

Prisoners of America: War and Democratic Racism

by

Rebecca Freed
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Table of Contents

Introduction.....	2
Chapter 1: Civil War.....	8
Chapter 2: World War II.....	26
Chapter 3: Iraq War.....	46
Conclusion.....	71
Endnotes.....	80

Introduction

Throughout history groups engaging in warfare, the most uncivilized form of conflict resolution, have attempted to maintain some degree of humanity by establishing rules and regulations to govern hostilities. The United States has conformed to this trend over the past century and a half. Americans have attempted to maintain integrity during times of war by agreeing to abide by certain standards of conduct. These codes include the First Geneva Convention (signed by the United States in 1882), the United States Military Code of Conduct (1955), and the War Crimes Act (1996). Such regulations of warfare conduct seem counterintuitive though when one considers the nature and motives of battle. War generally occurs when there is a conflict between two or more parties and no amount of compromise or diplomatic action can resolve the dispute.¹ In other instances a group will have objectives, such as the acquisition of land, that are non-negotiable. When all forms of civilized, nonviolent resolution fail, one of the options that remains is for the parties to attempt to prevail by force. In these scenarios, victory is often a matter of superior numbers, intelligence, or a combination of both. It may be plausible for the stronger power to abide by the rules of proper warfare; however, when faced with imminent defeat, is it realistic to expect the party that was willing to sacrifice lives for its cause to surrender without trying every means possible to achieve victory? Furthermore, when individuals are consistently being assaulted by an enemy they vehemently despise, will they treat the enemy with respect and humanity if they have the opportunity to capture them?

Typically, codes of war strictly regulate the treatment of enemy prisoners of war to ensure their safety and basic human rights. In most instances, soldiers develop hatred of their adversaries during combat as a result of enemy assaults; however these extreme feelings are not caused solely by battle. In several conflicts, American soldiers have faced enemies they previously despised due to prevailing social perceptions. On numerous occasions white American soldiers have gone to war against nonwhite opponents, whom groups within the United States public viewed as inferior and offensive. With these preconceived notions of racism, is it plausible that American troops could put aside their prejudices and treat their captured enemies as equals, as dictated not only by military codes of conduct but by the principles of American democracy?

To begin consideration of this question, it is first necessary to clarify what principles are embodied by American democracy. These ideals, established by the Founding Fathers in the Declaration of Independence, are still held as the governing ethics of America over two hundred and thirty two years later. In a sentence called “the most potent and consequential words in American history,” the Founding Fathers wrote what would become the core principles of American democracy: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”² Can American soldiers put aside their socially produced hatred for their enemy in order to uphold the ideals of freedom and equality?

Many American historians claim that it is not only a realistic expectation but a demonstrated fact that American troops have disregarded prejudice and treated their opponents in a just fashion. My thesis will focus on three case studies, each addressing a different conflict in American history: the Civil War, World War II, and the Iraq War. In all three cases numerous historians, lawyers, and social commentators have asserted that American troops exhibited minimal or no racist behavior in their treatment of prisoners of war.

Of the three cases I examine, the Civil War appears to be the conflict most clearly motivated by race. However, historians claim the Confederate Army afforded captured black Union soldiers the same treatment as their white counterparts (if not better). In “History of Prisoner of War Utilization by the United States Army, 1776-1945” (1955), a military paper published after World War II, George G. Lewis and John Mewha claim that captured Negro soldiers were often “re-enslaved” and that under these circumstances they received enough to eat and were subjected to a reasonable amount of work.³ The majority of white captives were sent to Southern prisons, such as Andersonville. These facilities were renowned for providing prisoners with inadequate shelter and food. Thus, according to Lewis and Mewha, Negro prisoners actually received preferable treatment while detained. Even some recent historians claim there was no differential treatment. In Andersonville: The Last Depot (1994), William Marvel admits that some black prisoners were occasionally whipped, but concludes, “Individual guards committed some petty cruelties against them, but for the most part the prison authorities treated their black prisoners little differently than they did the white ones; they seemed to reserve their

greatest animosity for the white officers who served with the Colored Troops.”⁴ This view was repeated in books by other historians such as Charles W. Sanders (2005) and John David Smith (2002).⁵

With respect to World War II, any examination of 1940s American culture will highlight American abhorrence towards their Japanese enemies. Furthermore, this hatred appeared to be based on race, while hatred of the Germans was not. Although the racism was blatant in the public media, many historians denied that it was a significant issue in the treatment of Japanese prisoners of war. The 1955 military document does not acknowledge any mistreatment. Lewis and Mewha, instead, try to explain the low number of prisoners of war by pointing out that the Japanese were untrustworthy and very hesitant to surrender. More recently, Harry P. Riconda, a former intelligence officer in the Korean War, supported this argument in his 2003 account of American military history. Riconda explains that Japanese culture imposed tremendous pressure upon their soldiers to resist surrender and as a result, the Japanese had no option but to fight to the death. Because of their suicidal attitudes, many Japanese died unnecessarily and consequently Americans were not given the opportunity to capture prisoners of war. Thus, no analysis is made of the treatment of Japanese prisoners of wars, since apparently there were not many.

Currently, America finds itself entangled in a six-year conflict referred to as the Iraq War. Early in the hostilities scandal erupted following the publication of pictures and accounts of torture committed by American soldiers against captured Iraqis. Regardless of the clearly irrefutable evidence that Americans abused prisoners of war, the Bush administration attempted to minimize the situation.⁶ Primarily it

was argued that this incident was isolated, undertaken without the approval of the administration and not reflective of American values. In the days following the outbreak of the scandal, Defense Secretary Donald Rumsfeld stated, “To those Iraqis who were mistreated by members of U.S. armed forces, I offer my deepest apology. It was un-American. And it was inconsistent with the values of our nation.”⁷ Racist treatment may have occurred, but it was the result of “a few bad apples” and not a reflection of a general American policy.

Despite such arguments, given the amount and prevalence of racism at the times of these conflicts, I suspect race has played a significant role in the treatment of prisoners of war. The objective of my three case studies is to examine the effect that race has had on America’s prisoners of war system. While some may point out that the actions of the Confederates in the Civil War did not necessarily reflect the beliefs of Americans, I believe that they did. The Southern states did not wish to reject America, they simply did not want to be a part of a Northern dominated union that opposed the system on which their economy was based. For this reason they named themselves the Confederate States of America and largely modeled their Constitution on the United States Constitution, with the notable exception that slavery was preserved and could not be abolished. The Confederates never stopped being American or believing in democracy, they just no longer desired to be part of the Union.

While searching for the reality behind the treatment of the prisoners of America, my research raises an array of additional questions. Why is it necessary for historians, the government, and most importantly, the American public to deny the

existence of racism in the prisoner of war system and during war in general?

Furthermore, why must race play such a significant role at all during war? Why is it that race gets associated with the political and economic objectives of warfare?⁸

Finally, are Americans destined to remain in a historical pattern of racial hatred or have they evolved over time?

In each of the following case studies I will contribute to a fuller understanding of the role of race in America's prisoner of war system and wartime behavior in general. As two of the most dominant themes in American culture, it is crucial to examine how race and democracy interact. While democracy promotes the value of equality, race has differentiated individuals into a self-sustaining hierarchy. My analysis of the *prisoners of America* in these three wars will give rise to crucial questions and a more complex comprehension of "democratic" war.

Chapter 1

Civil War

The Dangers of Emancipation

Despite the bright morning sun, the air was cool on November 10, 1865. A crowd had been gathering since dawn in the courtyard of the Old Capitol Prison. Those with spectator tickets issued by the U.S. government filled the space around the gallows, while others sat in trees and upon rooftops to view the upcoming spectacle. At around 10:15 a.m. a man flanked by two priests stepped into the courtyard. The worn looking man had a black cambric robe draped around his shoulders and his arm in a sling, yet he walked erect, showing no reaction to the drunken mob that had begun to roar and heckle upon his entrance.⁹ As the man approached the gallows, the Union soldiers standing in formation and clean uniforms came to attention and began to chant in unison, “Wirz remember Andersonville.” The crowd of onlookers quickly took up the rallying cry and the noise became almost deafening. Wirz ignored the jeers and chants of the mob and walked up the steps of the gallows unassisted. After a brief conversation with Major Russell and the reading of the court order, Wirz made a final proclamation of his innocence but it was unheard under the roar of the crowd.

Finally the much anticipated time had arrived--a black hood and noose were placed over Wirz’s head and the platform was cleared, leaving Wirz alone on the trap door. To the immense delight of all in attendance, when the trap door was released Wirz’s final moments were spent in agony. At 10:32 a.m. the trap door was opened, but the noose did not break Wirz’s neck and cause instant death. Whether by error or plan, the knot in the noose had been placed in a position that caused slow

strangulation. Wirz hung in the air for a few minutes, aimlessly struggling, as the crowd cheered with joy. At last Major Henry Wirz's life came to an end, in perhaps the most painful and humiliating way the federal government could arrange.¹⁰

What horrible crime had Wirz committed to cause his death to be drawn out in such a way and with such enraged enthusiasm? Following the conclusion of the American Civil war in April 1865, the Union tried, convicted, and executed a single man for war crimes. This man was not the Confederate President Jefferson Davis nor the beloved Commanding General Robert E. Lee, in fact this man was Henry Wirz, who had barely spent time on the battle field.

Major Henry Wirz had been injured early in the hostilities and as a result spent the rest of the war serving as a prison guard, eventually rising to the rank of commanding officer at Andersonville, a Confederate prison located in Georgia. Andersonville was utilized only from February 1864 until April 1865, however it held approximately 45,000 prisoners over the year it was in operation. While incarcerated, 12,913 of the Andersonville prisoners died, primarily due to malnutrition, abuse, starvation, and disease.¹¹ With a mortality rate of approximately twenty nine percent and numerous stories and pictures of the inhumane conditions, Andersonville became the most publicized prison of the Civil War. Even though the deplorable conditions were largely unavoidable due to the Confederacy's lack of supplies, Northerners considered the inhumane circumstances as a personal attack and cited the cruelty and barbarism displayed at Andersonville as evidence of the general demeanor of the South. As the accredited leader of these atrocities, Wirz was quickly arrested in May 1865. His trial commenced in July where he was charged in two counts. The first

accused Wirz of “maliciously, willfully and traitorously, combining, confederating, and conspiring... to injure the health and destroy the lives of soldiers... then held as prisoners of war... so that the armies of the United States might be weakened and impaired, in violation of the laws and customs of war.” The second charge was “murder in violation of the laws and customs of war.”¹² Upon being found guilty of conspiracy and eleven counts of murder, Wirz was sentenced to death and executed as I described in the scene above.

There has been much controversy concerning the conviction of Henry Wirz. Many historians say the conditions at Andersonville were beyond Wirz’s control and that Northern prisons were of equally poor standards.¹³ Despite these objections, it is apparent that Wirz was deemed liable and executed for imposing inhumane conditions and acts of cruelty upon *white* Union soldiers. The Northern press, notably Harper’s Weekly, featured articles on the victims of Andersonville, overwhelmingly the white victims. But it was not just white men who fought on behalf of the Union in the Civil war; approximately 200,000 black men served as soldiers and sailors with Union troops. As a result of this significant participation black troops too had to face capture; however they faced a starkly different fate than their fellow white soldiers. For black troops, it would have been considered a privilege to be taken as a prisoner of war and afforded the same treatment that white troops received, the very treatment that caused such an outrage that it ended Henry Wirz’s life. But Confederate law provided that black troops deserved a different fate, one that distinguished them from white prisoners of war. The law corresponded with racial views that dictated that if taken prisoner, black troops would receive inferior

treatment compared to their white counterparts, either immediate enslavement or execution.

Early Black Participation Policy (1860-1862)

For the first two years of the war, black troops were not legally permitted to serve in the military of either side. From the beginning of the Civil War, Southerners never considered slaves as military assets--they worried that armed slaves would start a rebellion, and such concern was amplified after the Nat Turner and John Brown Rebellions. Instead for the majority of the war, Southerners used slaves for the same purpose as in peacetime--labor. Although some of their work contributed to wartime efforts, slaves generally cared for the homes of their masters who went off to fight the war.¹⁴

There were some exceptions to this policy, however they were rare and often incited outrage among Confederates. In late 1863, Confederate Major General Patrick R. Cleburne proposed to enlist slaves in the Confederate army in exchange for their freedom. Such a radical suggestion provoked a strong reaction among the commanders within the Confederate Army of Tennessee. Mississippian William Bates called Cleburne's idea "hideous and objectionable," the "serpent of Abolitionism." Georgian William H. T. Walker stated the plan was treasonous and sent a copy to President Davis, who in turn ordered all copies of Cleburne's proposal to be destroyed. It was widely agreed that enlisting blacks to join as soldiers with the white Confederate Army would result in the white soldiers' refusal to fight and would challenge the fabric of Southern society.¹⁵ Consequently, blacks were generally kept

unarmed until the very end of the war when desperation compelled the Confederacy to change its policy.

The Union Army thus had little opportunity to capture black prisoners of war, but pursuant to Federal Government policy, if given the opportunity it can be surmised that black Confederate soldiers would indeed have been taken as prisoners and been afforded equal treatment to the white prisoners. Though the conditions of prisoner of war camps in the North were less than ideal, President Lincoln would have undoubtedly ordered parity of treatment for captured black soldiers since he made it clear that this is how he desired the Confederacy to behave.

While initially not legally permitted to join the army, enlistment of freed blacks slowly gained support in the North over the first two years of the war. While blacks had fought in the American Revolutionary War, a law passed in 1792 prohibited blacks from joining state militias or enlisting in the U.S. army. In the initial years of the Civil War, Northerners were wary of liberating and arming the slaves. But with the early Union defeats and large casualty rates, Northerners became more willing to let blacks fight in their militia.

President Lincoln had always planned on eventually arming blacks to strengthen the Union forces and undermine the Southern social system; he simply had to wait for the right opportunity. During the first two years of the war, the North suffered defeats at the First and Second Battle of Bull Run, the Seven Days Battle, and failed to successfully execute the Peninsula Plan to capture Richmond. If Lincoln had called for the emancipation of the slaves and allowed them to join Union forces at this point, it would have appeared an act based on desperation, not on moral principle.

Lincoln was finally given the opportunity to allow blacks to enlist after the Battle of Antietam on September 17, 1862.

Following the Confederate victory at the Second Battle of Bull Run, General Lee made his first attempt to bring the war to Union soil. The result was the bloodiest single day in United States military history. Although both sides suffered tremendous casualties, the North stopped Lee's invasion so the Union claimed the victory. This provided President Lincoln with the success he needed to issue the Emancipation Proclamation on September 22, 1862. The proclamation stated that if Confederate states did not return to the Federal Union by January 1, 1863, all the slaves in those territories would be "forever free."¹⁶ When President Lincoln's Emancipation Proclamation went into effect on January 1, 1863 it contained a paragraph not originally included. Lincoln declared that not only would the Southern blacks be emancipated, but they would also "be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sort in said service"¹⁷

While some African Americans were already fighting unofficially for the Union, this statement made enlistment of both Northern and Southern blacks legally sanctioned. By the conclusion of the war, blacks filled one hundred thirty three infantry regiments, four independent companies, seven cavalry regiments, twelve regiments of heavy artillery, and ten companies of light artillery. Approximately fifty seven percent of the black soldiers came from the Confederate states and twenty four percent from the border states.¹⁸ However, this inclusion created a new dilemma for

the Confederacy--if they were going to fight against their former slaves in Union uniform, what would they do with these blacks when they were captured?

The End of the Prisoner Exchange (1863- April 1864)

As I previously mentioned, approximately 200,000 African Americans fought on behalf of the Union and over one third (68,178) died. Despite this large number of fatalities, according to Union records only 2,751 black soldiers were killed in action.¹⁹ So how did the remaining 65,427 perish? Officially the reasons are listed as death by disease or wound or missing in action. Missing in action for the black union soldiers often meant being captured by the Confederate forces, from which very few ever returned. While some of the deaths of the captured blacks can be accredited to horrific conditions of Confederate prisons such as Andersonville, Belle Isle, or Libby Prison, most never made it to such confinement. This was because following the Emancipation Proclamation it became general policy for the Confederate soldiers to slaughter all captured blacks rather than provide them the privilege of becoming a prisoner of war.

As free, former, and escaped slaves began enlisting by the thousands, Southerners became increasingly irate. According to Southerners, not only had the Union pronounced all their slaves freed without any legal authority, but now they were arming them and sending them out on the battlefield to kill white Southerners. President Davis called the Emancipation Proclamation “the most execrable measure recorded in the history of guilty man.”²⁰ On December 23, 1862 President Davis issued a proclamation of his own instructing “that all Negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which

they belong, to be dealt with according to the laws of said State,” which meant being tried as slave insurrectionists in civil courts—a capital offense.²¹

When word of President Davis’ proclamation and the subsequent legislative action of the Confederate Congress affirming the policy reached Northern abolitionists and other slave sympathizers, they demanded an immediate halt to such discriminatory policy. In reply to these concerns, the Richmond Examiner, speaking for the Confederate Government, stated, “It is not merely the pretension of a regular Government affecting to deal with ‘Rebels,’ but it is a deadly stab which they are aiming at our institutions themselves, because they know that, if we were insane enough to yield this point, to treat Black men as the equals of White, and insurgent slaves as equivalent to our brave soldiers, the very foundation of Slavery would be fatally wounded.”²²

Despite President Davis’ command, many captured black soldiers were never put on trial or even turned over to state authorities. Beginning in 1863, with the influx of large quantities of African American soldiers, Confederate troops continually engaged in the mass execution of all captured black troops. In his account of African American participation, black Civil War veteran George Washington Williams recalls the inflexibility of the Confederate troops in granting prisoner of war status to black troops. Williams states in disgust:

Some whom the fortunes of civil war threw into the hands of the enemy were murdered after they had surrendered; others were placed at work on fortifications, where they were exposed to the fire of the Union army; many were crowded into common jails, and made to toil in the streets like felons, or were sold at public auction.²³

In the months following the Emancipation Proclamation, black Union soldiers first appeared in battle and were sequentially targeted and massacred by the Confederate forces. In the span of two months in 1863, such slaughter occurred at Port Hudson (May 27), Milliken's Bend (June 7), Mound Plantation (June 29), and the Battle of Battery Wagner (July 18). Many individual Confederate troops believed it was their personal responsibility to ensure that as many captured blacks were killed as possible. After battles they would patrol the wounded left on the fields, stabbing, shooting, or simply beating to death every black soldier they encountered. In some instances Confederate troops would initially engage in the pretense of taking the black soldiers as captives. They would force them to march for days until finally some Confederate soldier would proclaim, "Halt there! These niggers are tryin' to git away!" and immediately begin an indiscriminate massacre of the black captives.²⁴

Many of those who were not slaughtered were considered runaway slaves, despite any kind of paper work that might prove otherwise, and "re-enslaved" on Southern plantations and farms. Although state governments were legally responsible for this re-enslavement, Confederate soldiers often took matters into their own hands. African American soldier Edward Terry recalled that after the attack at Mound Plantation he was turned over to a white man, Ben Chandler, who forced Terry to return with him to Texas where Terry remained in bondage until the end of the war. When he later applied for a military pension, he was turned down because he was considered a deserter.²⁵

In the year following the Emancipation Proclamation President Lincoln refrained from taking any political action to prevent these atrocities committed

against the black troops. Even though blacks were not being treated as prisoners of war, whites were and the exchange system eliminated the need for prisons. During the first four years of the war, it was common for the opposing armies to exchange prisoners, sometimes right on the battlefield. Originally operating on an unregulated basis, the prisoner exchange became more defined with the Dix-Hill Cartel, signed on July 22, 1862. The Cartel was an agreement between the Confederate and Union governments as to how to handle prisoner exchanges.²⁶ However, this policy was abandoned after the April 12, 1864 Fort Pillow Incident in Tennessee.

Although there had been several small scale massacres of black troops over the preceding year, the killings that occurred at Fort Pillow were by far the most extreme and most publicized. On April 12, 1864 Confederate forces under Confederate Major General Nathan Bedford Forrest attacked the Union's Fort Pillow. The Union garrison contained approximately six hundred men, with black and white soldiers in equal numbers. When the battle commenced at 10 a.m. the Confederate forces were quick to overpower the Union soldiers inside the fort. Around 3:30 p.m. Forrest sent a message to the commanding Union officer, Major William F. Bradford, demanding surrender. "I now demand unconditional surrender of your forces, at the same time assuring you that you will be treated as prisoners of war... I have received a new supply of ammunition and can take your fort by assault, and if compelled to do so you must take the consequences."²⁷ Major William F. Bradford refused surrender, leading the Confederate forces to launch an infuriated assault. The Confederate forces successfully took possession of the fort, however the action that followed is still debatable. Northerners maintained that the Confederate soldiers ignored the

surrender of the Union forces and massacred the troops, targeting the black soldiers. Southerners denied that such a brutal massacre occurred--Forrest's men claimed the Union forces fled, but kept their weapons and frequently turned to shoot, forcing the Confederates to keep firing in self defense.²⁸

William Wells Brown (1814-1884) provides an account of the battle from the Northern perspective. Brown was a former slave and abolitionist leader who became the first African American playwright and novelist. In The Negro in the American Rebellion (1867), he provides a military history of black troops. With respect to Fort Pillow, Brown writes:

Nothing in the history of the Rebellion has equaled in inhumanity and atrocity the horrid butchery at Fort Pillow, Ky., on the 13th of April, 1864. In no other school than slavery could human beings have been trained to such readiness for cruelties like these. Accustomed to brutality and bestiality all their lives, it was easy for them to perpetrate the atrocities which will startle the civilized foreign world, as they have awaked the indignation of our people.²⁹

According to Brown, after the fort was captured and the Union forces surrendered and gave up their weapons, the Confederate troops brutally slaughtered them. When colored troops fled to the bluff of the river, they were pursued and shot down on the banks. Appeals for mercy were made in vain as all were murdered in cold blood. The huts and tents where many of the wounded sought shelter were set on fire. Those who managed to escape were met by rebel troops who shot or beat them to death. "One man was deliberately fastened down to the floor of a tent, face upwards," Brown claimed, "by means of nails driven through his clothing and into the boards under him, so that he could not possibly escape; and then the tent was set on fire."³⁰

Confederate troops denied that they targeted black troops. However, the statistics indicate otherwise. Of the members of the Union garrison, only fifty eight,

about twenty percent, of the black soldiers were taken prisoner, while one hundred sixty eight, about sixty percent, of the white soldiers were captured.

The extent of the casualties of Fort Pillow and the discrepancy between the rate of white and black troops captured, led President Lincoln finally to intervene. In response to the inhumane treatment of the black Union soldiers, Lincoln issued the following statement in July 1863, "To sell or enslave any captured person on account of his color and for no offense against the law of war is a relapse into barbarism and a crime against civilization... for every soldier of the United States killed in violation of the laws of war a rebel soldier shall be executed, and for every one enslaved by the enemy or sold into slavery a rebel soldier shall be placed at hard labor... until the other shall be released and receive the treatment due to a prisoner of war."³¹ The Confederacy rejected Lincoln's request for equal treatment and, as a result, the exchange of prisoners set up by the Dix-Hill Cartel on July 22, 1862 ceased and the prison system was adopted.

The Prison System (April 1864 - April 1865)

With the Confederacy's rejection of equal treatment for black prisoners of war and the collapse of the Dix-Hill Cartel, dozens of prisons were quickly built in both the North and the South to accommodate prisoners for an indefinite period of time. Perhaps because of this hasty construction or lack of supplies, most prisoners in both regions faced widespread disease, ongoing exposure, and severe malnourishment. Abuse of white Union prisoners was well publicized causing public outrage at the inhumane treatment of these captives. Whites were not the only prisoners housed in these substandard facilities. Despite the Confederate attempts to murder rather than

capture black Union soldiers, hundreds of black Union soldiers were held in prisoner of war facilities. Once there, it is questionable how they were treated in comparison with the white prisoners.

In 1869, the United States House of Representatives issued a report on Confederate prisons, stating that seven hundred seventy six blacks were incarcerated and seventy nine died while in Southern prisoner of war facilities. Although many accepted this report as authoritative, Senate Executive Document 62 shows one hundred evelen marked burials of black prisoners who died at Andersonville, just one of the facilities. Furthermore, after a single conflict, the Battle of Fort Wagner, the 54th Massachusetts U.S.C.T. reported approximately 50 to 100 black troops captured. These two facts alone suggest that the figures in the Houses of Representatives' report must have been underestimates.³² This uncertainty surrounding the plight of black captives is due partly to the absence of Confederate records and black prisoner memoirs. The Confederate government lacked records of black captives because their administrators went to great lengths to keep these statistics out of the public's knowledge. In June 1863 the Confederate agent for prisoner exchange wrote to Secretary of War James A. Seddon that he had "no especial desire to find" records of captured blacks.³³

Despite the inadequate records and the fact that the Confederate government did not recognize blacks as prisoners of war until February 1865, it is clear that both escaped slave and free black prisoners were held in Confederate prisons from their initial construction in 1863. Official and unofficial sources show some mention of black prisoners in nine Confederate prisons: Andersonville, Salisbury, Florence,

Charleston, Danville, Libby, Castle Thunder, Cahaba, and Huntsville. There is evidence that some of these prisons were used to hold more black captives than others. After the March 1864, Battle of Olustee, Florida, two hundred captured blacks were sent to Andersonville. In January 1865 the Salisbury prison reported a total of one hundred twenty black inmates. Likewise, the Danville prison reported holding about two hundred blacks over the summer of 1864.³⁴

There are two very different views of the general treatment of black prisoners in prisoner of war camps like Andersonville. The first belief was that the black prisoners suffered no worse treatment than the white prisoners and some even suggest they received better treatment. In petitioning President Lincoln to resume the prisoner exchange, white Northern sergeants claimed that while white prisoners were subjected to “barbarism unknown to civilized nations,” black prisoners were distributed among citizens or employed in government works, where they received enough to eat and worked no harder than they were accustomed.³⁵ Many asserted that facing slavery was a much more enjoyable option than facing imprisonment during the war. Some historians use this petition as evidence of the different, but no worse treatment of black prisoners. The “History of Prisoner of War Utilization by the United States Army: 1776 – 1945” even quotes this petition as proof that black prisoners were not mistreated in prisons during the war.³⁶

Some modern day historians still write of the equal treatment of black and white prisoners. In his study of Andersonville, William Marvel acknowledges that some black prisoners received punishments by whipping, but he asserts that overall blacks just suffered minor cruelties from individual guards. While Marvel points out

that black prisoners were often forced to engage in labor, he suggests that the extra rations and exercise the black prisoners received as a result increased their survival rate. In general, Marvel says prison authorities did not target the black prisoners; they reserved their animosity for white officers who served with colored troops.³⁷

The opposing view was that black prisoners suffered much harsher treatment than their white counterparts. There are many accounts of black prisoners being forced to perform hard labor or being beaten to excess while white prisoners were generally left untouched unless special circumstances like escape attempts were involved. The previously mentioned black prisoners captured at the Battle of Olustee arrived at Andersonville in March 1864. Upon their arrival many of the white prisoners observed the black troops “were victims of atrocious amputation” and many had twisted and distorted limbs. These prisoners from Olustee were examples of the common practice of Southern surgeons involving brutal, yet often unnecessary, amputations on black soldiers. At Andersonville there was already a problem of inadequate medical care for prisoners and treatment of black prisoners’ health was secondary to the white prisoners. Henry C. Lull of the 146th New York testified that blacks were given no medical treatment and that he once saw an African American soldier whipped by Rebel Guards because he refused to work.³⁸

Black prisoners were put to hard labor and detailed to remove and bury the dead prisoners. Andersonville prisoner diaries reveal that blacks were put in squads under the control of a white prisoner, who would supervise their work. In Libby, approximately twenty black prisoners made up a similar prison labor force. Many accounts by white prisoners, such as A. C. Roach, recalled that these black laborers

were often whipped and beaten for the most minor offenses.³⁹ In addition, this exhaustive work and contact with the dead likely weakened their resistance to disease. Black soldiers also were not offered the option of earning release from prison by enlisting in the Confederate Army.⁴⁰

Due to the lack of proper records of black captives, it cannot be clearly determined which of the two views is accurate. Perhaps they are both partially true; there are primary sources supporting each of the contrasting opinions. It seems, however, that there would be more truth in the latter version. Those who described black prisoner treatment as equal if not superior could very well have been reacting to rumors that the prisoner exchange had ended because the U.S. government refused to participate in any trade that failed to include African American soldiers.⁴¹ These accounts of equality could have been fabricated in order to convince the Union government that the black prisoners were not really suffering in captivity and that the prisoner exchange must be reinstated to relieve those who really were in anguish, the white prisoners.

On the other hand, it is hard to argue with the abundance of firsthand accounts of black prisoner mistreatment. It seems logical that if the South would rather kill black soldiers than to take them captive, then when forced to house such prisoners they would not abandon their views of black inferiority. The records that do exist show that the death rate for black prisoners was significantly higher than the death rate for white prisoners. Homer Sprague, a Union officer imprisoned at Danville stated, "the negro soldiers suffered most. There were sixty-four of them living in the

prison when we reached Danville, October 20, '64. Fifty-seven of them were dead on the 13th of February, '65, when I saw and talked with the seven survivors.”⁴²

Conclusion

Looking back on Henry Wirz's execution, although there is little question as to his culpability, it can also be noted that he did not deserve to be standing upon that scaffold alone. If Wirz was guilty of conspiracy and manslaughter, he was only one of many. What about all the Confederate officers who ordered their men to execute black soldiers, rather than take them captive, or those officers who simply looked away when mass slaughters of the captured African Americans occurred? Why were the prison guards who targeted and abused black prisoners of war excused without even reprimand?

It may have been difficult to identify and prove to a court that such individuals were guilty of such crimes against humanity, yet some individuals were renowned for their Negro hating ways and their abuse of captured black troops. Perhaps the most well known was Nathan Bedford Forrest, the Confederate officer who was accredited for the massacre at Fort Pillow. After the Confederacy's surrender Forrest settled in Memphis, Tennessee, without even being put on trial or investigated for his infamous slaughter. During Reconstruction, Forrest became associated with the white supremacist group, the Ku Klux Klan. It is difficult to determine the extent of his involvement, for he officially denied his participation, but in 1867, delegates at a KKK convention in Nashville appointed him the first honorary Grand Wizard, or leader-in-chief.⁴³

After Forrest passed away in October 1877, he was honored throughout Tennessee. For the next century Forrest had monuments, schools, a state park and a military base named in his honor, and a statue of himself erected in the state capitol building. Since his death, Tennessee has dedicated thirty two historical markers to Forrest, a greater amount than are dedicated to any of the three American Presidents who came from the state--Andrew Jackson, James K. Polk, and Andrew Johnson. Additionally, the Tennessee legislature named July 13, Forrest's birth date, "Nathan Bedford Forrest Day."⁴⁴

True or not, both Wirz and Forrest were accused of committing horrible atrocities against captured Union soldiers, yet they suffered entirely different fates. While the former was humiliated and executed, the latter was excused and honored. It is clear that during the war, black prisoners suffered far worse treatment than their fellow white soldiers, simply on account of their race. Yet after the war, even those who had advocated for equal treatment of Union prisoners only demanded that justice be served on behalf of the abused white prisoners. It seems foreboding that in the Civil War, the first time Americans widely practiced the imprisonment of enemy troops, race dictated the fate of the detainees.⁴⁵ Over the next century, despite respectable strides in civil rights and racial equality, these origins could not be completely forgotten.

Chapter 2

World War Two The Justice of Necessity

On a sunny morning nearly eighty years after Henry Wirz perished at the scaffold of the Old Capitol Prison, Charles A. Lindbergh faced the remains of another execution. The famed American was serving as a civilian observer with a Marine unit in New Guinea on the hot morning of July 24, 1944. Accompanied by several officers, Lindbergh ventured out to explore some caves reported to be operating as a Japanese hospital. Climbing up a steep hill, he found the area to be heavily bombed and struggled to traverse the ground, which was littered with fallen trees, Japanese equipment, American K-ration boxes, rain-soaked American magazines, and rotting Japanese bodies.

Once over the hill and inside the caves, Lindbergh was appalled with what he found. The scene Lindbergh viewed made Wirz's demise seem merciful. In a bomb crater, the bodies of five or six Japanese soldiers were partly dismembered and covered with a truckload of garbage the American troops had dumped over them. One of the officers informed Lindbergh that the injured and sick residents of the cave had attempted to surrender, for they were in no condition to defend themselves. Despite their pleas, the American troops had demanded to "get the hell back in and fight it out." The fight did not last very long. Lindbergh writes in his diary:

I have never felt more ashamed of my people. To kill, I understand; that is an essential part of war. Whatever method of killing your enemy is most effective is, I believe, justified. But for our people to kill by torture and to descend to throwing the bodies of our enemies into a bomb crater and dumping garbage on top of them nauseate me.⁴⁶

Lindbergh witnessed what appears to be brutal racism, equal to if not worse than the treatment of prisoners of war in the Civil War. But how could this be?

Between Wirz's execution at the end of the Civil War and the execution in the World War II scene described above, America had seventy-nine years to grow and evolve as a democracy based on the ideals of freedom and equality. The Industrial Revolution of the late nineteenth century witnessed an influx of Irish, Italian, Polish, Russian, and Jewish immigrants, who were initially resisted but eventually welcomed into the melting pot that defines the American people. African Americans were guaranteed the right to their freedom, citizenship, and to vote by the thirteenth, fourteenth, and fifteenth amendments passed following the Civil War. Even women were granted suffrage in the nineteenth amendment ratified in 1920. In addition, more women began receiving higher education with the founding of all female universities which began with H. Sophie Newcomb Memorial College in 1886, the first generally-accepted coordinate college (associated with Tulane University), and Evelyn College for Women (1887), the coordinate college for Princeton University. African Americans were making progress in higher education as well. Approximately one hundred historically black colleges and universities were founded by the start of the second world war. With such progress it could be hoped that when battling an enemy of a different race in war, the United States would act differently and provide its opponent with respect and equality. This would prove not to be the case and the treatment of prisoners in World War II (1940-1945) would be ominously reflective of the Civil War.

Significant legal change occurred between the Civil War and World War II with respect to the treatment of prisoners of war. In 1929, the Geneva Convention, officially called the Convention relative to the Treatment of Prisoners of War, was passed and ratified by the U.S. Senate. This convention provided the standard by which prisoner of war treatment would be regulated during World War II. The Convention stated that prisoners of war have the right to honor and respect. It also gave specific instructions regarding the evacuation of prisoners from war zones, conditions of prisoner of war camps, labor of prisoners, interrogation, punishment, and termination of captivity. If the requirements of the Convention were respected, there would be no risk of prisoners of war suffering the same fate as the black troops in the Civil War. Despite claims otherwise, the United States did not uphold these standards.

Perspective 1: No Mistreatment of Japanese Prisoners of War

The existence of racism in World War II is largely denied by the United States military. Assertions that the Japanese soldiers were treated with unnecessary brutality and cruelty are rationalized and dismissed. However, military statistics highlight that there was an unusually low number of Japanese who were taken as prisoners of war. The scarcity of Japanese prisoners led to intelligence issues early in the war because there were no Japanese troops to interrogate for useful information about the enemy. In military reports published by Lieutenant Colonel George G. Lewis and Captain John Mewha (1955) and by Harry P. Riconda (2003), the authors provide two explanations for American troops' policy of taking no prisoners in the Pacific

Theater. These reports also deny any mistreatment of Japanese prisoners once captured.

Military sources point out that the Japanese troops were trained never to surrender and as a result would fight to the death rather than allow themselves to be taken prisoner by American soldiers. Sources imply that the Japanese soldier was brainwashed to believe that he must die rather than face the dishonor of defeat through capture. “Many Japanese died who could have surrendered and lived. Unfortunately they have no real choice because of the pressures imposed on them by their culture and their military leaders. Suicide was the proper alternative for them rather than surrender,” Riconda explains. “Consequently, Americans did not take many prisoners.”⁴⁷ Lewis contends that while the Germans and the Italians fought with the guaranteed protection of the Geneva Convention in mind, all the Japanese knew was what their government taught them, and that was that surrender was not an option.⁴⁸ Despite American troops’ best efforts, it was extremely difficult to capture a Japanese soldier. Hence, this argument asserts, there were so few prisoners of war.

The second part of the argument that the treatment of the Japanese was not indiscriminately brutal or unnecessary is that the Japanese themselves acted in a barbaric manner, forcing the Americans to respond with similar treatment. According to Riconda, at the start of the war the United States planned to follow the prisoner of war protocol dictated by the Geneva Convention, but with the early cruelties committed against American prisoners of war at Luzon, Guam, and Wake Island military leaders reconsidered this strategy.⁴⁹ The atrocities came to a head with the infamous Bataan Death March. The march occurred in 1942 after the Americans

were defeated in the Philippines. Seventy five thousand American and Filipino prisoners of war were forced to walk sixty miles under unquestionably inhumane conditions and constant abuse by Japanese guards. “Some West Point officers had their fingers cut off so the Japanese could take their rings. One captain who had Japanese money on him was decapitated, and the Filipino prisoners were subjected to mass killings,” Riconda states in disgust. “The Japanese captain who addressed them said that they were not prisoners of war but enemies of Nippon and not to be treated as POWs of an honorable war.”⁵⁰ No medicine was given to the sick and upon reaching the prison camps many were forced into labor gangs.

Such vicious abuse of American soldiers in the Pacific was used to justify and overshadow criticism of American behavior. Any offense an American soldier committed was surely inferior to the appalling mistreatment of American POWs. Employing the same rationale, military policy indicated that since the Japanese did not abide by the Geneva Convention, the United States was not required to comply with it either. Lewis explains how this logic was utilized:

The labor pay for prisoners of war was based upon normal civilian and trade customs in the area. It was possible to adopt this rational basis since Japan did not ratify the Geneva Convention, and the obligations of the Convention between the United States and Japan existed on the *mutatis mutandis* basis agreed upon in 1942. On this basis necessary practical adjustments could be made, and nonessential features of the Convention could be modified.⁵¹

The American military continued to use this exception to their advantage by utilizing Japanese prisoners for labor for numerous years. When the Japanese surrendered in August 1945, thousands were taken as prisoners of war. These prisoners were supposed to be repatriated and allowed to return home as early as possible according

to the Potsdam Declaration, but many were held for several years of post-war labor on behalf of the US military.⁵²

Nonetheless, this argument maintains that the absence of Japanese prisoners was not the fault of the American troops, but the Japanese themselves, who elected to fight to the death rather than surrender. When American troops committed atrocities against surrendering or captured Japanese, these acts were considered insignificant in comparison to the Japanese war crimes against American soldiers. American troops felt justified in slightly bending the mandates of the Geneva Convention, since the Japanese did not even make the pretense of following it.

Perspective 2: Inhumane Treatment of Japanese POWs

Many do not accept the military's version of prisoner of war treatment in the Pacific Theater and believe that American troops abused Japanese prisoners and in many cases refused even to accept them as prisoners of war. There is ample evidence showing that Americans viewed the Japanese as racial inferiors. American propaganda from the wartime period represents the Japanese as vicious monsters, often threatening the well-being of pure white women. Cartoons represent the Japanese as animals, reptiles, and insects.⁵³ If Japanese culture taught the Japanese troops to fight to the death, then American culture taught American troops that the Japanese were no better than animals and should be treated as such. With this mentality, murdering Japanese prisoners could not be considered a human rights violation, since the Japanese were not human. One American officer recalled, "Our men think nothing of shooting a Japanese prisoner or a soldier attempting to surrender. They treat the Japs with less respect than they would give to an animal."⁵⁴

It was common practice for the Americans to practice no quarter when engaging the Japanese. Although the military argues that prisoners were not taken because they were never given the opportunity due solely to Japanese actions, this is not accurate. Like black soldiers in the Civil War, the Japanese believed that they would be murdered by the Americans if captured. It is estimated that thousands of Japanese died because they thought death was preferable to the abuse they would suffer as prisoners of war. “In a report dated June 1945, the U.S. Office of War Information noted that 84 percent of one group of interrogated Japanese prisoners (many of them injured or unconscious when captured) stated that they had expected to be killed or tortured by the Allies if taken prisoner.”⁵⁵ Although the Japanese were undoubtedly motivated to fight to the death by the desire to serve their nation and fear of disgrace, some theorize that they were equally motivated by the fear of torture once captured by the Americans. Such fears were not completely unfounded because, “in many instances Japanese troops who did become prisoners were killed on the spot or en route to the prisoner compounds.”⁵⁶

Despite the numerous reasons the Japanese soldiers had to avoid surrender, many did attempt to turn themselves over to American troops as prisoners of war. But this proved to be a difficult task as many American troops were unwilling to take prisoners. There are detailed reports of Japanese troops formulating ingenious schemes to avoid being shot while trying to give themselves up to the American troops.⁵⁷ It was not official policy to take no prisoners, but for many officers and troops it was an everyday custom.

Some historians assert though, that the rationale behind this policy extends beyond just hatred. It is claimed that it was difficult for United States soldiers to believe that a surrendering Japanese soldier would respect the Geneva Convention in the process of surrendering. “Senior officers opposed the taking of prisoners on the grounds that it needlessly exposed American troops to risks, and this attitude was conveyed to the men under their command.”⁵⁸

The practice of giving no quarter in the Pacific Theater eventually led to the ratio of Japanese prisoners to dead to be one to one hundred in late 1944.⁵⁹ Since the low number of Japanese prisoners was negatively affecting intelligence gathering efforts, Allied commanders tried to suppress this practice. Army Captain John Burden initiated a campaign to persuade senior officers in the Pacific that taking Japanese prisoners could be beneficial. “He even managed to get cooperative commanders to offer three-day passes and ice cream to anyone bringing in a POW. That resulted in an immediate response, and Burden’s team scored some of the war’s earliest interrogation successes.”⁶⁰

The Japanese did not just face death upon surrender, many were physically abused and murdered after capture. On Charles Lindbergh’s tour of the Pacific, he witnessed many of these horrors first hand and recorded them in his diary daily. On June 21, 1944 he wrote of a conversation with an American general who told him how an unsuspecting Japanese prisoner was given a cigarette by one American soldier and then seized from behind by a second soldier who “slit [his throat] from ear to ear.” This exercise was to demonstrate how to kill a Japanese soldier, but it cost the unoffending POW his life.⁶¹ It was explained to Lindbergh that the Japanese

deserved this treatment, for they treated American POWs with even greater abuse. Lindbergh was not fully convinced though and it still shocked him when on July 28 he wrote of American troops kicking in the teeth of Japanese, both before and after they had been murdered by their American captors.

Lindbergh also pointed out the contradiction in the Americans' reasoning. "A Japanese soldier who cuts off an American soldier's head is an Oriental barbarian, 'lower than a rat.' Whereas an American soldier who slits a Japanese throat 'did it only because he knew the Japs had done it to his buddies.'"⁶² By engaging in the same gross misconduct the American troops were no better than the Japanese, yet they still insisted on differentiating themselves by insisting that their actions were justified as revenge. Admittedly, the American troops lowered themselves to Japanese standards and continued unofficially practicing the massacre of Japanese POWs throughout the war. Therefore, it seems difficult to place the blame for the slaughter of Japanese prisoners of war on the Japanese.

A Comparison: German Prisoners of War

When considering the racial motivation for the treatment of Japanese prisoners of war, it is valuable to examine how the German prisoners of war were handled. During World War II the Allied forces faced two major opponents, the Germans and the Japanese, in the European and Pacific Theater, respectively. While fighting on these two distinct battlefields against two different enemies, Americans treated the German prisoners of war in a much more humane manner. It appears that both the German and American prisoners of war taken in Europe were treated fairly well and in accordance with the Geneva Convention.

For the most part, Americans were quite satisfied with the care their troops received when captured by the Germans. In one German prison, Stalag Luft III, an American prisoner recalled that the prisoners each lived in their own small room, in a family like atmosphere. The facilities were described as fairly good and even included a theater. In their spare time prisoners could play volleyball, grow gardens, and even cook for themselves.⁶³ “Reunions were held every five years for the Stalag Luft III, and in 1965, some of their German captors were invited to the reunion. General Spivey credited the Luftwaffe with the satisfactory treatment afforded POWs, and most Stalag III POWs agreed.”⁶⁴

However, there were some cases of German brutality. At the Malmedy Massacre in December 1944, a German assault unit commanded by Colonel Joachim Peiper executed eighty one American prisoners of war.⁶⁵ Such acts against American prisoners of war were isolated and did not become a defining characteristic of German troops as they did for the Japanese.

German prisoners of war were provided with adequate care from their American captors as well. About a half million Germans were taken as prisoners during the war and were shipped back the United States where they were imprisoned in five hundred eleven POW camps. A certain degree of freedom was granted to the German prisoners of war, similar to the treatment the American prisoners received. Food was of good quality and quantity and prisoners were offered educational programs, sports and recreational facilities. Prisoners were used as laborers, but at local businesses and farms, where they received pay in accordance with the Geneva

Convention. Officers were often exempt from labor requirements and were permitted to wander freely within fifty miles of the camps in certain areas.⁶⁶

But there were cases of German prisoner brutalities. Following the Malmedy Massacre on December 17, 1944, approximately sixty German prisoners of war were executed by their American captors. This massacre occurred on New Years Day, 1945 in the town of Chenogne, Belgium. The American soldiers went unpunished even though it was suspected that this was an unauthorized, retaliatory action. Officially the United States government stated that while “it is probable that Germans who attempted to surrender in the days immediately after the 17th ran a greater risk” of being killed, “there is no evidence... that American troops took advantage of orders, implicit or explicit, to kill their SS prisoners.”⁶⁷ However, similar to German behavior, these situations were isolated.

The discrepancies between America’s treatment of Japanese and German prisoners of war is undeniable. An explanation for this inconsistency is not as clear though. One reason offered is that since Germans adhered to the Geneva Convention and provided American prisoners with respectable care, the Americans were compelled to act accordingly and do the same. It cannot be a coincidence though that the white enemy received superior treatment as compared to the non-white opponent. Even though the Germans and Hitler were undeniably despised, American hatred of the German soldiers was not rooted in race. Americans blamed Germany for invading Poland and starting this war of aggression that was claiming thousands of American lives. Anti-German propaganda in America depicted Hitler engaged in devious and threatening acts, but did not degrade the German people as a whole or

make them appear sub-human. The American public viewed Germans as worthy adversaries for they possessed a powerful army, intelligence, and evil, yet still impressive, leader. While Japanese were considered threatening opponents as well, this was because they were viewed as barbaric fighting machines, willing to die in order to destroy as many American troops as possible.⁶⁸ Their alledged lack of human rationale and animalistic behavior made the Japanese seem more dangerous than the Germans.

It is also important to note the difference in language used in reference to these two enemies. A 1945 magazine article entitled “Why Americans Hate Japs More than Nazis” speaks not of the Germans and the Japanese, but of the Nazis and the Japanese. This distinction was common in newspaper articles, propaganda, songs, and everyday language. A patriotic song of the war was entitled “There’ll Be No Adolf Hitler nor Yellow Japs to Fear.”⁶⁹ There are important implications of American language choice. By referring to the enemy in Europe as Hitler or the Nazis, the entire German race was not demonized. This allowed for the existence of “good Germans.” The entire German population was not deemed evil; they were just under the control of a malevolent dictator. On the other hand, calling the enemy in the Pacific “the Japs” resulted in casting the entire race as the enemy. This language left no allowance for the existence of a “good Japanese” figure. It was a common saying that the only good Jap was a dead Jap.⁷⁰

The term “Jap” became a degrading term for the Japanese and there was no corresponding label of derision for the Germans. “Nazi” was the name of the ruling German party and was not used as a defamatory identifier. The term “Jap” was used

commonly in the daily press and major magazines including Time, Life, Newsweek, and Reader's Digest. While slanderous terms for the Germans did exist (Heinies, Huns, Jerrys, Krauts), they were rarely used in print or war propaganda.⁷¹

This culturally ingrained depiction of the Japanese was surely a significant factor in Americans troops' decision to abuse Japanese prisoners of war. While it is true that some Japanese fought to their death by their own wills, others were killed in the act of surrendering or executed following capture. The myth that Japanese prisoners were dangerous and uncooperative was proven false. According to an internal U.S. report "about four out of every five prisoners actually demonstrated 'remarkable cooperation' in such ways as providing military information and offering to assist in trying to persuade other Japanese to surrender."⁷² When American troops discovered the truth about Japanese prisoner behavior it might be suspected that this would force some stereotypes to be reconsidered, however this was not the case. Racial hatred ran so deep that Americans found it very difficult to allow anything to change their views.

This mistreatment of Japanese POWs cannot simply be blamed on Japanese culture; it has origins in the deep-seated hatred American troops held for the Japanese. This animosity found its source in the attack on Pearl Harbor, the violence inflicted on American POWs, but most significantly, in the belief in the racial inferiority of the Japanese. American journalist Ernie Pyle gained popularity while he reported on the war in Europe. In February 1945 he was transferred to the Pacific where his dispatches reached almost fourteen million readers. Pyle quickly reported the difference in the enemy he observed in the Pacific. "In Europe we felt that our

enemies, horrible and deadly as they were, were still people. But out here I soon gathered that the Japanese were looked upon as something subhuman and repulsive; the way some people feel about cockroaches or mice.”⁷³ Americans did not view the Japanese as their equals, so why should they deserve equal treatment? Only civilized humans were entitled to respectable prisoner of war treatment and since the Japanese failed to live up to these standards (through preconceived notions and as demonstrated by their barbarism) the United States was not responsible for treating them as such.

Internment

Ten weeks after the attack on Pearl Harbor and America’s entry into World War II, President Franklin D. Roosevelt signed Executive Order 9066. This presidential executive order granted the Secretary of War, Henry L. Stimson, and select military commanders whom President Roosevelt delegated authority, the power to designate areas “from which any or all persons may be excluded.”⁷⁴ This power was meant to be used in order to secure national defense objectives against sabotage and espionage, but in reality it was used to indiscriminately displace thousands of Japanese from their homes.

Over the following months approximately 120,000 Japanese nationals and Japanese Americans were ordered to abandon their homes, farms, and businesses and move to "War Relocation Camps" in desolate interior regions in the west.⁷⁵ The internment mainly occurred on the West Coast (all of California and most of Oregon and Washington) where there was the greatest paranoia of Japanese spies and invasion.

Following the Japanese attack on Pearl Harbor on December 7, 1941 there was an outbreak of fear and hatred of the Japanese, which resulted in rampant paranoia. By January 2, 1942, the Joint Immigration Committee of the California Legislature sent a manifesto to California newspapers explaining “the historical catalogue of charges against the ethnic Japanese,” who, the manifesto said, were “totally unassimilable.” The manifesto asserted that all individuals of Japanese descent were loyal to the Emperor, and attacked Japanese language schools as teaching Japanese racial superiority.⁷⁶ Lieutenant General John L. DeWitt repeatedly told newspapers that “A Jap's a Jap” and testified to Congress, “I don't want any of them [persons of Japanese ancestry] here. They are a dangerous element. There is no way to determine their loyalty... It makes no difference whether he is an American citizen, he is still a Japanese. American citizenship does not necessarily determine loyalty... But we must worry about the Japanese all the time until he is wiped off the map.”⁷⁷

The military denied that racism was the reason for internment, repeatedly stating that it was undertaken solely out of military necessity. Although the military may have stated that internment was to protect against espionage and sabotage, there is evidence that there was racial motivation involved as well. Citizens who were only one sixteenth Japanese could still be placed in internment camps and orphaned infants with “one drop of Japanese blood” (as explained in a letter by one official) could also be interned.⁷⁸ It is hard to fathom how such individuals could have strong Japanese loyalties that threatened national security. Nonetheless the Los Angeles Times asserted, “A viper is nonetheless a viper whenever the egg is hatched--so a Japanese

American, born of Japanese parents--grows up to be a Japanese, not an American.”⁷⁹

The fact that internment was ended before the Japanese surrendered also suggests that internment was not for purely security reasons.

In addition to having their loyalty questioned and being forced to leave their homes and relocate, Japanese Americans also faced economic loss due to internment. Many lost irreplaceable personal items and had their homes ransacked while they were in the relocation camps. When ordered to evacuate, many Japanese American farmers had to sell their property in a very short period of time, often suffering great financial loss.⁸⁰ In these cases, the land speculators who bought the land made huge profits. Finally, in December 1944, the Supreme Court ruled the detainment of loyal citizens unconstitutional (*Ex parte Endo*). However, a decision was handed down the same day (*Korematsu v. United States*) holding that the exclusion process as a whole was constitutional.⁸¹

The Japanese-Americans were not the only group of potential enemies residing on U.S. soil; there were also thousands of German-Americans living in America. Under the authority of the Alien Enemies Act of 1798, the U.S government detained and interned over eleven thousand Germans and German Americans during World War II. These prisoners experienced similar conditions to those of the Japanese prisoners in the West; families were occasionally separated and prisoners were denied their right to due process. Although this is certainly not an insignificant number, compared to the one hundred twenty thousand Japanese interned, it is clear that the priority lay with detaining the racially inferior Japanese. Historian John W. Dower explains, “That this distinction between the enemy in Asia and the enemy in

Europe derived less from the events of the war than from deep-seated racial bias was reflected in the opening months of 1942, when the U.S. government incarcerated Japanese-Americans en masse, while taking no comparable action against residents of German or Italian origins.”⁸² This racial inferiority made the Japanese Americans less American and therefore more likely to be disloyal. It is therefore evident that the Japanese were treated as prisoners of war not only on the battlefield, but at home as well. In this case, citizens who identified themselves as American were told that they were a threat to national security through no fault of their own. Although while detained these internees were generally not physically abused, they still suffered economics loss and emotional distress. Many questioned their identity after being unjustifiably harmed by their own government. It is evident here that the prisoner of war status was not based just on military necessity and security, but on inherent social biases that predate the war entirely.

Conclusion

Why has race been such a prominent factor in American prisoner of war treatment and warfare in general? There are two significant ways Americans used race during the two wars examined so far and it is beneficial to contemplate what this reveals about American culture.

Race can be used to dehumanize the enemy during war. The racialization of prisoners of war represents the utilization of preexisting biases in the context of war. Even before Pearl Harbor and the outbreak of WWII, American racism was not unfamiliar to the Japanese and Japanese Americans. Carey McWilliams believes the beginning of what he calls the “California-Japanese War” occurred on February 23,

1905 when the San Francisco Chronicle published a series of offensive articles calling for Congress to legally exclude the Japanese from the United States. This sentiment was largely rooted in the Russo-Japanese War of 1904-1905. Japanese immigration was barred by President Theodore Roosevelt who stopped further Japanese immigration from Mexico, Canada, and Hawaii with an executive order in 1907. Furthermore, the Exclusionary Act of 1924 completely banned further Japanese immigration.⁸³ McWilliams explains that the Japanese were greatly insulted by the latter legislation, “The adoption of this legislation was widely interpreted in Japan as a piece of warlike provocation and, coming as it did when Japan was still suffering from the Tokyo earthquake and fire, it was deeply and enduringly resented.”⁸⁴

American soldiers thus used the prejudice against the Japanese that had been accumulating since the turn of the century to mentally reduce the enemy to a nonhuman status. If a soldier sees his enemy as his equal he feels guilt when he kills him and may avoid committing similar acts unless absolutely necessary. A soldier must therefore dehumanize his opponent to be as effective and efficient as possible in order to win the war. By using race to degrade the enemy, it becomes easier to kill and commit mass atrocities--actions that are tactical in war, but which under normal circumstance would be impossible to perform.

Another application is to invent and use race to gain economic advantages. During the Civil War, freeing black slaves inflicted a huge economic blow on the South. The Confederacy depended on slaves to serve as a free source of labor to produce the cash crops that supported the Southern economy. By threatening the institution of slavery, Northerners were threatening the economic prosperity of the

South as well. The Confederacy therefore pointed to black racial inferiority as a reason to maintain the institution of slavery, a key component to the Southern way of life. This way of life is what they claimed to be defending, though it served largely as an excuse to protect their economic well-being. In World War II, imperialist America wanted to gain dominant influence over China for the trade benefits that greatly benefited the American economy. The United States did not approve of the interference of the Japanese, who were also growing rapidly as an imperialist power and desired economic control over China. When the Japanese invaded China and challenged America's trade economy, the United States placed embargos on Japan that eventually provoked it to attack Pearl Harbor. Race was used to mask America's true intentions in World War II--its goal to achieve economic dominance.

These two applications of race during war can be tied together by considering America's fundamental ideals. The values and ideals of American democracy often clash with avarice. If the United States strictly respected the freedom and equality of all, then its economic growth would be stifled. In order to achieve overall economic gains, America has promoted one party as superior to another. Americans were enlisted to preserve slavery in the Civil War and imperialism in World War II. Again in war, if Americans believe in the equality of their enemy, it makes it more difficult to defeat them. Race allows Americans to circumvent these democratic ideals and wage war. Although all civilized humans deserve freedom and equality, those who are viewed as less than human may not qualify for these privileges in the eyes of the dominant group. Dehumanizing the enemy permits Americans to justify taking advantage of others economically and through military force. The United States has

racialized people and thus utilized them in order to accomplish expansion and economic growth.

Chapter 3

Iraq War Prisoners Without a War

The American military held three British men in captivity for two years without charging them with any crime or offering them any form of legal representation. During their confinement they were physically and mentally abused. When the men were released in 2004 they had never been charged and were not provided any form of compensation for their wrongful imprisonment. Such an occurrence seems unfathomable, until it is revealed that these men were all of Middle Eastern heritage.

This is the story of the “Tipton Three” as told through the 2006 film, The Road to Guantánamo.⁸⁵ Actors reenact the horrific journey of Ruhul Ahmed, Asif Iqbal and Shafiq Rasul from Pakistan, to Afghanistan, and finally to the U.S. prison at Guantánamo Bay, Cuba. While in the captivity of U.S. forces, the three suffer physical coercion during interrogation, weeks of solitary confinement where they are held in stress positions for hours and not permitted to sleep, and constant mental degradation from their American guards.

This is not just a story about the human rights violations of detainees, there are clearly racial undertones in the abusive treatment. The American guards use several derogatory terms for Middle Easterners, such as “camel jockeys,” and on one occasion when the prisoners are yelling in protest as one mentally ill prisoner is brutally beaten, the guard just yells back at them, “You’re all crazy monkeys.” The guards also purposely disrespect the Muslim religion, forbidding prisoners from performing traditional prayers and desecrating one prisoner's Qu'ran by throwing it to

the ground. The most obvious connection to race is the fact that these British citizens are being held based on their ethnicity. While it is true that through a series of unfortunate events the three men were found in the company of Taliban fighters, there is no proof that they had any connection with the terrorist group. The military produced false evidence and held the British prisoners in painful solitary confinement to try to force them to confess to attending a Taliban rally. The interrogators try to coerce a confession from “Tipton Three” even though the men had alibis confirming that they were completing community service for the British police at the time.

Many critics have questioned the validity of the film. They point to the men’s questionable explanation for going to Pakistan and Afghanistan in the first place, suggesting that maybe they really did mean to become involved with Islamic militarists. Such questioning is not unfounded. The film is a fictional representation, simply based on what is claimed to be a true experience. Could these men be fabricating the truth? It might be tempting to believe so. With all the progress the United States has made over the last sixty years, is it really possible that we could still be implementing a racist prisoner of war system, so similar to the one used in World War II?

It is difficult to believe that despite the passage of sixty years Americans would exhibit the same racist tendencies during war. In the time between World War II and the Iraq War the nation had taken significant strides toward fulfilling its ideals of freedom and equality for all. African Americans and women both engaged in their respective Civil Rights movements and not only had received the right to their basic liberties, but through various Supreme Court cases are now protected against

discrimination in all areas of life. By the new millennium all minority groups were ensured the rights to certain human liberties and violations of these rights could be prosecuted and lawfully enforced. Many view America as a model of democracy that the rest of the world should look to for guidance. How could Americans be largely mimicking the racist behavior of 1941 with all this progress?

While the terrorist attacks that started World War II and the Iraq War have numerous similarities, it would be an oversimplification to draw the parallel between Pearl Harbor and September 11th and assume that since history often repeats itself, when placed in a similar situation Americans were bound to react in the same way. Are there discrepancies in America's current activities that reflect the progress achieved over the last sixty years? By examining the racism surrounding the treatment of Middle Easterners in America and abroad, it may be possible to gain perspective on whether the United States is repeating its old pattern in a racialized war or if in the new millennium its behavior truly reflects its ideals.

Post 9/11 Racism against Middle Easterners (2001)

In the days and weeks following the terrorist attacks on the World Trade Center and the Pentagon, there was an outbreak of hate crimes committed throughout America against Muslim and Southeast Asians. Even non-Muslim Sikhs were often targeted due to their resemblance to Muslims. The hate crimes aimed at Middle Easterners in America included verbal abuse, attacks on mosques and other religious buildings and assaults on individuals. Between Tuesday September 11th and Thursday September 13th, the Council on American-Islamic Relations reported

receiving more than three hundred reports of harassment and abuse, almost half the number it recorded in the entirety of the previous year.⁸⁶

These offenses peaked with the murder of a Sikh man in Mesa, Arizona on September 15, 2001. Balbir Singh Sodhi, 49, was shot to death while landscaping his gas station on a Saturday afternoon. Other acts of violence were committed against Sikhs in Queens, New York and Fairfax, Virginia over the following days.⁸⁷ Sikhs were largely targeted, even though they are not Muslims, because their men traditionally wear turbans and long beards, resembling the appearance of Osama bin Laden and those in Afghanistan, who the media was broadcasting as responsible for the attacks. Sikhs alone reported one hundred thirty three incidences of hate crimes and harassment in the week following September 11th.

Muslim-Americans and Southeast Asians also were widely abused. A Hindu temple was firebombed in Matawan, New Jersey and mosques in Irving and Denton, Texas were attacked as well. Many victims criticized the media for promoting images equating the accredited terrorists with Muslims in the days following September 11th.

This was not the first time the media has been quick to blame Middle Easterners for domestic disasters. According to the Council on American-Islamic Relations, even before the September 11th terrorist attacks Middle Easterners were automatically accused in cases of suspected terrorism. During the week following the Oklahoma City bombing in 1995, there were one hundred thirty eight media reports blaming Islamic extremists. Similar reports surfaced the next year after the crash of TWA Flight 800.⁸⁸ Both attacks were later found to have alternative causes. It is

probable that the media was inclined to blame Middle Easterners for anything resembling a terrorist attack following the 1993 World Trade Center bombing. A group of Middle Eastern terrorists detonated a car bomb below the North Tower, with the intention of knocking the North Tower into the South Tower, bringing both buildings down, and killing thousands. Although the attack was unsuccessful, the threat of Middle Eastern terrorists was now a lasting part of the American racial memory.

It is evident that in the shock and anger following the September 11th terrorist attacks, innocent Middle Eastern and “Middle Eastern looking” Americans became the scapegoats for a disaster with which they were in no way associated. As seen by the attacks on Sikhs, these individuals were abused primarily for their appearance and suffered from a surge of racial hatred that was thought to have been eradicated from American society. The number and geographic breadth of these hate crimes suggests that racism had not been extinct, but perhaps had just been lying dormant until the right provocation spurred its reappearance.

The Iraq War - Offenses Against Civilians and Prisoners in Iraq (2003)

Despite the numerous instances of hate crimes during the weeks after September 11th, the volume of these acts quickly diminished, yet Americans and the U.S. government would not permit the terrorist attacks to go unpunished. On September 20, 2001 President Bush declared, “Our war on terror begins with Al-Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated.”⁸⁹ While there were many components to the “war on terror,” the main focus became Iraq, which the U.S. government stated

was harboring Al-Qaeda members and hiding weapons of mass destruction. On October 11, 2002 the U.S. Senate voted to approve the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, but the invasion of Iraq did not begin until March 20, 2003. In addition to the terrorist threat Iraq posed, the United States government also pointed to Iraq's human right abuses, financial support for Palestinian suicide bombers, and the American desire to spread democracy as reasons to invade. Some officials also stated that Iraq's oil reserves were a significant incentive for United States to invade, but many government officials denied this allegation.

On April 9, 2003, not even a month into the invasion, Baghdad fell, ending Saddam Hussein's twenty-four year rule. This victory was not the end of American involvement in Iraq and currently, approximately six years since the invasion, American troops still occupy Iraq and casualties continue to mount. After the initial invasion, news of American deaths appeared daily, but major scandal did not occur until nearly a year later when abuses at Abu Ghraib were revealed on a Sixty Minutes II news report on April 28, 2004 and in an article by Seymour M. Hersh in The New Yorker published on April 30, 2004. The American public was shocked and appalled to see photographs and read firsthand accounts of tortured prisoners.

It appears to be counterintuitive that the United States would invade Iraq under the pretense of ending human rights violations committed by the regime of Saddam Hussein, but then become the perpetrator of abuse itself. How did American troops go from liberating Iraqis to torturing them? The transition was never planned

nor did it happen instantaneously, rather it was stimulated by American racism and a small insurgency that manipulated the United States into causing its own downfall.

Mark Danner, staff writer for the New Yorker, explains that since the insurgents knew they could not beat the Americans militarily, they aimed to defeat them politically. Insurgents ambushed American convoys daily and thus American troops continuously suffered from overwhelming stress, fear, and anger. In retaliation these troops wounded and killed civilians, while they imprisoned and tortured others. By placing American troops under constant trepidation and anxiety, the insurgents could incite them to act out and abuse innocent Iraqis, therefore leading to the general resentment and hatred of Americans by the Iraqi population. Danner explains:

This is the dynamic that various opponents of the occupation must try to sustain. By whatever means, they aim to produce in Iraq growing political anger and discontent and to focus that anger and discontent on the occupiers thus alienating more and more Iraqis, who might join the anti-occupation forces, actively support them, or at least count themselves sympathetic to the causes.⁹⁰

The insurgency has been very effective. Despite initial American victories and its superior military force, the United States is still bogged down in Iraq where insurgents are waging an ongoing guerilla war.

Faced with the growing insurgency and daily attacks claiming an increasing number of American lives, U.S. troops began implementing the “capture and cordon” strategy. This tactic consisted of randomly rounding up and arresting large numbers of Iraqis, the majority of whom had no connection with the insurgency. According to the Red Cross report “Treatment During Arrest,” American troops would abruptly enter any house at night, breaking down doors and roughly waking up residents and yelling orders. During their search of the house they did not hesitate to destroy

property and they arrested suspects in front of their families, tying their hands behind their back with flexi-cuffs, hooding them, and taking them away.

Troops committed these acts with the knowledge that these procedures would particularly humiliate the Iraqis. Upon the initial invasion the American military distributed a pamphlet on Iraq's customs and history, in an effort to promote cultural sensitivity. This pamphlet advised troops that they should not shame or humiliate a man in public. The most important element of shame is for a third party to witness the act, so troops were cautioned that if they did something likely to cause shame, they should remove the person from the view of others. They were further advised that the detainee would be shamed if a hood was placed over his head.⁹¹ Instead of heeding this advice, troops used this knowledge to humiliate their victims, even when they were innocent civilians.

At times, all the males in the house would be indiscriminately arrested, removed from their families and given no information about what offense they committed or where they were going. The Red Cross reported:

In almost all instances..., arresting authorities provided no information about who they were, where their base was located, nor did they explain the cause of arrest. Similarly, they rarely informed the arrestee or his family where he was being taken and for how long, resulting in the de facto "disappearance" of the arrestee... Many (families) were left without news for months, often fearing that their relatives were dead.⁹²

In spite of these aggressive arrests, certain military intelligence officers told the International Committee of the Red Cross that they estimated approximately seventy to ninety percent of those detained in Iraq have been arrested by mistake. José García, assigned to the Abu Ghraib Detainee Assessment Board, estimated that eighty five to ninety percent of the detainees were of no intelligence value.⁹³ As a result of

the mass arrests implemented by the “capture and cordon” system, U.S. military detention systems soon held up to ten thousand Iraqi prisoners. Even though most detainees had no intelligence value, complicated and unresponsive release procedures resulted in the continuation of their imprisonment.

In addition to the humiliation and wrongful arrest of Iraqis, there are several alleged instances of American soldiers massacring groups of innocent civilians. An American attack that is currently being investigated is the Wedding Party Massacre, also known as the Mukaradeeb killings. This massacre allegedly occurred when American troops bombed a wedding party in Mukaradeeb, a small Iraq village, on May 19, 2004. American officials claim that the location of the wedding was a “suspected foreign fighter safe house” and deny that a wedding was in progress when the attack occurred. The Associated Press, however, has shown video footage that confirms the Iraqis’ claim; the video shows a wedding celebration preceding the bombing and then shows the destroyed tent, musical instruments, and other decorations in ruins the following day. Forty-two were killed in the attack, including thirteen children.⁹⁴ This is just one example of the multitude of unwarranted attacks Iraqis claim American troops have committed against them, yet they have largely gone unpunished.

Abuse of Iraqi civilians has certainly raised human rights issues, yet even more serious infringements occurred in the torture of Iraqi prisoners. The 2004 60 Minutes II and New Yorker reports about Abu Ghraib forced the issue into the public eye. Other reports further divulged the extent and methods of the torture at Abu Ghraib. In February 2004 the Red Cross published its earlier report on the conditions

at Abu Ghraib, which was later utilized as an official source to reveal and confirm the conditions at this sensationalized prison. The report described the inhumane methods used to interrogate prisoners as including hooding, handcuffing, beating with hard objects, exhibiting prisoners naked, attaching prisoners to bars for days in humiliating and/or uncomfortable positions causing physical pain, prolonged exposure to loud music and/or extreme heat, and being forced to remain in stress positions for prolonged periods. It described the torture not as the improvised methods of inexperienced guards, but noted that “These methods of physical and psychological coercion *were used by the military intelligence in a systematic way to gain confessions and extract information.*”⁹⁵

Once the firsthand accounts and photographs publicized the horrors of Abu Ghraib, President Bush sought to mitigate the scandal by asserting that it was an isolated event. Bush claimed that the conditions at Abu Ghraib did not represent America and that it was only the “disgraceful conduct by a few American troops, who dishonored our country and disregarded our values.”⁹⁶ The theory that Abu Ghraib was a case of “a few bad apples” appears dubious though based on reports from sources that describe *systematic* interrogation procedures that were *not limited* to Abu Ghraib. In addition to the Red Cross Report I mentioned above, which describes the torture methods as systematic, there are American military documents that make similar suggestions. On October 12, 2003 Lieutenant General Ricardo Sanchez, the commander in Iraq, signed a classified memorandum instructing interrogators at Abu Ghraib to cooperate with military police guards to “manipulate an internee’s emotions

and weaknesses” and to assume control over the “lighting, heating... food, clothing, and shelter” of those they were questioning.⁹⁷

In addition to the organized nature of the torture, it was not an isolated event as Bush suggested and had in fact been occurring for months in Abu Ghraib and other U.S. military prisons. A year before the Abu Ghraib scandal broke, an article appeared in the New York Times following the arrest of Khalid Sheik Mohammed, the Al-Qaeda operations chief. In the article several American officials discuss the “methods and techniques” used in the interrogation of thousands of prisoners at Afghanistan’s Bagram Air Base, at Guantánamo Bay, and at other secret prisons.

Routine techniques include covering suspects’ heads with black hoods for hours at a time and forcing them to stand or kneel in uncomfortable positions in extreme cold or heat... In some cases, American official said, women are used as interrogators to try to humiliate men... Disorientation is a tool of interrogation and therefore a way of life.⁹⁸

Despite publication in a major American newspaper, mass public outrage about torture did not occur for another year. The Red Cross report along with the Army’s own Taguba Report suggest that not only did the procedures utilized in Iraq “violate established interrogation procedures and applicable laws,” but that their origins were not in Iraq, but in Afghanistan, Guantánamo Bay, and most importantly in the decisions made by upper level officials in Washington, D.C.⁹⁹

It is clear that not only did widespread abuse of Iraq citizens and prisoners occur in Iraq, but there is evidence to suggest that the U.S. military was aware of such methods of interrogation, and that it even encouraged these human rights violations for the sake of gaining intelligence. Although it is certainly not justified, there is some explanation as to how American troops could engage in such inhumane

conduct. Stress, fear, and anger provoked by daily attacks by insurgents led officials to believe the only way to be victorious in Iraq was through gaining valued intelligence from prisoners. This led to interrogators resorting to any means necessary to extract this information. What is not as clear is why it took the American public so long to call for a stop to this treatment. There had be indications that torture was being used in Iraq for months before the Sixty Minutes II and New Yorker stories were released, but the public did not react strongly until presented with images and accounts so atrocious that they could not be ignored. Is it possible that the post September 11th outbreak of racism was still present in the minds of Americans, allowing them to ignore earlier indications of abuse in Iraq?

Links to Race

This is all very compelling evidence and provides ample support that Americans committed human rights violations in Iraq, but does this prove that racism influenced these atrocities? Many conservatives argue that the interrogation and abuse in Iraq are unfortunate consequences of war, but these events were likely to occur in a conflict with an insurgency of any ethnicity. While simply proving that systematic, widespread torture existed in Iraq may not be enough to show the effects of racism, sources in the media and veterans from Iraq provide the missing evidence.

The media is largely responsible for promoting a racist image of Iraqis to the American public. Firas Al-Atraqchi, a Canadian journalist of Iraqi heritage, asserts: “The popular perception in the U.S. is that Iraq is a country of uncivilized criminals and terrorists raised to hate America because common people hate freedom and liberty.” The media refers to Iraqis as the, “‘ragheads’ and ‘sand niggers’ who

brought down the Twin Towers in New York City and attacked the Pentagon.”¹⁰⁰

American columnists and cartoonists have promoted images of Iraqis as lazy, ungrateful, and ignorant.¹⁰¹

Racism in the media is not just blatantly displayed in editorials and cartoons; sometimes the depiction of events in Iraq reflects a more subtle prejudice. Such media bias can be seen in the coverage of the four Americans killed in Fallujah on March 31, 2004. The corpses of four American contractors were burned, dismembered and then strung up from a bridge. The American media depicted the victims as four decent, law-abiding citizens, who had left their families to come help rebuild Iraq. The version presented to the American public was that these “heroic American civilians” went to aid the Iraqis, but were butchered for their efforts.

This image that the media advanced was far from accurate though. The four men were not defenseless civilians; they were armed when they were killed and they were all former U.S. soldiers. In fact, one of them was a Navy Seal, “one of the most decorated and highly trained outfits in the U.S. military.”¹⁰² Al-Atraqchi explains that the Blackwater Corporation, a private security firm, employed them to essentially serve as mercenaries for the U.S. military. The media largely avoids acknowledging the existence of these private security firms, but nonetheless it is evident that these four men were not innocent civilians.

Al-Atraqchi states that the reason for this skewed version of the truth is racism. In a cycle of causality, the media recycles and reinforces racism through biased depictions of Iraq and then this racism leads writers to present further biased reports. The root of this racism is American’s arrogance--the United States believes it

is superior to all other countries and cultures. Al-Atraqchi explains that as a result, “Arabs are portrayed as stupid, animalistic, amoral, sex-starved, abusive, wife-battering terrorists who seek to kill themselves – and their children – so that they can languish with 72 virgins in heaven.”¹⁰³ This media induced racism takes root in both American civilians and soldiers and this factors into the human rights violations I described above.

The existence of prejudice in the media is not the only evidence linking racism to the torture in Iraq—the most prominent indication of racism comes from the Iraq veterans themselves. In March 2008, the Iraq Veterans Against the War (IVAW) held a four-day event called Winter Soldiers: Iraq and Afghanistan. The event consisted of testimonies from American soldiers from across the country who fought in Iraq and Afghanistan. Testimonies, videos and photographic evidence were presented to gain an accurate understanding of what was occurring in the war. “In addition, panels of scholars, veterans, journalists, and other specialists gave context to the testimony. These panels covered everything from the history of the GI resistance movement to the fight for veterans' health benefits and support.”¹⁰⁴ The panel that is of interest to my thesis was called “Racism and War: The Dehumanization of the Enemy.” This panel consisted of almost two-dozen speakers who testified about their experiences with racism in Iraq.

Mike Prsyner, an Iraq veteran, begins his testimony by stating how racism initially surfaced in the U.S. military following September 11th. He explains what he observed:

When I first joined the army, we were told that racism no longer existed in the military. A legacy of inequality and discrimination was suddenly washed

away by something called the equal opportunity program. We would sit through mandatory classes and every unit had this representative to ensure that no elements of racism could resurface. The army seemed firmly dedicated to smashing any hint of racism. And then September 11th happened and I began to hear new words like towel head and camel jockey and the most disturbing, sand nigger... all the way up the chain of command these terms, these viciously racist terms, were suddenly acceptable.¹⁰⁵

Geoff Millard, the Washington D.C. chapter president of Iraq Veterans

Against the War, spent thirteen months serving as a sergeant in Iraq. In his testimony he comments on the widespread use of “Hajis,” a derogatory term for Iraqis, which Millard says is used not just to dehumanize Iraqis and Afghans but “anyone there who is not us.” Millard explains that he used to ask members of his units why they would use such a hateful term; he was especially curious how the colored soldiers could use this discriminatory expression. White and colored troops all he gave him the same response, “They’re just Hajis, who cares?”¹⁰⁶

These testimonies highlight that racism against the Iraqis was not just reflected in derogatory language, but military culture itself, which cultivated this hatred. Mike Totten, who served as a military policeman in Iraq, commented in his testimony that American troops embodied a sense of importance and arrogance that led them to treat the Iraqis as “second hand citizens.” Totten comments that the racist language and attitude American troops took towards the Iraqis degraded and dehumanized them, allowing the American soldiers to separate themselves from the Iraqis and commit cruelties. “Pre-deployment,” he says, “the cultural competency training that we received can be best summed up in a sentence: ‘Don’t touch the people of Iraq’s left hand. They wipe their ass with it.’”¹⁰⁷ Totten then gives a

tearful account of his own physical abuse of one group of Iraqis suspected of attacking his unit, ending with an emotional apology and statement of regret.

The rest of the panelists offered their own moving testimonies, all touching on the racist attitudes of the soldiers that caused them to treat the Iraqis as inferiors and even led some to commit abuse and torture. Many of these former soldiers are deeply remorseful for their actions, but all feel it is important to emphasize this general sentiment of racial hatred, for in their experiences it is this attitude that led to abuse.

Military Commissions Act - Military Combatants (2006)

Even given the racist reasons that American troops and citizens allowed torture to continue in Iraq for the month proceeding and following April 2004, how was it legally possible for the United States military to commit these kinds of offenses? As mentioned in the previous chapter, the Geneva Convention provides strict guidelines regulating the treatment of prisoners of war which were clearly violated in the treatment of Iraqi prisoners. Hersh explains, “Under the fourth Geneva Convention, an occupying power can jail civilians who pose an ‘imperative’ security threat, but it must establish a regular procedure for insuring that only civilians who remain a genuine security threat be kept imprisoned. Prisoners have the right to appeal any internment decision and have their cases reviewed.”¹⁰⁸ Moreover, the Geneva Convention outlines standards that ban the use of torture, including the use of “violence,” “cruel treatment” or “humiliating and degrading treatment” against a detainee “at any time and in any place whatsoever.” Since the Geneva Convention was ratified by the United States it is deemed to be federal law and the War Crimes Act of 1996 makes any violation of the Geneva Convention a felony.¹⁰⁹ While

clearly violating the Geneva Convention, the United States still attempted to *justify* its actions by claiming that the Geneva Convention did not apply to detainees in Iraq and that these detainees did not even qualify as prisoners of war.

Various officials and members of the Bush administration have stated that the Geneva Convention does not apply to the “War on Terror,” therefore prisoners held at Guantánamo Bay and in Iraq are not entitled to the protection offered to prisoners of war. Originally the exception from the Geneva Convention only applied to Al Qaeda and Taliban detainees (held in Afghanistan and Guantánamo Bay), but as the situation became more desperate in Iraq the protection of the convention was withheld from all Iraqis as well. Danner explains the reasoning used: “The decision rested on the argument, in the words of White House Counsel Alberto Gonzalez, that ‘the war against terrorism is a new kind of war,’ in fact, a ‘new paradigm (that) renders obsolete Geneva’s strict limitations on questioning of enemy prisoners and renders quaint some of its provisions.’”¹¹⁰ “Military necessity” trounced federal law once again (recall innocent Japanese were imprisoned during WWII due to “military necessity”). Even after the Abu Ghraib scandal became publicized, the United States military still found ways to avoid abiding by the Geneva Convention.

The Military Commission Act of 2006 was passed on October 17, 2006. This act authorized President Bush to hold military tribunals of alleged *enemy combatants*, to approve testimony obtained through *humiliating or degrading treatment*, and to suspend habeas corpus by holding such prisoners indefinitely without judicial review. This act defines an “unlawful enemy combatant” as:

- (i) a person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents

who is not a lawful enemy combatant (including a person who is part of the Taliban, al-Qaida, or associated forces); or
(ii) a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.

A “lawful enemy combatant” means an individual who is:

- (A) a member of the regular forces of a State party engaged in hostilities against the United States;
- (B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or
- (C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.¹¹¹

These two definitions have allowed the United States to continue to hold prisoners without granting them prisoner of war status and the rights that accompany that status under the Geneva Convention. Furthermore, by suspending the right of habeas corpus, those arrested did not even have to be proven to be an enemy combatant; suspicion alone was enough for imprisonment.

The “Tipton Three” in The Road to Guantanamo are detained for years under the label of “enemy combatants.” In one scene, one of the men, Ruhul, shouts at his American guards that their behavior is in violation of the Geneva Convention and they are not allowed to torture prisoners of war. The guards simply laugh at Ruhul’s comments and continue with their abusive treatment of the prisoners, knowing that they are protected by the U.S. government.

Objections to Racism (2008)

The U.S. military's actions in Iraq have not gone un-criticized and as a result of objections and actions by American citizens and government officials many of these abusive policies have been curtailed. Following the release of photographs and commentary on the torture at Abu Ghraib in April 2004, Al Gore commented, "In Iraq, what happened at that prison, it is now clear, is not the result of random acts of a few bad apples. It was the natural consequence of the Bush Administration policy."¹¹² Several members of Congress called for Secretary of Defense Donald Rumsfeld to resign. These members included Democratic senators John Kerry, Joe Biden and Jon Corzine, House Minority Leader Nancy Pelosi, George Miller, and Tom Harkin. Republican Senator John McCain said that he had "no confidence" in Rumsfeld and Senator Trent Lott said that he was "not a fan of Secretary Rumsfeld" in December 2004.¹¹³ Since the release of the photographs twelve soldiers have been convicted of a variety of charges relating to the maltreatment of prisoners at Abu Ghraib. The charges included dereliction of duty, but most of the soldiers received relatively minor sentences.

Members of the media joined politicians in criticizing the racist treatment of detainees. The Nation featured many articles on this subject. In a 2007 article, Chris Hedges pointed out that, "Any stereotypes about Islam and Arabs that soldiers and marines arrived with tended to solidify rapidly in the close confines of the military and the risky streets of Iraqi cities into a crude racism."¹¹⁴ Hedges goes on to describe the atrocities American soldiers committed in Iraq and points to their use of

derogatory terms such as “haji” as evidence of their racism. Following the attempted bombings in London in July 2005, Naomi Klein wrote an article linking terrorism to American racism. She explains, “A society that truly lived its values of equality and human rights, at home and abroad, would have another benefit too. It would rob terrorists of what has always been their greatest recruitment tool: our racism.”¹¹⁵

Even after the Abu Ghraib prison scandal, the U.S. military has continued to hold prisoners in Iraq and Guantánamo Bay, labeling them as enemy combatants under the Military Commission Act of 2006 and therefore depriving them of the rights guaranteed to prisoners of war under the Geneva Convention. This practice has resulted in not only questionable means of interrogation, but has led to some detainees being held for years without ever being informed of what offense they committed or being offered the right to a trial. Treatment of these detainees was improved though by a controversial Supreme Court ruling in June 2008. On June 12, 2008 in what many see as a ground-breaking decision, the Supreme Court ruled 5-4 that all prisoners held by America have a right to habeas corpus under the United States Constitution and that the Military Commission Act is an unconstitutional suspension of that right. As a direct result of that decision, five Guantánamo Bay detainees, Lakhdar Boumediene, Saber Lahmar, Mohammed Nechle, Mustafa Ait Idir, Lakhdar Boumediene, and Hadj Boudella, were ordered freed by Judge Richard J. Leon on November 20, 2008.

Conclusion

My examination of American held prisoners of war suggests that race is indeed a factor in the brutal treatment of prisoners. Racism is used to justify and

achieve objectives that contradict the democratic ideals of freedom and equality. The U.S. military's objectives have always included winning the conflict and gaining the economic advantages that accompany such a victory. Despite progress during the first half of the 20th century, evidence of racism apparent during the Civil War reoccurred during World War II as seen in the treatment of Japanese prisoners of war. Following another half century, is it fair to say that this pattern repeated itself again in the treatment of prisoners in Iraq, Guantánamo Bay, and elsewhere?

The economic and political incentives were certainly present. Although still debated, many claim the economic incentive to go to war was the large oil reserves in Iraq. While the theory has been largely denied by many government officials, it seems likely that the U.S. would have stood to gain a significant amount economically by controlling the large supply of oil Americans required, but lacked domestically. Many speculate that the United States hoped to take control of Iraq's vast oil reserves by setting up an Iraqi puppet government that the U.S. would control and thus dominate OPEC. This would allow the United States to gain the large oil supply their citizens desperately needed and additionally give it powerful influence over other oil-deprived countries such as Japan and Germany.¹¹⁶ In his memoir, even Alan Greenspan, former Chairman of the U.S. Federal Reserve, wrote, "I am saddened that it is politically inconvenient to acknowledge what everyone knows: the Iraq war is largely about oil."¹¹⁷ While some deny this allegation, there were occurrences following the overthrow of Sadaam Hussein that provide support for such an economic motivation. Historian Raphael Israeli explains one such occurrence took place after the fall of Baghdad, when the Iraqi people were upset to find "that the

Americans were only interested in oil, not the Iraqi people, as evidence of the presence of American guards in oil fields, not in hospitals, museums or public facilities suggested.”¹¹⁸

Exploiting Iraq for its oil reserves while claiming to be concerned for the welfare of the Iraqi people certainly goes against American ideals. If the Iraqis are our equals, then they deserve the right to their own economic well-being. This contrasted with America’s economic objectives in the war though, so race was used to dehumanize the Iraqis and thus suggest that they did not deserve the right due to their inferiority. American society did not blatantly label the Iraqis as racially inferior as they did with the African Americans and Japanese however, the association between Middle Easterners and terrorism is still a part of American racial memory. Despite a few loud objections from concerned activists, most Americans were initially content to quietly reap any economic benefits that might have been derived from taking control of Iraq’s oil reserves.

Militarily, American troops entered what they thought would be a short conflict only to find themselves making minimal progress years later. U.S. officials did not want to pull out troops and leave Iraq in political turmoil, under the rule of an anti-American insurgency, yet with daily American casualties there was enormous pressure to bring American troops home. Unfortunately, the Iraq War quickly became a guerilla war with the emergence and persistence of the insurgency. As seen with France’s struggle with the resistance in Algeria during the Algerian War, American military officials knew guerilla warfare could not be won with pure military force, it had to be won through intelligence. In order to gain this valuable

intelligence, Iraqi prisoners were physiologically and physically dehumanized. Danner explains: “General practices, like the extensive use of nudity, ‘likely contributed,’ as General Fey wrote in his report, to ‘an escalating ‘dehumanization’ of the detainees and set the stage for additional and more severe abuses to occur.’”¹¹⁹ Cultural sensitivities of the race were exploited specifically to dehumanize the Iraqi prisoners and therefore gain the intelligence necessary to be victorious in Iraq. Iraq veterans have admitted to frequently using derogatory terms and while they say their arrogant racism was necessary to separate themselves from the Iraqis and serve as efficient soldiers, it was also a partial cause of prisoner abuse. If the economic and military objectives of Iraq are taken into consideration along with the fact that the dehumanization of Iraqis based on race was used to achieve these objectives, this appears to be a continuation of the American pattern of racialized war. Due to other significant factors though, this in not be reduced to a simple case of a repetition of past mistakes.

While there is not a point of comparison with white prisoners as in the previous two case studies and racism is certainly not as blatant and public as it once was, it still can be seen how race factors into America’s treatment of prisoners in the Iraq War. Early in the war, racism that was obvious after the September 11th terrorist attacks may have played a role in the public’s ignorance of the torture occurring in Iraq. While newspaper articles were published detailing the abuse occurring, it was not until presented with undeniable and shocking images of torture did the general public accept and call for an end to these extreme methods of interrogation. Furthermore, even after the Abu Ghraib scandal, imprisonment continued without the

protection of the Geneva Convention. The Military Commissions Act of 2006 also legalized this exclusion and deprived detainees of the right of habeas corpus. It is revealing that even after the Abu Ghraib scandal, the American military was still permitted to interrogate and deprive the rights of detainees. Nevertheless, it cannot be disregarded that there have been some steps in the right direction, such as the conviction of twelve soldiers connected with the Abu Ghraib scandal and the *Boumediene v. Bush* Supreme Court ruling.

Race can no longer be used as explicit justification for the abuse of prisoners of war. Abu Ghraib was nationally condemned and the Bush Administration had to take the stance that this was an isolated incident in order to preserve its integrity. Perhaps this is some progress. Recall that in World War II Japan, when American troops massacred Japanese POWs, the media simply claimed that they deserved it for abusing American troops. The justification used to deny African American Union soldiers prisoner of war status was that they were sub-human and therefore not entitled to treatment reserved for civilized humans. Even though American troops in Iraq are dying daily, there is still no acceptable excuse to mistreat Iraqi prisoners. At the same time, it is likely that race is still an implicit justifier. The surge of prejudice and violence that followed the September 11th terrorist attacks makes it evident that these feelings of hatred are still present in America. This reawakened racism has led many to permit economic and military actions that contradict democratic ideals. Furthermore, the American public not only ignored early evidence of torture, but even after the Abu Ghraib scandal it was known that prisoners were still being held without trial and subjected to questionable means of interrogation. While there is perhaps

progress and evidence that Americans are somewhat closer to honoring democratic ideals of freedom and equality, it is just as clear that we still have a long way to go.

Conclusion

These three case studies provide evidence that despite what some scholars may argue, racism is present in America's prisoner of war system and this racism has resulted in degrading treatment of enemy prisoners. I have suggested that America uses race to dehumanize its wartime opponent in order to achieve political and economic goals while maintaining some semblance of adherence to democratic ideals. This premise falls short though when considering the fact that using racism to support democracy is in itself contradictory in current times. While in early America democratic equality had some notable exceptions, in its current state democracy protects the rights of all and physical characteristics cannot be used as an excuse to dictate otherwise. Race cannot be publicly utilized to dehumanize today since under modern democratic beliefs, all races are equal. If this is the case then my argument only provides a partial explanation as to why historians and politicians in the past and present deny the existence of a racialized prisoner of war system. To gain a better understanding of this racist system and why it has been denied, it is first necessary to examine briefly the evolving definition and role of democracy in American culture.

A word almost synonymous with America is democracy. In its purest form democracy is the ideal of popular sovereignty, which holds that the people should control the laws that govern them. In addition, democracy is founded upon the notion of individual autonomy, which maintains that each citizen may shape his or her own life. However, democracy is not now, nor has it even been, "primarily a question of representative institutions, which are a necessary but not sufficient condition for democratic culture."¹²⁰ Democracy in America has evolved since the signing of the

Declaration of Independence in 1776 and grown into a specific version based on the ideals of the Founding Fathers. By the end of the 17th century Republicanism, government for the common good, had become a pervasive theme in American political discourse and started to meld with the concept of democracy. This idea of Republicanism grew during the formative years of the nation. In the 1779 constitution he wrote for Massachusetts, John Adams held that government is “instituted for the common good... and not for the profit, honor, or private interest of any one man, family, or class of men.”¹²¹ The democracy embodied in the United States Constitution sought to capture Americans’ passion for equality along with the need for balance between popular sovereignty and individual autonomy. But as time progressed, these interests and ideals seemed to be compromised. James T. Kloppenberg claims, “for nineteenth-century Americans self-interest displaced self-discipline as the central cultural value. Democracy, now nearly universally acclaimed, came increasingly to mean only the unbridled pursuit of wealth and power.”¹²²

Over the 20th century, Americans have continued to pursue power, yet the focus of democracy returned to the founding ideals with even more emphasis on rights and freedom for all, partially due to the Civil Rights Movement of the 1960s. Kloppenberg states that “the New Left challenged the anemic conception of democracy that equated participation with voting and equality with the chance to consume.”¹²³ Democracy evolved from a system of government to “an ethical concept, a way of life, a development of selfhood in community.”¹²⁴ Democracy, originally solely a political institution, has been expanded into economic and social

institutions, allowing all individuals to participate in making almost all the decisions that affect their lives. Today democracy is a way of life for Americans and “requires a profound ethical commitment to an ideal of reciprocity.”¹²⁵

There are many critics of American democracy though who claim that modern day America is not living up to the ideals that define democracy. Fred Moten claims that democracy may be defined as Kloppenberg explains it, however in reality this is just a fantasy of democracy. “One must come to grips with the severity of the difference between what exists and what is yet to come under the name of ‘democracy’ while inhabiting a state that constantly announces itself...to be democracy’s very incarnation.”¹²⁶ It is under this form of government, with its evolution and devolution, that my thesis studies the American prisoner of war system and how this system conforms to and contradicts American democracy.

A cursory review of several modern historical accounts of war--related by the scholars mentioned in the introduction--will inform the reader that over the past two centuries America has practiced a fair, humane system to detain enemy prisoners of war. A multitude of these accounts deny that African Americans fighting on behalf of the Union were treated any differently than their white counterparts. During World War II, the histories of the Pacific Theater focus overwhelmingly on the barbaric treatment that the Japanese inflicted upon American prisoners, while offering minimal details of the treatment of Japanese prisoners of war. Even today, after the Abu Ghraib scandal was revealed and pictures and narratives of Iraqi prisoners being tortured were released, the American government insisted that this was an isolated incident and in no way reflective of the administration’s general policy. While the

vast majority of historical texts attempt to mitigate any abuses Americans committed against POWs, there are some historians who have published accurate accounts of POW treatment that most Americans would prefer not to know. I have drawn on these resources to support each of my case studies and it is because of their presence that the main question of this thesis arose: why is it so essential that Americans ignore and deny the reality of the past and current treatment of prisoners of war?

This denial of the detrimental and differential treatment of prisoners of war is not a refusal to admit that racism existed in American history. The actions and attitudes of the American masses make it obvious that African Americans, Japanese, and Middle Easterners were all, at one point, thought of as inferior. Americans may not be proud of their country's racist past, but it is something they accept and most believe that modern day Americans have grown beyond the ignorant attitudes of previous generations. Then why deny these incidences of racism? While it is acceptable to acknowledge that the general masses may have been racist at one point in time, it is less tolerable to believe that the American government, which embodies the ideals of democracy, practiced racist policies on such a massive scale and directly caused the deaths of thousands as a result. As I explained above, the American government, bound by the guidelines of the Constitution, is *supposed* to promote equality and protect the common good. There appears to be a fundamental flaw in democracy then, if the institution that purportedly embodies it clearly develops policies that contradict its core ideals.

Moreover, it becomes even more important to deny these contradictions when it is acknowledged, as Kloppenberg points out, that over the last century democracy is

no longer just a political institution, but a way of life for Americans. Therefore, while it may be possible for political institutions to be changed when they do not function properly by shifts of power and constitutional amendments, there is no easy means to change the way of life and ethics of the masses. What would become of America if the system upon which the nation was founded and which the majority of the population holds dear was shown to be a fraud? It is for this reason that the democratic practice of racism in the past wars must be minimized or go completely unacknowledged.

This is the answer to the fundamental question of my thesis. However, there are some additional details to resolve. Why is this racialized treatment of prisoners of war a pattern in American history if it clearly contravenes core democratic ideals and American beliefs? This is where the previously established argument is useful. In order to grow and prosper as a nation, the United States needed to win wars and claim the political and economic spoils. Without these victories, both national economic and physical growth would be stagnant or even in decline, and America along with its democratic system of government and way of life would decay. Therefore, for the ostensible good of America and democracy, there is a continual dehumanization of enemies based on their race so that America maintains dominance as a world power.

Understanding the origins and evolution of “race” is also useful in comprehending why race still plays a prominent role in American society and its wartime practices. In early modern England and France, the use of the term “race” referred to kinship and usually denoted the “patronymic” or “family name,” literally called the “name of the race” or “le nom de race.”¹²⁷ This concept of race as kinship

was based on “blood ties” and encompassed the notion of class. “In early modern Europe, political power, social station, and economic entitlement were closely bound to blood ties and lineage,” racial theorist Tessie P. Liu explains. Thus, “the purity of bloodlines was a fiction maintained to limit access to elite status.”¹²⁸ Purity of blood was so important that both state and social laws prohibited marrying between classes. In the eighteenth century a shift began to occur in which race was defined in terms of physical appearance, rather than kinship. This change was the result of European colonization. Liu explains, “It was only in this context of colonization that skin color became a mark of common substance, the line of differentiating colonizers from the colonized and in many cases freedom from enslavement. In other words, only when they defined themselves against a subjugated other, could Europeans unite as ‘whites.’”¹²⁹ Miscegenation laws that once prohibited marrying between classes in Europe were altered to prohibit marrying between different skin colors in America.

Consequently America was founded on the basis of race as a tool to preserve the elitism of the dominant class since “[t]he function of race in this context is to define commonality, to unite those who possess that ‘common substance’ in a special, privileged community.”¹³⁰ There has been another function for race in American history as well. Race and kinship metaphors have been used to create a sense of group affiliation. The feeling of group affiliation has been key to nation building. “Nationalist,” Liu explains, “called on family bonds as a metaphor for binding heterogeneous populations.”¹³¹ During Imperialism, America nationalists called for various ethnicities in the U.S. population to unite as one Caucasian American race to assert influence over and acquire new territories inhabited by what they labeled as

inferior races (e.g. Philippines, Guam, China, American West). Hence the use of race was fundamental in the imperial expansion of the United States and still has influence on modern day American culture. As long as one group desires privilege over others, racism will continue to be present.

Is America destined to repeat its perverse version of democratic racism?

While the United States is still engaged in the Iraq War, there have been some significant improvements in the prisoner of war system. As I stated earlier, the *Boumediene v. Bush* Supreme Court decision this past year held that the Constitution entitles detainees at Guantánamo Bay and others held by American forces who are considered enemy combatants the right to habeas corpus. In addition, on January 22, 2009, President Barack Obama signed an executive order that mandates the closure of the Guantánamo Bay detention facility within a year.¹³² These specific incidents are reflective of a positive change in the ruling administration in Washington.

Nonetheless, the American public is still divided. There is a strong sentiment reflected by conservatives and Republicans that these recent changes will be detrimental to the security of America. Conservative critics have complained the *Boumediene v. Bush* Supreme Court decision “wantonly overruled the will of the people and Congress to suspend the habeas corpus rights of this dangerous and irredeemable class of criminal defendants.”¹³³

Race is certainly still present in American culture and war, but there has been notable movement away from a society dictated by racism. While the racism of the Civil War and World War II were obvious, as evidenced by political cartoons, sheet music covers, songs, and movies, today racism is almost nonexistent in the public

media. When racist images are published, there is generally public out lash, such as the widespread criticism that resulted from the racialized images of presidential candidate Barack Obama and his wife on the cover of the New Yorker in July 2008. Following the tragedy of September 11th, it was apparent that racism was still present; nevertheless it was no longer socially acceptable. The Abu Ghraib scandal further demonstrated this departure from the past when the American public and government condemned the racist abuse of power in Iraq and sought to punish those responsible.

This does not mean racism is no longer an issue in America or that there are no longer racial undertones in prisoner of war treatment. Before one becomes overly optimistic and predicts a future America which is truly ruled by democratic ideals and not hypocrisy, one must consider the path the U.S. has been on and is continuing to pursue today. Due to what writer Chris Hedges calls the plague of nationalism, the United States embraces “the mythic and unachievable goal of a ‘New World Order.’”¹³⁴ This nationalism has led Americans to believe that this country and form of government is superior to all others and hence the United States is responsible for policing the world. Such an attitude will continue to lead America to foreign conflicts with an instilled sense of superiority so it is hard to foresee the abandonment of race. Additionally, the majority of white Americans enjoy their elite status. While the privileged class may approve of the theory of equality, most would not support the actual deconstruction of the racially based social hierarchy that placed them on top. Therefore, it is unlikely that race will ever be truly abolished.

So is the United States trapped in this pattern of racialized warfare? It is unclear. Race certainly will always be a dominate force in the American social

hierarchy and under this current “plague of nationalism” the U.S. views itself as superior to most other nations. Yet, nationalism does not have to be a permanent trend; the attitudes of the masses change every decade. Following the Vietnam War and Nixon’s disgrace, nationalism was dormant for years before being revived under President Reagan’s administration. It is therefore possible to depart from this precedent, but to do so Americans must be able to admit defeat in warfare. As I said earlier, it is easy for Americans to maintain codes of conduct and abide by democratic ideals when they are winning. It is only in times of desperation and defeat that Americans sacrifice their values in order to secure victory. If Americans can admit defeat, this does not have to happen. The current progress in the treatment of prisoners in the Iraq War corresponds with both the American government and public’s acknowledgement that the United States’ intervention in Iraq might not be successful. Former President Bush refused to admit defeat and withdrawal troops from Iraq, but under the current administration of President Barack Obama scaling back American involvement is a top priority. On February 27, 2009, Obama announced that combat operations would end in Iraq within 18 months.¹³⁵ It is certainly not an easy task to declare defeat; many administrations, such as those under Lyndon B. Johnson and George W. Bush, have refused to do so. However, if the notion of nationalist superiority can be put aside, I believe it is possible for America to depart from this pattern of racialized warfare.

Endnotes

¹ In the Civil War compromises were made for years to try to avoid war. However the Missouri Compromise (1820), the Compromise of 1850, and the Kansas Nebraska Act (1854) all failed to create a lasting settlement of the slavery dispute and war finally erupted in 1860. During World War II the United States tried to avoid going to war with Japan. After Japan invaded Indochina in 1940, the United States froze Japanese assets and implemented a full embargo on iron, steel and mechanical parts against Japan. The U.S. and Japan engaged in unsuccessful negotiations over the next year, which ended with Japan's rejection of the Hull Note, delivered November 26, 1941.

² Joseph J. Ellis, American Creation: Triumphs and Tragedies in the Founding of the Republic (New York: Vintage, 2008), 55-56.

"The Declaration of Independence," US History.org 4 July 1776, 8 April 2009 <<http://www.ushistory.org/Declaration/>>.

³ George G. Lewis and John Mewha, History of Prisoner of War Utilization by the United States Army 1776 - 1945 (New York: University Press of the Pacific, 2002), 39.

⁴ William Marvel, Andersonville The Last Depot (Civil War America) (New York: The University of North Carolina P, 2006), 155.

⁵ John David Smith, Black Soldiers in Blue African American Troops in the Civil War Era (New York: The University of North Carolina Press, 2003), 145.

Charles W. Sanders, Jr., While in the Hands of the Enemy (Baton Rouge: Louisiana State University Press, 2005), 152.

⁶ Note that the Bush administration does not legally acknowledge the Iraqis detainees as "prisoners of war."

⁷ "Rumsfeld Apologizes to Iraqis Abused by U.S. Soldiers," U.S. Department of State 7 May 2004, 8 April 2009 <http://italy.usembassy.gov/viewer/article.asp?article=/file2004_05/alia/a4050713.htm>.

⁸ An initial explanation to this unusual association is provided by the evolution of the meaning of race. Race was traditionally defined as being rooted in nature and consisting of unchangeable attributes of a population. However, the social movements of the 1950s and 1960s "intersected with sociological arguments that displaced notions of race as a strict biological inheritance and forced scholars to confront it as a category with broad political and economic implications." The

physical attributes that characterize a race are now dominantly related with political and economic qualities.

⁹ Marvel, 247.

¹⁰ Fred R. Ruhlman, Captain Henry Wirz and Andersonville Prison a reappraisal (Knoxville: University of Tennessee Press, 2006) 208-211.

¹¹ Marvel, ix

¹² Ruhlman, 184.

¹³The most notorious Northern prison was Elmira. During a little over a year of operation, 12,123 prisoners were incarcerated and 2,963 died at Elmira (an approximate 24.4% mortality rate). Many consider this a conservative estimate though; some sources say the mortality rate was as high as 32%. Referred to as "Hellmira" by prisoners, the combination of malnutrition, prolonged exposure to brutal winter weather, disease directly attributable to the dismal sanitary conditions on Foster's Pond, and lack of medical care created conditions very similar if not worse than those at Andersonville.

¹⁴Anne J. Bailey, Invisible Southerners ethnicity in the Civil War (Athens: University of Georgia Press, 2006) 48.

¹⁵ Bailey, 49-50.

¹⁶ "Emancipation Proclamation." Encyclopædia Britannica. 2009. Encyclopædia Britannica Online. 14 Mar. 2009 <<http://www.britannica.com/EBchecked/topic/185468/Emancipation-Proclamation>>.

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¹⁹ Bailey, 67.

²⁰ Bailey, 56.

²¹George Washington Williams, A History Of The Negro Troops In The War Of The Rebellion 1861-1865 (New York: Bergman Publishers, 1968) 308.

²² Williams, 312.

²³ Williams, 315.

²⁴ Williams, 318.

²⁵ Bailey, 57.

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- ²⁶ William Best Hesseltine, Civil War Prisons (Columbus, Ohio: The Ohio State University Press, 1930), 32-33.
- ²⁷ Andrew Ward, River Run Red: The Fort Pillow Massacre in the American Civil War (New York: Viking, 2005) 175.
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- ²⁹ William Wells Brown, The Negro in the American rebellion; his heroism and his fidelity ... (New York: Scholarly Office, University of Michigan Library, 2006) 135.
- ³⁰ Brown, 140.
- ³¹ Bailey, 58.
- ³² Walter L. Williams, "Again in Chains; Black Soldiers Suffering in Captivity," Civil War times illustrated 1981: 38.
- ³³ W. Williams, 38.
- ³⁴ W. Williams, 41.
- ³⁵ Robert Scott Davis, "Near Andersonville," The Journal of African American History Winter 2007: 99.
- ³⁶ Lewis and Mewha, 39.
- ³⁷ Marvel, 155.
- ³⁸ David J. Coles, "Shooting Niggers Sir; Confederate Mistreatment of Union black Soliders at the Battle of Olustee," Black Flag Over Dixie, ed. Gregory J. W. Urwin (Carbondale: Southern Illinois University Press, 2004) 78-79.
- ³⁹ W. Williams, 43.
- ⁴⁰ Davis, 100.
- ⁴¹ Davis, 100.
- ⁴² W. Williams, 43.
- ⁴³ "Nathan Bedford Forrest." Encyclopedia Britannica. 2009. Encyclopedia Britannica Online. 14 Mar. 2009 <<http://www.britannica.com/EBchecked/topic/213974/Nathan-Bedford-Forrest>>.
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- ⁴⁵ During prior conflicts such as the War of 1812 and the Mexican American War, the cartel system was generally used to exchange prisoners.
- ⁴⁶ Charles A. Lindbergh, The Wartime Journals of Charles A. Lindbergh (New York: Harcourt Brace Jovanovich, Inc., 1970), 881-884.
- ⁴⁷ Harry P. Riconda, Prisoners of war in American conflicts (Lanham, Md: Scarecrow Press, 2003) 198.
- ⁴⁸ Lewis and Mewha, 247.
- ⁴⁹ Riconda, 202-204.
- ⁵⁰ Riconda, 209.
- ⁵¹ Lewis, 256.
- ⁵² Lewis, 158.
- ⁵³ John W. Dower, War Without Mercy Race and Power in the Pacific War (New York: Pantheon, 1987) 181-200.
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- ⁵⁴ Dower, 70.
- ⁵⁵ Dower, 68.
- ⁵⁶ Dower, 69.
- ⁵⁷ Dower, 68.
- ⁵⁸ Ulrich Straus, The Anguish of Surrender Japanese POWs of World War II (New York: University of Washington Press, 2005) 116.
- ⁵⁹ Niall Ferguson, Prisoner Taking and Prisoner Killing in the Age of Total War: Towards a Political Economy of Military Defeat (*War in History*, 2004) 181.
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⁶³ Riconda, 172.

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⁶⁶ Riconda, 188-190.

⁶⁷ Hugh M. Cole, The Ardennes: Battle of the Bulge (Washington, D.C.: Office of the Chief of Military History, Department of the Army, 1965) 264.

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⁸⁰ McWilliams, 21.

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⁸³ Carey McWilliams, Brothers Under the Skin (Boston: Little, Brown, and Company, 1964)144.

⁸⁴ C. McWilliams, 146-147.

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101



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