relationship between torture and interrogation methods, about means and ends.

According to the Independent Panel to Review DoD Detention Operations, only a third of the abuses committed by U.S. military personnel were committed in the course of interrogation.<sup>67</sup> Both Jones and Fay confirm that the majority of abuse was unrelated to intelligence gathering.<sup>68</sup> In fact, they reproduce the claim of the Abu Ghraib Detainee Assessment Board, which indicated that “85%–90% of the detainees were of no intelligence value.”<sup>69</sup> This correlates with the report of the ICRC, which estimated that “between 70% and 90% of the persons deprived of their liberty in Iraq had been arrested by mistake.”<sup>70</sup>

Torture in Iraq is therefore not about getting anything (and here we should bear in mind that old economic formula about war and the getting of women, labor, and resources, including intelligence). It is about enjoyment, seemingly divorced from desire. Not surprisingly, one soldier questioned about military intelligence procedures at Abu Ghraib remarked, quite simply, that the incidents made famous by the photographs from that institution showed “abuse for sport.”<sup>71</sup> Sport is, of course, an amusement, an act of pleasure, but it is also a theatrical event, a play or a show. The oddity of sport is its simultaneous public nature and its lack of intrinsic meaning.<sup>72</sup> It is that which requires signification. This does not imply anarchy. Sport is always subject to rules. More important for our analysis, however, is the fact that sport is a kind of activity through which one may exercise force while championing the freedom of the other to be vanquished.

Something of this logic can be seen in the torture so aptly described by the sergeant whose interview remarks upon the sport of abuse at Abu Ghraib. In the torture meted out there, the bodies of the Iraqis are made to signify, but this signification is without metaphoricity. This is why, at Abu Ghraib, the literality of pornography and the immediacy of sport can be said to converge. The detainees are marked—and by various instruments. They are sometimes even written on with felt-tip marker. For example, some of the naked men were said to have been shackled together as punishment for having raped a younger inmate. The word “rapist” can be seen on the flesh of at least one man in the photographs posted on Salon.com, and this is also mentioned in the military reports.<sup>73</sup> Not all of the inscriptions are so immediately linked to events, however. Until the ICRC petitioned the U.S. Central Command in Doha (in May 2003), foreign detainees (presumably those from outside of Iraq) were given wristbands that read “terrorist.” Thus “named,” the detainees, or as the ICRC prefers to refer to them, “persons deprived of liberty,” were treated accordingly, which meant they could be subject to extreme techniques of deprivation and interrogation (which the Bush government currently refers to as “alternative methods”).<sup>74</sup>

Most commonly, such techniques include sleep and light deprivation,

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isolation, and physical beatings. At Abu Ghraib, at least one mentally unstable detainee was sometimes smeared with fecal matter. Although apparently self-applied, this filth was nonetheless not removed by the guards, who, in fact, did urinate on many detainees. Treated like shit or waste and called shit or waste, they were made to wear it. The shit or waste is not a symbol of something else. It is shit. Thus were the victims of Abu Ghraib expelled from the world of meaning. Those terrorized by animals were similarly reduced to that status—not transformed through some mimetic magic, but forced through a grotesque theater to become what they were for their torturers: shit, animals, sexual deviants.

The expression “become what you are” is the formula Theodor Adorno adduced to describe the (deceiving) demands of mass culture. If Theweleit is correct, then we might discover a relationship between the form of torture at Abu Ghraib and the fact that it is photographed or, rather, from the manner in which it is photographed. In the photographs, the victim is the one who shows the torturer to be capable of producing an immediate effect. The victim becomes the one who can be made to obtain self-satisfaction (erection) without fantasizing—simply because he was commanded to do so. And this lack of fantasy is the externalization of the torturer’s lack of fantasy. Everything is materialized as the visible in this scenario. The erections of the Iraqis show their putative satisfaction; the smiles of the soldiers show theirs. Desire has vanished here, or at least no one can acknowledge that another is standing in as the cause of his desire. We might update Swofford’s remark and describe the torturers as those whose smile says, “Look at me! I am enjoying (not) fucking you.” This “not fucking you” does not mean there is no sexual violence; it means that the sexual violence is, effectively, a form of killing, a repudiation of fantasy and indeed of the subjectivity that fantasy produces. Like all death, it is best apprehended photographically. That is why the forced masturbation of the Iraqis is related to the imaginary theater of necrophilia joked about by the troops who never even made it to Abu Ghraib. They are described by Christian Parenti, who “embedded” himself with U.S. troops in order to “see their counterinsurgency methods up close.” Parenti evokes the living quarters of the men as a cliché of military masculinity: pornographic images adorn the walls, flags are displayed, and water bottles have been converted into spittoons for chewing-tobacco juice. He also cites a jovial wager among the men, an example of what he calls the “necrophiliac humor of imperial war-making”: “How much money would it take for you to have sex with a male corpse at the fifty-yard line during the Super Bowl halftime show?”<sup>75</sup> Far from Abu Ghraib, it seems, the sexual fantasies of the military men seem incomplete without some sense of public display.

The wager imagines a fusion of sport and sexless sex, a relation with death that takes place for the camera.

The Abu Ghraib photographs are not the first such testimonies of torture. There is a lengthy genealogy that links photography to the practice of trophy hunting and that inserts the torture photograph into a genre that is perhaps best described as part forensic testimony, part travelogue. Historically, images of torture have often been used for didactic purposes (as was the case in Nazi Germany). Just as often they have been used as evidence of the torturer's accomplishment—whether as a form of bravado or as a means of incrimination. Sometimes, too, they are incorporated into pornographic publications, where they perform something like the function described above.<sup>76</sup> But even in this latter case, they tend, by and large, to be hidden. The only exception to this is when the torture photograph is incorporated into the apparatus of terror itself, to extend its reach by way of the circulation of images, so that images acquire something of the performative force on which all terror relies.

Seymour Hersh's story in the *New Yorker*, which first published the images, came about in the face of enormous efforts of suppression. It is also true that members of the military at Abu Ghraib who objected to the practices there were threatened if they revealed them. Yet the fact remains that the images were widely reproduced, that they served as screen savers on military computers, and that, in their very composition, they display themselves as such: that is to say, they give themselves to be seen. The question is, by whom? And what is the nature of this giving to be seen? At the very least, the expressions of the torturers in the photographs appear to be without fear of judgment. One might presume that this is because those imaged believed that the photographs would remain within the cloistered community of the coparticipants, or that the military authorities had approved of the activities and had thereby immunized them against censure. But I would like to suggest that they be read as evidence of a more profound, indeed, generalizing condition in which such judgment is presumed to be, if not absent, then entirely irrelevant to enjoyment. And I would like to suggest that this fact is correlate with the manner in which war is being waged, at least in Iraq, today.

Jacques Lacan's analysis of television offers a useful point of entry here, punctuated as it is by a kind of astonishment that those around him are not ashamed of their enjoyment.<sup>77</sup> While delivering his famous Seminar XVII, "The Other Side of Psychoanalysis" (after the 1968 student uprisings in Paris), he declares of his students, "Look at them enjoying!" Lacan was commenting on the student uprisings themselves and the obvious excitement that ran through them. What he means to say, as Jacques-Alain

Miller observes, is that there is no longer the presumption of an Other who can judge, and who judges within the structure of the gaze. The point of the gaze has become, in the era of television (or spectacle, in Debord's language), mere enjoyment.<sup>78</sup> Hence the television is harmonized with the "death of the gaze of God." Lacan tried to tell his students that there was actually shame after all, that there is a primal shame at being alive, and that the spectacle cannot ultimately eliminate this. For Miller, such an analysis no longer persuades. The era of reality television has annihilated it, transforming irrevocably the nature of subject formation.

Without the gaze that judges, the subject cannot come under the law of prohibition, cannot become a subject of desire, and cannot relate himself to a master signifier. The master signifier is the instrument by which an individual claims uniqueness, but if any signifier will do, the subject too will become just one of many, an interchangeable individual in mass society. Hence, Lacan's supposition of a link between this televisuality and the logics of capitalism: the violently enabling condition of liberal democratic politics.<sup>79</sup> This total substitutability is ideological fiction, of course, as much as it is a political ideal. It allows for the identification between people of disparate class positions—Wal-Mart workers and presidents, for example—and it obscures entirely the differential compensation of labor within a global economy. But it nonetheless has effects, and these effects are to be observed in the shameless self-exposure of both torturers at Abu Ghraib and participants in reality TV shows such as *Jackass*. The television is that from which a voice emerges, but where no individual is located.<sup>80</sup> Seen this way, it cannot be the site of a speaking subject, and we cannot imagine it (or we could not in Lacan's moment) speaking to us, by which I mean answering to an address. It cannot, therefore, stand in for the Other. And it cannot, correspondingly, function as the place of law—even though it can depict a world in which law and order obtain. This does not mean that we live in an era, television's era, where anything goes. On the contrary. What Miller proposes is that in the absence of an older, indeed "aristocratic" form of the master signifier, with its potential for elitism and repressive social organizational forms, we have reintroduced not shame but what he calls insecurity. And we have supplanted the imperfections of the master signifier and its discourse with a new authoritarianism and artificial mastery.<sup>81</sup> The fortuitous resonance between the language of insecurity and the politics of securitization is not accidental. Miller means, precisely, to invoke the contemporary milieu and the problematics of both neoliberal capitalism and the international regime of (in)security in which the war on terror is currently being waged.

## Beyond Shame and Sexual Difference: War of the Worlds

At the end of the 1991 Gulf War, the ticker-tape parades in major U.S. cities announced the end of the Vietnam syndrome. The transformations wrought by the Gulf War, so remarked in the critical literature of the time, were conceived in terms of mediatization, the birth of real-time news coverage, and the awful loss of difference between the simulacrum of the video game and the actual battles fought from on high. It would be some years before the other transformations represented by that war would be felt, transformations registered in the fiction and the memoirs of the decade between the first Gulf War and September 11. Among them: the displacement of interstate war by the asymmetrical war between state and nonstate actors, the racialization of religious difference, and the displacement of sexual difference as the organizational principle operating at the juncture between war and not-war. We cannot say that these transformations are for the better or the worse, and one is loathe to feel nostalgic for an era of mastery. But these changes, many of them ambivalent, none of them total, are significant. Today, in addition to the monstrous cliché of raping and killing, we have on the one hand the lunatic instrumentality of reproductive violence, the mass rapes and forced impregnation of women in Bosnia and Darfur—in the interest of ethnic cleansing—and on the other, the spectacle of impotent enjoyment in others' humiliation and the parody of consent at Abu Ghraib. This is living death in an era that no longer believes in ghosts. Perhaps this is pure war—not total war, but pure war, in the age of television, when there is no longer a difference between the reality of television and reality TV, when everything is for show and it does not matter who is looking.

What is the political corollary to these psycho(anti)social developments? To answer that question requires that we recognize the degree to which war rendered as the abduction of women was itself a figure and a self-sustaining myth of patriarchy. The structuralist obsession with both kinship and Oedipality allowed the signifier to be conflated with the signified, the Other with the subject who stood in its place. If women have more often than not suffered the consequences of warfare (if not the suffering of war itself), and if they have often endured the fate of being treated as trophies, this does not make their acquisition the goal of war so much as it reveals that war, as the repudiation of exchange, is nothing but the organized pursuit of that for which one will not have to pay—through labor, resources, one's own expenditure. Today, we know that war is being waged not (only) for women, despite the promises to unveil Afghanistan, but for oil. Or rather, it is being waged to ensure U.S. control over the indebtedness that will afflict those other nations (mainly Europe and Japan) dependent

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on oil for their economic well-being, nations that no longer owe fidelity to the United States for protection from a Soviet threat.<sup>82</sup>

Historically, wars conceived as (non)relations between patriarchal nations have been structured by sexual difference and infused with desire. This is because a nation always represents more than its actuality (the sum of its many citizens and noncitizen subjects) for the members of another nation, and hence for itself. Seen from without, a nation represents both a pastness and a futurity that fills out a space in relation to which the individuals of another nation will always be at least potentially lacking. In its most extreme forms, this relation can be figured as the possibility of being subjugated by another nation's law. So national or interstate conflicts will always be saturated with both fear and desire.

Now, we know that the current war on terror is no longer conceived as a war among comparable nations, or nation-states, though it must be played out on a geopolitical field wherein those categories still operate. It is, famously, an asymmetrical war waged between state and nonstate actors. Although the figure of the network has emerged to offer something like an analogy to the state-form, as that against which the state can oppose itself, the conception of terrorism currently operating in the American imaginary is that which conceives of the network as a multiplicity of discrete individuals. This is why so much emphasis can be put on the targeting of individual persons—bin Laden, Zarqawi, and so forth. Even if it is a mere ideological ruse (the war on terror cannot ultimately terminate itself, nor can it address the possibility of the self-reproduction of the network), the reduction of the opponent to a series of individuals alters profoundly the economy within which military engagement is undertaken. The terrorist, unlike the member of the national army, is not a representative of something else; he (and sometimes she) is simply defined as a person who attempts to terrorize Americans or their allies. The terrorist is represented as a person without a politics, which is to say, without that futurity that would be the product of social labor. As a figure, the terrorist is circumscribed by tautological literality, is simply one who brings about terror, an object-cause to be annihilated.

The terrorist incites fear but does not call forth fantasy (in Theweleit's sense); on the contrary, the desymbolization (what others might term the dehumanization) of the terrorist reduces the nonrelation with him to the question of destruction. It is a destruction that must be endured as the demand to become, quite simply, the externalization of the torturer's enjoyment. One wonders what might have happened if the United States and its Coalition of the Willing (the consenting allies) had dared to ask the question of what the other wanted, if, as Lacan says, we did not impose our mode of jouissance upon him. Would we be at war if it had been possible

to acknowledge that the other wanted something very different from what the United States wanted—politically, socially, or economically?

That question has been under erasure since September 11, 2001. It is possible that this foreclosure is a self-protective one, born of trauma. But if any of the foregoing is correct, then we would have to consider the possibility that the shamelessness of current policy and practice is not merely a mediatic phenomenon but, also, an active refusal to be shamed and hence a repudiation of any other discourse still structured by mastery. Official U.S. policy toward the International Criminal Court bespeaks such a repudiation. So too do the anxious discourses about the excesses of Islamic law. Indeed, the Western concern with the excessiveness of Islamic law expresses the flip side of the formula by which the United States believes itself to be sole bearer of international right; any other law is invalid by virtue of its extremity.

It may be that the resentful acknowledgment of another law, a law with consequences even for those who are not its subjects, acts as something of a barrier to what would otherwise have surely been an even greater and more conventionally sexualized violence in Iraq and Afghanistan—such as occurred in Vietnam. As made clear by the awful case of Abeer Qasim al-Janabi, a fourteen-year-old Iraqi girl from Mahmoudiya who was raped and murdered along with her family, the present war is not without its properly sexual violence. There are eruptions of an old patriarchal aspiration to defeat the enemy by possessing and violating his women (and thereby to dispossess him), despite the emerging and apparently common spectacles of humiliation and self-gratification that come with picturing oneself as the possessor of an absolute commandment, beyond judgment, beyond shame.

Surveying the file of corrupt imagery that goes by the name of Abu Ghraib, one is reminded of de Sade's tale of the hoarder masturbating in front of his piles of gold. Accumulation and the literalist's incapacity to conceive of money's symbolic function are on display in this scene. One gets a sense that what excited the perpetrators at Abu Ghraib was their own power: the power of a commandment by which another man can be made to gratify himself. The perpetrator is able to make this violation of another appear to be the source of that person's pleasure. He or she becomes the cause of another's enjoyment, and this status is the cause of his own. One can legitimately pose the question here of whether the abuse at Abu Ghraib can be thought not only as the logical extension of the brutality of "Shock and Awe," as Mark Danner argues, but also as the counterpart of a strategy that entails the distribution of candies to children in the hopes that they will embrace the soldiers as the source of their consumer pleasures (however paltry).<sup>83</sup> The point is to elicit consent for that

which has been done in any case. The solicitation of pleasure in children works to annul their fear or, rather, to mask their fear with a performance of enjoyment. Thus is the child's gratitude transmuted into consent for a continued violence, now represented as benevolence. The requirement that detainees masturbate, which calls on them to show themselves enjoying their subjugation, is certainly a much more extreme situation (although more than one suicide bomb has taken the scene of candy distribution as its point of intervention, thereby subjecting the children to a violence as awful as anything experienced in Abu Ghraib). The Schlesinger report's discourse of ethics, which renders the detainee a consenting participant in his or her own interrogation and violation, cannot be forgotten here; it is the ideological frame that weaves together these otherwise disparate moments. The suturing is possible, however, only because a racialized conception of religious alterity makes all Iraqis (by virtue of being in Iraq) at least suspected of harboring terrorists.

When considered in the context of mass detention (fifty thousand detainees in the first two years), the Schlesinger panel's statement about ethics can only be explained through reference to the logic of guilt by association, what the Bush administration has termed "harboring." Even when the well-intentioned members of the Senate acknowledge the need to release the mistakenly detained as quickly as possible, they tacitly embrace the notion that those in the place of terror must at least be scrutinized as its possible source. I have argued elsewhere that this logic is also that of hostage taking, indeed that it is the basis of an awful mirroring between terrorism and counterterrorism.<sup>84</sup> Here, I want to suggest—no doubt at great risk—that the abduction of ethics performed in the Schlesinger report is of a piece with the perversion of Abu Ghraib. For it gives itself to be seen in the confidence that the only gaze to which it submits itself is its own. Such is the terrifying predicament of an aspiring global authority in the era of reality TV. There is terror, but there is no fear of appearing to have been wrong.

It may be objected, after all that has been said here, that the changes I have observed in the form of war waged by the United States are not limited to U.S. war making. Perhaps, it will be objected, they can also be seen in the videotaping of executions, the mutilation of corpses, and in the sexually indifferent recruitment of suicide bombers by the opponents of the United States. Perhaps there is indeed shamelessness all the way around. In response to such an objection, I can say little by way of either agreement or dispute. But if it is true that these new techniques suggest such a tendency, then perhaps we will have to acknowledge that shamelessness has been turned back on us like the hijacked technology of another, earlier moment.

## Notes

1. Military Commissions Act of 2006, Public Law 366, 109th Cong., 2nd sess. (17 October 2006). The new legislation is described as “an Act to authorize trial by military commission for violations of the law of war, and for other purposes.” In section 948r (b), the act holds that a “statement obtained by use of torture shall not be admissible in a military commission under this chapter.” The relevant parts for my purposes are those in section 950v: Crimes triable by military commissions, (b) Offenses (11)(A) Torture. This section of the act defines torture as “an act specifically intended to inflict severe physical or mental pain or suffering (or the pain or suffering incidental to lawful sanctions . . . for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind, shall be punished if death results to one or more of the victims” (70, lines 1–11). Paragraph 12, Cruel or Inhuman Treatment, (B) defines “serious physical pain or suffering” as “(I) a substantial risk of death; (II) extreme physical pain; (III) a burn of physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or (IV) significant loss of impairment of the function of a bodily member, organ or mental faculty” (71, lines 15–22). The act further prohibits murder, destruction of property in violation of the law of war, treachery and perfidy, improper use of a flag of truce, improper use of a distinctive emblem, the abuse of dead bodies, rape, and sexual assault or abuse. The latter includes not only contact between the abuser and the victim, but also the compulsion of sexual activity by the detained person (paragraph 22, 76, lines 3–7). Finally, the act includes “additional Prohibitions on Cruel, Inhuman or Degrading Treatment or Punishment,” and refers to the 1984 “United States Reservations, Declarations and Understandings to the United Nations Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment” (a document that expressed the U.S. intention to maintain its practice of capital punishment, among other things). The Military Commissions Act produces a category of torture dependent not only on the difficult assessment of what constitutes “severe pain” (and making permanent bodily damage the criterion for severity) but also demands that the intentionality of the torturer be determined as the basis for adjudicating the torture. It is notable that while the 1984 statement of U.S. reservations, declarations, and understandings also emphasizes the intentionality of the torturer, it is more capacious in its understanding of torture as including the incitement of fear that one may experience pain, and not simply the requirement that pain be inflicted in order for torture to be conceived as having occurred. For the 1984 statement, as well as the text of the U.N. Convention itself, see [www.unhcr.ch/html/menu3/b/h\\_cat39.htm](http://www.unhcr.ch/html/menu3/b/h_cat39.htm).

2. Michelle Brown, “‘Setting the Conditions’ for Abu Ghraib: The Prison Nation Abroad,” *American Quarterly* 57 (September 2005): 973–97.

3. Pierre Clastres, *Archaeology of Violence*, trans. Jeanine Herman (1980; repr., New York: Semiotext(e), 1994), 143.

4. This is always the repressed issue in discussions about the legitimacy of torture, as Elaine Scarry makes clear. In an argument with Alan Dershowitz, who advocates torture on the basis of the hypothetical “ticking bomb” scenario, Scarry makes the urgent point that such scenarios presume an ironic omniscience on the part of the interrogators, who must know that the person being tortured knows something of intelligence value to legitimate the scenario. But this can

never be known for certain, and in the present war, as the case of 9/11 showed and the statistics of Abu Ghraib make clear, most people tortured do not possess the knowledge that the torture is supposed to elicit. See Scarry's article "Five Errors in the Reasoning of Alan Dershowitz," in *Torture*, ed. Sanford Levinson (New York: Oxford University Press, 2004), 281–90.

5. I use the terms "nonwartime" and "not-war" to distinguish them from a more substantively positive conception of peace or peacetime. I take the latter category to imply something more than the absence of overtly militarized conflict (whether declared or not), but I also want to avoid an argument that suggests that war is the appropriate or only means to ensure peace. In this respect, not-war is to be understood in a series, ranging from war, not-not-war (which would include militarized or generalized conflict in the absence of formal declarations of hostilities), not-war, and peace. For a more thorough discussion of these ideas, please see my essay "Theses on the Questions of War: Media, History, Terror," *Social Text*, no. 72 (Fall 2002): 149–75 (special issue titled "911—A Public Emergency?").

6. They may also involve previously unimagined sexual intimacy with one's comrades. This intimacy may be mutual, and of a heterosexual or a homoerotic sort, but as the large number of reported incidents of sexual violence against women in the military in Iraq suggest, the liberated libido of the militarized zone may also (and often does) produce sexual violence against one's own. I nonetheless leave this issue to the side in this essay.

7. Let it be clear that I am not positing the aggressivity of relations with the other as exclusive to war. Nor am I positing some ideal form of peaceful mutuality as the normal condition of intimate relations outside of war. All relations with others entail some form of aggressivity.

8. Allen Feldman, "The Actuarial Gaze: From 9/11 to Abu Ghraib," *Cultural Studies* 19 (March 2005): 203–26; Nicholas Mirzoeff, "Invisible Empire: Visual Culture, Embodied Spectacle, and Abu Ghraib," *Radical History Review* 95 (2006): 21–44; Paul Virilio, *Desert Screen: War at the Speed of Light*, trans. Michael Degener (New York: Continuum, 2002); Samuel Weber, *Targets of Opportunity: On the Militarization of Thinking* (New York: Fordham University Press, 2005).

9. I use "U.S.-Vietnam war" to distinguish this period of military conflict in Vietnam from the earlier but protracted struggle between anticolonial nationalism and French imperialism. A good history of the transformation of and continuities between these conflicts can be found in Marilyn Young's *The Vietnam Wars, 1945–1990* (New York: Harper Collins, 1991).

10. Some of the filmmakers clearly intended their work to contribute to this rehabilitation, but the question of intentionality is difficult to locate in cinematic productions, and in any case, the films circulated in ways that far exceeded the aims and objectives of any of the agents responsible for their making.

11. Jacques Rancière, *On the Shore of Politics*, trans. Liz Heron (New York: Verso, 1996); also Mirzoeff, "Invisible Empire," 23.

12. Maj. Gen. George R. Fay, "AR 15-6 Investigation of the Abu Ghraib Detention Facility and 205th Military Intelligence Brigade" (declassified), issued 23 August 2004, 9–10, available at [f1.findlaw.com/news.findlaw.com/hdocs/docs/dod/fay82504rpt.pdf](http://f1.findlaw.com/news.findlaw.com/hdocs/docs/dod/fay82504rpt.pdf). Cited hereafter as Fay report.

13. The category of war crimes receives its formal articulation in article 6 of the 1945 Charter of the International Military Tribunal. For a discussion of the

difference between war crimes, crimes against peace, and crimes against humanity, see Yoram Dinstein, "The Distinction between War Crimes and Crimes against Peace," in *War Crimes in International Law*, ed. Yoram Dinstein and Mala Tabory (The Hague: Martinus Nijhoff, 1996), 1–18. War crimes are defined as "violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity."

14. The Titan Corporation is a primary contractor of interpreter and other intelligence support services to the U.S. military. According to the Center for Public Integrity, Titan Corporation has annual revenues of approximately \$2 billion, with translation work for the U.S. military being its largest single source of income (6 percent of total). Under a \$412 million contract, it has more than 4,400 linguists in Iraq. At least two of its employees were identified in the Taguba, Fay, and Jones reports as having participated in the violation of detainees at Abu Ghraib. One of the cases involved rape. The Fay report, in particular, remarked the lack of standards for screening and training Titan personnel for the work of interrogation. Information on Titan obtained from [www.publicintegrity.org/bio.aspx?act+pro&ddlC=159](http://www.publicintegrity.org/bio.aspx?act+pro&ddlC=159) (accessed 21 September 2006), and from [www.titan.com](http://www.titan.com).

15. Fay report, 15.

16. Fay report, referencing AR 190-8, paragraph 1-5(a)(2) and (3), 15.

17. "Executive Summary: Investigation of Intelligence Activities at Abu Ghraib," issued 23 August 2004, available at [f11.findlaw.com/news.findlaw.com/hdocs/docs/dod/fay82504rpt.pdf](http://f11.findlaw.com/news.findlaw.com/hdocs/docs/dod/fay82504rpt.pdf).

18. James R. Schlesinger (chairman), "Final Report of the Independent Panel to Review DoD Detention Operations," issued August 2004, 5, available at [www.informationclearinghouse.info/article6785.htm](http://www.informationclearinghouse.info/article6785.htm) (hereafter referred to as the "Independent Report.>").

19. Ibid.

20. Fay report, 9.

21. "Independent Report," 11.

22. See International Committee of the Red Cross (ICRC), "Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq during Arrest, Internment, and Interrogation," issued 24 February, available at [www.globalsecurity.org/military/library/report/2004/icrc\\_report\\_iraq\\_feb2004.htm](http://www.globalsecurity.org/military/library/report/2004/icrc_report_iraq_feb2004.htm). One of the most disturbing instances in the report is the description of a detainee who was deemed of intelligence value and who was shot during a confrontation in the prison. After being taken to hospital for treatment of his wounds, he was returned, wearing a catheter but no bag. Though reported on by junior officers, with some concern, more senior members of the staff at Abu Ghraib refused to address this profound lack of medical care, with its attendant humiliations and the extreme risks for postoperative infection that it created.

23. Brown, "Setting the Conditions."

24. "Independent Report," appendix H, 1.

25. Significantly, George Bush's memo of 7 February 2003, outlining the

legal principles of the war on terror as it applies to the detainees, “accepts” the judgment of the Department of Justice and the Department of Defense that neither article 3 nor article 4 applies to Al Qaeda or the Taliban. Neither prisoners of war nor civilians, they came to be classified as “Enemy Combatants” or “Unprivileged Belligerents” (the ICRC’s term), legal outlaws for whom humane treatment is extended merely as an act of American presidential beneficence. The memorandum is presented in appendix C of the “Independent Report.”

26. Scarry, “Five Errors.”

27. Accordingly, Lacan goes so far as to argue that “orgasm is in itself anxiety.” Jacques Lacan, “Introduction to the Names of the Father Seminar,” in *Television*, trans. Denis Hollier, Rosalind Krauss, and Annette Michelson, ed. Joan Copjec (1963; repr., New York: Norton, 1990), 86.

28. Lacan, *Television*, 32.

29. *Ibid.*, 32–33.

30. Slavoj Žižek, *Metastases of Enjoyment: Six Essays on Woman and Causality* (New York: Verso, 1994).

31. J. M. Coetzee, *Disgrace* (New York: Vintage, 2000).

32. It is interesting to note that the French translators made the same decision. In French the book is titled *Le chagrin de la guerre*. I am grateful to Jason Picard for undertaking the research on this history of titling and translation, and also for the translation between Vietnamese and English.

33. Lacan asks, “Why couldn’t the family, society itself, be creations built from repression? They’re nothing less” (*Television*, 28).

34. I mean to use the term *infantile* in relation to what I believe is a kind of postsexual but also presexual violence, in its Freudian sense. Freud’s early acknowledgment that there is a sadistic or violent element in the sexual instinct appeared first in the 1905 *Three Essays on the Theory of Sexuality* (reprinted in vol. 7 of *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed. James Strachey, Anna Freud, Carrie Lee Rothgeb, and Angela Richards [London: Hogarth, 1953–74]) and was followed by a recognition that the ego could itself become an object of such violence. In *Beyond the Pleasure Principle* (1920), this idea is extended and explicated such that sadism comes to be thought of as that which has to be ejected from the ego and attenuated in order for maturity and for sexual relations with an other to become possible. When this does not occur, Freud says, there is an “admixture of love and hate in erotic life.” The point I am trying to make here is that this sadism, if it has been subject to any mitigation in the course of socialization, is nonetheless being resuscitated in a context that precludes the other from the category of the human/sexual other. The dehumanization that has characterized Abu Ghraib and the war in Iraq more generally has ensured the return to an infantile state where “erotic mastery coincides with [the] object’s destruction.” See *Beyond the Pleasure Principle*, trans. James Strachey, vol. 18 of the *Standard Edition*, 53–54.

35. This is not the place to argue the degree to which all anthropology remains indebted to structuralism, however historicist or poststructuralist it has become. I nonetheless believe that the ghost of structuralist analysis continues to possess the discipline of anthropology with considerable force.

36. Claude Lévi-Strauss, “Guerre et commerce chez les Indiens de L’Amérique du Sud,” *Renaissance* 1 (1943): 122–39; also Lévi-Strauss, *The Elementary Structures of Kinship*, trans. James Harle Bell and John Richard von Sturmer, ed. Rodney Needham (1967; repr., New York: Beacon, 1969).

37. Clastres, *Archaeology of Violence*. Clastres's position is something of a departure from both Lévi-Straussian and Sahlinsian models of the relationship between war, women, and exchange. Essentially, he inverts the relationship such that war is not resolved through the acquisition of women in marriage but is the effort to do so without surrendering anything.

38. The finest critique of the structuralist argument about the exchange of women is that proffered by Gayle Rubin in "The Traffic in Women: Notes toward a 'Political Economy' of Sex," in *Woman, Culture, and Society*, ed. Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford, CA: Stanford University Press, 1974), 57–210.

39. The locus classicus for the analysis of such imperial economies is Gayatri Chakravorty Spivak's essay "Can the Subaltern Speak?" in *Marxism and the Interpretation of Cultures*, ed. Cary Nelson and Lawrence Grossberg (Urbana-Champaign: University of Illinois Press, 1988), 271–313.

40. Simone Weil, "The Iliad, or the Poem of Force," in *War and the Iliad*, trans. Mary McCarthy, introduction by Christopher Benfey (1945; repr., New York: New York Review Books, 2005), 4.

41. Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia*, trans. Robert Hurley, Mark Seem, and Helen R. Lane (New York: Viking, 1977), 61.

42. Freud's statement that "the organism shall follow its own path to death" appears in *Beyond the Pleasure Principle*, 39.

43. According to a major study published in the *Lancet*, the conflict in Iraq had, by the end of 2006, caused an estimated total of 654,695 deaths, 601,027 of which have been due to violence. The authors are "95% certain that the correct number [of people suffering violent deaths] is between" 426,369 and 793,663; "601,027, is the statistically most probable number" (11). The remaining deaths attributed to the conflict are thought to be a result of deteriorating health services. The report also states that 31 percent of the violent deaths are directly attributable to Coalition activity, 24 percent to other sources (locally originating crime), but 45 percent remains unattributable in terms of immediate causation (8). See Gilbert Burnham, Shannon Doocy, Elizabeth Dzeng, Riyadh Lafta, and Les Roberts (principal authors), "The Human Cost of War in Iraq: A Mortality Study, 2002–2006" (Baltimore, MD: Bloomberg School of Public Health, Johns Hopkins University; Baghdad: School of Medicine, Al Mustansiriya University; and Cambridge, MA: Center for International Studies, MIT, 2006), also referred to as the *Lancet* study.

44. Juliet Flower MacCannell, "More Thoughts for the Times on War and Death: The Discourse of Capitalism in Seminar XVII," in *The Other Side of Psychoanalysis: Reflections on Seminar XVII*, ed. Justin Clemens and Russell Grigg (Durham, NC: Duke University Press, 2006), 212.

45. This structure of politics is not unique to the United States; it characterizes all politics in the televisual era. For a study of its operations in another context, see my "Intimacy and Corruption in Thailand's Age of Transparency," in *Off Stage, on Display: Intimacy and Ethnography in the Age of Public Culture*, ed. Andrew Shryock (Stanford, CA: Stanford University Press, 2004), 225–43.

46. MacCannell, "More Thoughts," 211.

47. Anthony Swofford, *Jarhead: A Marine's Chronicle of the Gulf War and Other Battles* (New York: Scribner, 2003), 239.

48. Swofford, *Jarhead*, 139.

49. Klaus Theweleit, *Male Fantasies*, vol. 2, *Psychoanalyzing the White Terror*, trans. Erica Carter and Chris Turner, with Stephen Conway (1978; repr., Minneapolis: University of Minnesota Press, 1989), 303; emphasis added.

50. Anson Rabinbach and Jessica Benjamin, "Foreword" to Theweleit, *Male Fantasies*, 2:xii–xiii.

51. Žižek, *Metastases*, 73.

52. Žižek, *Metastases*, 75. Žižek provides "other words" or, rather, an example of what he means by this splitting between fascination and repulsion at enjoyment: "because his yearning to rescue the woman from her torturer is hindered by the implicit knowledge that the victim is *enjoying* her suffering." Typically, Žižek tends to structure his arguments by invoking historical reality and then using an example from Hollywood cinema from which to draw the paradigmatic instance for his analysis. Hence, in *Metastases of Enjoyment* he moves from Bosnia to Hitchcock's *Notorious* and *Rear Window*, extending the detour through Poe's "The Purloined Letter" and Howard Hawks's *The Big Sleep*, not to mention Fritz Lang's *Scarlet Street*, before coming back to Freud. At this point, he substitutes Freud's famous formula, "A child is being beaten," with "A woman is being tortured-coited." Here one wants to say of Žižek's analysis what Lacan ultimately said of Freud's reading of the Oedipal myth, namely that it is Žižek's dream, or rather, that Žižek is merely speaking the dream of American patriarchy in his analysis of the fantasy of another's torture.

53. In this respect, I take some distance from Mirzoeff, who reads the sodomitic emphasis at Abu Ghraib as evidence that the torturers desired (consciously and unconsciously) to establish and maintain their imperial heterosexual masculinity, projecting that which they imagined as their other. My point here is that the crucial innovation of Abu Ghraib is the demand for a performance of self-violation in the mode of coerced consent.

54. The soldiers charged were Jeremy Sivits, Ivan Frederick, Charles A. Graner, Javal Davis, Lynndie England, Sabrina Harman, and Meghan Ambuhl.

55. The photographs of the women appeared in the dossier published by Salon.com under the heading "The Abu Ghraib Files." Photographs of women are also mentioned in the interview notes listed as "Questions for MI BN CDR/BN S-3/COCDR/1SG," army documents released by the U.S. government on 15 July 2005, file no. DoD 01864-5. See [action.aclu.org/torturefoia/released/091505/18597.pdf](http://action.aclu.org/torturefoia/released/091505/18597.pdf) (accessed 27 February 2007).

56. I use the terms *torturer* and *torture* despite the ongoing dispute about the applicability of those terms in legal circles. The ICRC report refers to the activities of Abu Ghraib as "tantamount to torture." The internal military investigative reports of Fay and Jones refer to the activities as in violation of the laws of war and as criminality. Without claiming that the semantics of the term *torture* are irrelevant, I nonetheless refuse to accede to the linguistic evasions by which the acts committed against some detainees of Abu Ghraib are made immune to international law and evacuated of their full, intentional violence.

57. The nudity and forced wearing of female undergarments are repeatedly referenced in the ICRC report. But see, especially, sections 3.1:25; 3.2:27. They also are referenced in the Taguba report. Significantly, the majority of violations cited by Taguba (eleven of thirteen) include reference to nudity. The Taguba report does not indicate any substantiated reports of a threat of rape to male prisoners, and only one of the eight instances of abuse deemed credible but not substanti-

ated entailed such threat. The latter cases did, however, include actual sodomizing (with a chemical light and a broomstick). In other words, actual sexual violence was far more common than threatened sexual abuse. See Maj. Gen. Antonio M. Taguba, "Article 15-6 Investigation of the 800th Military Police Brigade: U.S. Army Report on Abuse of Iraqi Prisoners," issued 5 May 2004, 16–17, [www.dod.mil/pubs/foi/detainees/taguba](http://www.dod.mil/pubs/foi/detainees/taguba).

58. Fay report, 10. In September 2006, in response to the exposures at Abu Ghraib, the U.S. military issued a revised *Field Manual on Human Intelligence Collector Operations* (FM 2-22.3). The new manual precludes nudity, beatings, sexual humiliation, threatenings by dogs, and other brutalities familiar from Abu Ghraib.

59. This does not mean that there is no sexual abuse or rape of women in Iraq. On the contrary. Sexual crimes against women are both common and have increased in the vacuum of law and order that was produced by the destruction of the Iraqi civil apparatus and the police machinery of Saddam Hussein's regime. In his account of the failed effort to install "freedom" in Iraq, Christian Parenti, who has traveled repeatedly to Iraq and met with representatives from all sides of the conflict, including members of the Organization for Women's Freedom, describes the common and commonly known "misery gangs," which roam the unelectrified streets of Baghdad and other cities, kidnapping and perpetrating extreme violence against girls and women. He also notes the practice of honor killings, which sometimes follow, as the brutal and ironic effort to eliminate the shame of such incidents through the execution of the wounded woman. See Christian Parenti, *The Freedom: Shadows and Hallucinations in Occupied Iraq* (New York: New Press, 2004), 23. In this essay, however, I focus on the particular structures of institutionalized military interrogation rather than the general problem of violence against women.

60. Swofford, *Jarhead*, 60.

61. "Independent Report," 90. The report also calls for more linguists, interrogators, human intelligence, counterintelligence, and corrections police.

62. "Independent Report," appendix H, 1.

63. Swofford, *Jarhead*, 86.

64. "Second Endorsement of [redacted] Preliminary Inquiry 5812 S-1/XO," memo from commanding general, 1st Marine Division (Rein), to commanding officer, 2nd Marines; subject: Preliminary Inquiry into the Alleged Incident of Abuse of a Detainee by Members of the Detention Facility Guard Force on 13 April 2004 at FOB Mahmudiya, Department of Defense and Department of Navy documents released on 15 June 2006, file no. 1293-1349. See [www.aclu.org/torturefoia/legaldocuments/july\\_docs/USMC%201ST%20MARDIV%2021%20-%20208.pdf](http://www.aclu.org/torturefoia/legaldocuments/july_docs/USMC%201ST%20MARDIV%2021%20-%20208.pdf) (accessed 27 February 2007).

65. *US v. Burton—Court Martial Records of Scott A. Burton*, Department of Defense and Department of Navy documents released on 15 June 2006, file no. 2578-2727. See [www.aclu.org/torturefoia/legaldocuments/july\\_docs/\(I\)%20US%20v.%20BURTON.pdf](http://www.aclu.org/torturefoia/legaldocuments/july_docs/(I)%20US%20v.%20BURTON.pdf) (accessed 27 February 2007).

66. General Order No. 2, "Detainee Procedures in Combined Forces Command Afghanistan (CFC-A)," signed by David W. Barno, lt. gen., USA commanding, Department of Defense and Department of Navy documents released on 15 June 2006, file no. 2209-2212. See [www.aclu.org/torturefoia/legaldocuments/july\\_docs/\(C\)%20GENERAL%20ORDER%20NUMBER%202%20\(GO-2\)%](http://www.aclu.org/torturefoia/legaldocuments/july_docs/(C)%20GENERAL%20ORDER%20NUMBER%202%20(GO-2)%)

20DETIANEE%20PROCEDURES%20IN%20COM.pdf (accessed 27 February 2007).

67. “Independent Report,” 13.

68. Lt. Gen. Anthony R. Jones, “AR 15-6 Investigation of the Abu Ghraib Prison and 205th Military Intelligence Brigade,” report issued 23 August 2004, 5, available at [www.washingtonpost.com/wp-srv/nationi/documents/fay\\_report\\_8-25-04.pdf](http://www.washingtonpost.com/wp-srv/nationi/documents/fay_report_8-25-04.pdf).

69. Fay report, 37, 39.

70. ICRC, “Report of the International Committee of the Red Cross,” sec. 1:7.

71. “Questions for MI BN CDR/BN S-3/ COCDR/1SG,” army documents released on 15 July 2005, file no. DOD 01864-5. See [action.aclu.org/torturefoia/released/091505/18597.pdf](http://action.aclu.org/torturefoia/released/091505/18597.pdf) (accessed 27 February 2007). The possibility that the torture was “just for the fun of it” is also mentioned in the “Independent Report,” 13.

72. By “meaningless,” I do not mean to imply that it cannot be signified. Precisely because it is intrinsically meaningless, sport can be made to signify anything—from interregional competition to anti-imperial sentiment.

73. This event is also referenced in Antonio Taguba’s report on the abuses at Abu Ghraib and Camp Bucca. See Taguba, “Article 15-6 Investigation of the 800th Military Police Bridage,” 16.

74. ICRC, “Report of the International Committee of the Red Cross,” sec. 3.4, 33.

75. Parenti, *Freedom*, 122.

76. The most recent merging of these genres can be seen in Quentin Tarantino’s 2005 film *Hostel*, which attempted (largely without success, it appears) to redeem torture for pure scopophilia. Unlike the comic book antics of *Kill Bill*, *Hostel* gives us “the real” of torture for a literal-minded excitation in the face of pain.

77. Jacques-Alain Miller, “On Shame,” in *Jacques Lacan and the Other Side of Psychoanalysis: Reflections on Seminar XVII*, ed. Justin Clemens and Russell Grig (Durham, NC: Duke University Press, 2006), 11–28.

78. Miller, “On Shame,” 15–16.

79. In *Television*, Lacan makes the following extraordinary remark: “Back to zero, then, for the issue of sex, since anyway capitalism, that was its starting point: getting rid of sex” (30).

80. Lacan, *Television*, 27.

81. Miller, “On Shame,” 26.

82. Peter Gowan, *The Global Gamble: Washington’s Faustian Bid for Global Dominance* (New York: Verso, 1999), 9; also, Parenti, *Freedom*, 54.

83. Mark Danner, *Torture and Truth: America, Abu Ghraib, and the War on Terror* (New York: New York Review Books, 2004).

84. On the logic of hostage taking in the mediatic treatment of the 1991 Gulf War and the Iraq war, see my “Images of Untranslatability in the U.S. War on Terror,” *Interventions* 6 (2004): 401–23, esp. 414.