

*The Disciplinary Gaze of the Camera's Eye:  
Soldiers' Conscience and Moral Responsibility*

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Even though the concept of conscience is complex and multi-interpretable, it is still widely seen as the prime source of morally responsible behavior and often referred to as the 'internal witness' and as such the moral guide of our actions. However, what happens to conscience in the practice of violent conflict in the post-modern era? Today's battlefields are not mysterious and unknown places anymore; we can 'join' the happenings live through satellite connections and journalists who are on site. In such an era where it seems that nothing we do stays unseen it is interesting to look at what happens to soldiers' conscience and their moral responsibility when they are being watched; when their actions are 'witnessed' by outsiders armed with cameras. Is there a relation between the external witness and thus judgment from outside, from a wider sometimes unseen audience and the 'internal witness' (private reflection on one's behavior), what became known as 'conscious'? Does the camera, in reflecting soldiers actions, work as a conscientious witness? Is it the disciplinary gaze of the camera that keeps soldiers from engaging in immoral behavior? Yet, if this is the case how can we explain soldiers photographing themselves or letting themselves be filmed when committing immoral acts?

In this article we will explore these questions by a further discussion of the concept of conscience in military practice and relate it to the disciplinary gaze, introduced by Foucault. We will subsequently use ethnographic research, the case of Israeli soldiers serving in the Occupied Palestinian Territories (OPT), to discuss the actual practice of the disciplinary gaze and its counter gaze in military practice. In order to do this we will outline three different kinds of gazes that Israeli combat soldiers are subjected to in the OPT. We will argue that in some situations an outside gaze, such as the camera of a reporter or the presence of human rights organizations can indeed influence or trigger the conscience of soldiers and their behavior. However, in other situations such gazes are ineffective. We believe that the answer to this difference lies in the normalization of violence by the soldiers and the ways in which their conscience is 'numbed' by their routine work in today's conflicts.

The ethnographic data part of this article draws from was conducted in 2006-7 by the first author and formed the basis of her PhD dissertation.<sup>1</sup> Thirty-two in depth interviews were conducted with (former) Israeli combat soldiers in Israel and dozens of testimonies by soldiers collected by the organization *Breaking the Silence*<sup>2</sup> were analysed. Furthermore, observations were carried out in the OPT, especially near checkpoints, in order to get closer to a full understanding of the daily experiences by soldiers and the circumstances they worked under.

### **Conscience in military practice**

According to Niebuhr, "politics will, to the end of history, be an arena where conscience and power meet, where the ethical and coercive factors of human life will interpenetrate and work out their tentative and uneasy compromises."<sup>3</sup> The concept of conscience in this statement seems to refer to the individual and social aspects of conscience and the political and military consequences of these aspects. They are all part of the process in which the monopoly of violence is often put into practice. This

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<sup>1</sup> This dissertation will be published as *Soldiering under Occupation Processes of Moral Numbing among Israeli Conscripts during the Al-Aqsa Intifada* (Oxford: Berghahn Books).

<sup>2</sup> See [www.breakingthesilence.org.il](http://www.breakingthesilence.org.il)

<sup>3</sup> Niebuhr quoted in M.W.Doyle, *Ways of War and Peace: Realism, Liberalism and Socialism* (New York: W.W. Norton, 1997), p. 383.

process often starts with moral outrage in the social and political context with regard to, for instance, human rights' violations. This is followed by a political reaction (based on the shared moral outrage, but probably also based on serving the voters). With regard to this process the events in the Netherlands, leading to the Dutch peacekeeping operation in Srebrenica, are exemplary. A Dutch television program ended every broadcast with the question: "how long will we tolerate this situation (in Bosnia, former Yugoslavia)"? In doing so the program did not only give voice to the moral outrage of the public, but also stimulated this outrage, which made a political answer necessary and subsequently was one of the factors led to the peacekeeping operation in Srebrenica. The question is whether the moral outrage of the first phase in this process (public) is (still) present in the phases that follow, notably the political and the military phases. Or, to put it differently, is the social conscience that produces the moral outrage mirrored in the conscience of the individual politician and soldier? This question seems relevant, for the presence of a well-functioning conscience seems a prerequisite for morally responsible actions.

In order to answer this question a closer look at the meaning of the concept of conscience can be helpful. In his extensive work *Conscience and Conscientious Objections*, historian and philosopher Schinkel interprets conscience as a concerned awareness of the moral quality of our own contribution to the process of reality, including our own being.<sup>4</sup> He, furthermore, discusses the origin of the concept of conscience. The historical roots of our concept of conscience, the Greek 'syneidesis' and the Roman 'conscientia', literally imply an awareness of oneself, "I know something with myself."<sup>5</sup> This ability to look at oneself, or rather inside oneself, is referred to by Lichtheim as "the quality of inwardness" which, in old Egyptian texts, is often expressed in terms of looking at one's own heart.<sup>6</sup> Schinkel gives a few examples: "The heart of a man is his own god, and my heart was satisfied with my deeds" and "The heart of a man is a gift of god, Beware of neglecting it."<sup>7</sup> The metaphor of the heart can also be found in a dictionary from 1676:

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<sup>4</sup> Anders Schinkel, *Conscience and Conscientious Objection*. (Amsterdam: Amsterdam University Press, 2007).

<sup>5</sup> *Ibid.*, p. 79.

<sup>6</sup> *Ibid.*, p. 86.

<sup>7</sup> *Ibid.*, pp. 87-89.

conscience as “the witness of one’s own heart.”<sup>8</sup> On the basis of the abundance of historical and philosophical research, Schinkel describes conscience as a symbol with three core elements: 1) the element of ultimate concern, 2) the element of intimacy, 3) the element of the witness.<sup>9</sup> With regard to the first element, ultimate concern, it is important to note that this refers to the experience of a necessity: something should be done. It is also clear that one’s own standards are deficient and that a superior standard is needed. Schinkel gives the example of Socrates’ awareness of falling short with regard to his own wisdom and his willingness to learn. The ability to be aware of and acknowledge one’s own limitation and fallibility is crucial in this respect. It seems the only protection against the hubris of decisions that are taken too quickly and without due reflection. It is clear that judgment plays a crucial role with regard to conscience, as is also indicated by Schinkel.<sup>10</sup> The second element (intimacy) implies a strong personal involvement. When this is absent there can be no ultimate concern. It is important that one realizes: “this is about me” and that one feels one’s own responsibility. It is the experience that one’s identity is at stake. The third element (witness) implies the experience that there is a spectator witnessing our actions and thoughts. As indicated earlier the metaphor of the heart seems to fulfill this function as “an excellent witness.”<sup>11</sup>

The above mentioned concepts, *syneidesis* and *conscientia* (the Greek and Roman roots of our concept of conscience), refer to an internal witness. This also holds for Adam Smith’s ‘impartial spectator’ or ‘great inmate of the breast’ and for Hobbes expression – based on Quintilianus: “conscience is a thousand witnesses.”<sup>12</sup> With regard to the element of witness Schinkel also discusses the symbols ‘the worm of conscience’ and the (divine) ‘voice of conscience.’ The worm of conscience refers to the painful feeling of guilt, as is described for instance by Nietzsche in his book *The Antichrist*. The symbol of the voice of conscience is older than the symbol of the worm.<sup>13</sup> It refers to the experience of being spoken to, as is describes by Socrates and in the Bible. The ‘voice’ carries a special authority and the experience has as such a transcendental quality. Schinkel also refers to Heidegger, for whom conscience is what constitutes the subject

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<sup>8</sup> Ibid., p. 78.

<sup>9</sup> Ibid., p. 106.

<sup>10</sup> Ibid., p. 108.

<sup>11</sup> Ibid., p. 112.

<sup>12</sup> Ibid., p. 113.

<sup>13</sup> Ibid., p. 117.

as an individual. Heidegger describes it as a call, in the interpretation of Staten “a call to Care (Sorge),” which is also a call towards authenticity.<sup>14</sup>

To put the conclusion of Schinkel’s analysis in a nutshell: our conscience, whether experienced as a divine voice or as a worm gnawing away inside us, tells us that it is crucial for us to do something in a particular situation, that it is our responsibility, even our obligation, to act and that our actions are being scrutinized. Notably, in a military context, it is, ideally, a soldiers’ conscience that tells him/her to act and if necessary to use violence. This is in line with the Just War tradition that teaches us that war should be avoided, but may be used as a last resort. According to one of the fathers of Just War tradition Augustine, force should be used in the defense of others. Thus, waging war is not, as such, a reprehensible act, it might even be felt as a moral obligation. As John Stuart Mill puts it: “war is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks nothing worth of war, is worse (...). A man who has nothing which he cares about more than he does about his personal safety is a miserable creature (..)”<sup>15</sup>

The ideal soldier or warrior in some ways resembles the ‘good cowboy’, familiar from the John Wayne and Clint Eastwood Westerns, riding off in the sunset after finishing his job in a morally responsible way, leaving the viewers in the conviction that justice has been done. However, as clearly as these westerns tell us that there are not only good guys but also bad ones (and ugly ones, since ‘The Good, the Bad and the Ugly’), as clearly are we informed by everyday military practice that there are not only ‘good’ soldiers in the military and that ‘good’ soldiers can become ‘bad’ ones under the influence of their daily experiences.<sup>16</sup> As for instance the infamous incidents in the Abu Graib prison in Iraq indicate, not all soldiers are moral agents or to put it differently, a

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<sup>14</sup> Ibid., p. 120.

<sup>15</sup> Mill quoted by Loyd.J.Matthews and Dale.E. Brown eds., *The Parameters of Military Ethics* (Dulles: Brassey’s Inc., 1989), p. 7.

<sup>16</sup> See, for example, Erella Grassiani, *Soldiering under Occupation: Processes of Moral Numbing among Israeli Conscripts during the Al-Aqsa Intifada* (Oxford: Berghahn Books, forthcoming); Philip Zimbardo, *The Lucifer Effect: understanding how good people become evil*, (New York: Random House, 2008); and Alette Smeulers, “What transforms ordinary people into gross human rights violators?” in *Understanding Human Rights Violations: New Systematic Studies*, eds. Sabine C. Carey and Steven C. Poe (Ashgate: Hants, 2004).

humanitarian ethos is not by definition part of military equipment.<sup>17</sup> Thus the willingness to bind war to rules has developed throughout the course of history and the Just War tradition and the Geneva Conventions are examples of this attempt. They can be interpreted as the social and political conscience, discussed at the beginning of this section. However rules never cover every situation and thus the ability to think and judge adequately are indispensable, presupposing the above discussed individual conscience. Yet, as indicated before, not every soldiers' conscience is the same, neither is his or her level of moral development or moral professionalization.

Besides, we should not ignore the processes of 'othering', or negative categorization that can influence the way soldiers act. Extensive literature has been written about the processes in which human beings 'other' people who are perceived as other from ethnic, religious or racial perspectives. The way the other is viewed is important to the way the conscience of a soldier is triggered, if at all. Within military practice categorizing the other as enemy and sometimes even dehumanizing the other is common, some say even necessary in order to perform ones duties.

However, this does not derogate from the fact that the level of compliance with humanitarian rules seems higher than ever. On the basis of codes of conduct and military ethics courses one is inclined to conclude that morally responsible behavior is seen as a necessary prerequisite for professional, i.e. 'good' soldiering.<sup>18</sup> Yet, the reason for this, also in relation to above mentioned 'othering,' might not only be the conscience of the individual soldier that is formed and educated in ethics courses and training sessions. The omnipresence of the media (social media included), for example human rights organizations in the war arena, has magnified the three core elements of the symbol of consciences discussed by Schinkel. The knowledge that the eye of the camera or the outsider is focused on one's actions and scrutinizes every move, might influence one to act in a morally responsible way. Foucault's disciplinary gaze may have found a twenty-first century equivalent in the omnipresence of the media and other witnesses,

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<sup>17</sup> Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002).

<sup>18</sup> Paul Robinson, Nigel Lee and Don Carrick, eds., *Ethics Education in the Military* (Ottawa, Hull: Ashgate, 2008).

which claims room for another symbol for conscience next to the old symbol of the heart: the eye of the camera.<sup>19</sup>

Foucault has illustrated the working of the disciplinary gaze by means of the core concept of the “panopticon.” This concept that literally implies the omnipresence of visibility was introduced by Bentham as the blueprint for prisons that places the warden in the middle of a circle of cells in which the prisoners are visible to the warden, yet the warden not to the prisoners. Thus the prisoners never know whether they are being watched or not. This disciplinary gaze can, together with other controlling techniques normalize and control behavior. Furthermore, Foucault believed that consent of an actor “can be manufactured through intricate controlling mechanisms that produce norms, constitute interests, and shape behavior.”<sup>20</sup> Importantly, language is also central in Foucault’s view as he “argues that the modern self is shaped from ‘outside’ by the penetrating, disciplining force of discursive practices”.<sup>21</sup> Foucault believed that people were shaped and controlled by a power that was produced by certain techniques that did not have a clear origin and that those under control had a limited degree of “autonomy in exercising rational choice.”<sup>22</sup> People are thus ‘victims’ as it were of unseen forces without many opportunities to change their destiny. Missing in this early work of Foucault, as Gordon rightly argues, is human agency.<sup>23</sup> This point is important for the questions we are posing here.

The power Foucault speaks of orders people to act in ways that are considered ‘right’ and ‘just’ by the system. It thus controls ‘abnormal’ behavior without the need of direct violence or constraint. According to Foucault the external disciplinary gaze reaches its goal when it is internalized; as is illustrated by the working of the panopticon. The realization of the existing risk, the fact that the eye of the warden will catch the prisoner behaving ‘abnormally’ is enough to force him into submission. This brings us to an interesting question; because if Foucault viewed our autonomy of

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<sup>19</sup> Michel Foucault, *Discipline and Punish* (New York: Random House, Inc., 1995 [1977]).

<sup>20</sup> Neve Gordon, “On Visibility and Power: an Arendtian corrective of Foucault.” *Human Studies* 25 (2002): p. 125.

<sup>21</sup> Dennis Smith, “The Civilizing Process and the History of Sexuality: Comparing Norbert Elias and Michel Foucault,” *Theory and Society* 28, no.1: p. 82.

<sup>22</sup> *Ibid.*

<sup>23</sup> Gordon, “On Visibility and Power.”

decision making as limited, does that mean that when put 'under a gaze' we instrumentally alter our behavior, because we are aware of this gaze and its consequences? Or is there some space for us (agency) to be morally triggered into doing the 'right thing'? In other words, do we act out of moral considerations based on our moral judgment (active), or do we act out of fear for punishment or imago-damage (passive)? Notably, the commanding officer who tells his soldiers not to engage in morally reprehensible behavior and reinforces his order by adding: "Imagine the headlines in the tabloids," is obviously less concerned with the victims of this morally reprehensible behavior than with 'politically correct' actions. Of course, this does not detract from the fact that political correct actions are preferable to reprehensible moral conduct. Yet the motivation seems crucial.

In order to explore these questions further we will look at a case in point; Israeli soldiers serving in the Occupied Palestinian Territories. Since the second Intifada (popular uprising) broke out in 2000, the activities of Israeli soldiers have been more and more scrutinized and criticized in the (inter)national media and in Human Rights reports, such as the ones by *B'Tselem*, *Human Rights Watch* and *Physicians for Human Rights* to name just a few. Through ethnographic research it has come to the fore that soldiers are aware of the different gazes that observe them and through the analysis of interviews and other ethnographic material we try to come closer to an understanding of the ways soldiers' moral behavior is influenced by these different gazes.<sup>24</sup>

### **The case of the Israeli soldier and the Palestinian at the checkpoint**

In the Israeli case, as in many other contemporary conflicts, soldiers are confronted with a civilian population. Often the whole Palestinian population is categorized and 'othered' as 'the enemy' that is to be feared and scrutinized. This severely affects the way soldiers view and treat the Palestinians on a daily basis. However, as has been argued by Grassiani (forthcoming), the circumstances soldiers find themselves in, such as hot or cold environments, emotional and physical hardship also have an effect on this behaviour. While keeping this context in mind, we will

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<sup>24</sup> Most of the material was collected by the first author during her PhD fieldwork in 2006-07.

examine the way that the moral behaviour of soldiers is or can be modified by the external gazes that discipline them.

Most commonly, soldiers and Palestinian civilians meet each other at checkpoints that are arenas of observation, surveillance and, most of all, control. Palestinian citizens have to go through the checkpoints that are manned by Israeli soldiers or military policemen on a daily basis in order to go to work, to visit family or to go to the doctor. Checkpoints have been described as “a central symbol of the Israeli occupation” and can be found in the OPT in different shapes and sizes; from small temporary (flying) checkpoints to modern terminals.<sup>25</sup> The connection between the checkpoint and the concept of panoptical power has been often made, although not always in agreement. Braverman presumes they are panoptical as they “enable various forms of surveillance over the Palestinian residents of the OPT, in turn molding them into docile, calculable, and governable bodies.”<sup>26</sup> While Braverman is right concerning the power of surveillance and one-way gaze of the checkpoint, especially when one considers the unequal power relations between soldiers and Palestinian citizens, the power of Foucault’s disciplinary gaze was its unknown source, its unpredictability. In this fashion Mansbach describes the newer checkpoints that have a reputation for being modern and advanced as “pre-panoptic structures.”<sup>27</sup> She emphasizes the use of force “via weapons, barriers, and the confiscation of property” of the checkpoints as means the soldiers use to gain control and the absence of an external gaze as basis for her argument.<sup>28</sup>

While this last point by Mansbach is indeed true for the newer checkpoints in which the soldiers are hidden from view by bullet proof, dark glass, one could argue, however, that with time the activities of soldiers at the checkpoints and elsewhere in the territories are more and more subject to external gazes. So while within the checkpoints Palestinians are watched and controlled in a direct way (pre-panopticon),

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<sup>25</sup> Ben-Ari et al., “From Checkpoints to Flow-Points: Sites of Friction between the Israeli Defence Forces and Palestinians” (Jerusalem: Harry S. Truman Foundation for the Advancement of Peace, the Hebrew University, 2005).

<sup>26</sup> Iris Braverman, “Checkpoint Gazes,” *Legal Studies Research Paper Series* 2009-09 (2009): p. 212.

<sup>27</sup> Daniela Mansbach, “Normalizing Violence: from Military Checkpoints to ‘Terminals’ in the Occupied Territories,” *Journal of Power* 2, no. 2 (2009): p. 260.

<sup>28</sup> Ibid.

the actions of the soldiers are more and more subject to panoptical gazes. While the soldiers carry out their own gaze, such 'outside' gazes could be called counter gazes as they are observing the observer.<sup>29</sup>

The first of such counter gazes is that of Human Rights organizations that watch the soldiers and their doings on a daily basis. A good case in point is *Machsom Watch* (Checkpoint Watch); Israeli, Jewish women (often somewhat older, Ashkenazi, upper-middle class) who come to the Occupied Palestinian Territories on a daily basis to observe the movements at the checkpoints and to report on the activities of the soldiers.<sup>30</sup> They do not only observe and gather information but also try to alter the behavior of soldiers by their presence and the relationships they try to build. For example, they try to negotiate with the soldiers and speak to soldiers as 'mother figures' or 'sisters'.

These women then openly scrutinize the behavior of the soldiers at the checkpoint and make their findings publicly available in the form of reports on their website. *Machsom Watch* started its activities in 2001, after the outbreak of the second Intifada. Their initial goals were as follows: "monitoring the behavior of the military, monitoring/protecting (!) Palestinian human and civil rights, and bearing witness in the form of reports after each observation."<sup>31</sup> Today a few hundred women are part of the organization and twice a day small groups of women go to the major checkpoints in shifts to witness the scene.

Through ethnographic observations different reactions by soldiers to the women of *Machsom Watch* were captured; at times the women would be greeted by the young, mostly male soldiers, sometimes ignored and sometimes even shouted at. In general, however, it was clear that the soldiers preferred the 'onlookers' to leave rather than have them stay; the gaze of these Jewish women, who often were of the age of their own mothers, made the soldiers feel scrutinized. Naaman has written about her experiences as a filmmaker who joined the organization and she describes the reaction of the

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<sup>29</sup> Braverman, "Checkpoint Gaze."

<sup>30</sup> In general the term Ashkenazi is used to indicate European Jews or descendants from Jews who migrated from Europe to Israel.

<sup>31</sup> From the website of Machsom Watch, accessed August 8 2011, <http://archive.machsomwatch.org/docs/MachsomWatchBriefHistoryEng.pdf>.

soldiers in relation to 'the threat of the gaze' which implies 'power, agency, [and] subjectivity.'<sup>32</sup> Her camera gaze, she argues, 'simultaneously challenges both patriarchy, and the conventional national narrative of Israel.'<sup>33</sup> She points here to sexually charged comments and gestures by one of the soldiers in reaction to her filming.

Thus, it is not only the gaze that is important to analyze, but also the specific audience behind it. *Machsom Watch*, as said before, is exclusively made up of women. The younger women are often approached by soldiers who make advances or ask them on a date. The older women are often seen as 'mother' figures or grandmothers. On the one hand, the femininity of this audience is frequently used by soldiers to either make their gaze 'harmless' - they are naïve women who don't really understand war and military activity. On the other hand, it can be seen as a threat, as in the example above, where sexual superiority is used by soldiers to disarm the agentic power of a woman scrutinizing the masculine soldier.<sup>34</sup> This threat comes from the fact that the women report misbehavior with the Israeli Defence Forces (IDF) and publicize stories on the internet and in the media.

Another example related to this gaze by human rights organizations is the gaze of the Palestinian. While Palestinians in the Occupied Palestinian Territories still have very limited means to change their situation or the behavior of soldiers, in recent years some families in 'hot' areas where a lot of violence is occurring have been equipped with cameras by the Israel human rights organization *B'Tselem*.<sup>35</sup> These cameras have the explicit intension, just as the visits of the women of *Machsom Watch*, to document violence (by soldiers, but also by Jewish settlers and to show the 'outside' world what the plight of the Palestinian people is. The cameras are also used to discourage the perpetrators from using violence in the first place and thus to alter their behavior.

In discussing this crucial issue of being seen or scrutinized with Israeli soldiers, one interviewee stated the following:

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<sup>32</sup> Dorit Naaman, "The Silenced Outcry: a Feminist Perspective from the Israeli Checkpoint in Palestine," *Feminist Formation* 18, no. 3 (2006): p. 174.

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> See <http://www.btselem.org/video-channel/camera-project> for more details on this project.

I'll tell you, the checkpoint I was at, was the Tapuach checkpoint, it's a checkpoint that is very famous, many organizations were there, *Machsom Watch*, and ... it's not a checkpoint somewhere far away where people don't see what is happening. It's a checkpoint that is very problematic from a ... people [soldiers] can't do whatever they want there. They can say if they [Palestinians] can go through or not, but not abuse Arabs or things like that, you can't at that checkpoint.

The soldiers obviously realizes the power these 'onlookers' have. In other words, he appreciates the power of their gaze in a Foucaultian sense. From this quote we can make out another important point; the soldier makes a distinction between an 'open' checkpoint where a lot of outsiders can watch the soldiers and checkpoints that are further away from the public eye. Because the checkpoint, he describes is such an 'open' checkpoint, he says, with outsiders watching the soldiers, the latter tend to be less violent and do not abuse Arabs. This distinction between being seen or not leads, in the words of the soldier, to different behavior by the soldiers. When we look for the motivation to act differently there is a sense of instrumentality. The moral issue of the abuse of Palestinians is not brought to the fore, but only the fact that this cannot be done in front of witnesses.

In the following, another soldier emphasizes how a military operation that is carried out should 'look good' in the eyes of 'others'. He does not specify who these others are and who will judge the soldiers afterwards, though; this could be the outside world in general, the media or the public, for example. It is clear, however, that 'looks' are important for soldiers and the military in general: "because in the end that is professionalism, in an arrest that's how they will see us afterwards, in the stakeouts, everything will look better."

A former commander related why he and his comrades would be careful when searching Palestinian houses: "[We wouldn't] break anything, so they won't accuse us later that we destroyed things. We would never touch, that's it." He emphasizes that he and his comrades would be careful not to break anything so that 'they', whether their superiors or external observers such as human rights organizations, would not criticize or punish them for this.

In the case of the counter gaze by a critical conscious party scrutinizing the soldier it seems, judging from the reactions of the soldiers, that the behavior is altered as a consequence of this gaze, but the motivations seem to be more instrumental than moral. The metaphorical camera represented by human rights organizations or Palestinian citizens does not seem to trigger a moral consciousness in the soldiers or influence their private reflection mentioned before. It does, however, make them refrain from or at least reduce their immoral violent activities.

A second counter gaze that the soldiers are subject to and that we will briefly discuss is the gaze of their superiors; IDF officers and senior commanders. While often standing at the checkpoints with an NCO in charge of a small group of soldiers, the soldiers are aware that there is always a chance a senior officer will come by to check on them.

I think that what interests the soldiers is not doing it [hitting people] in front of the company commander, more then not to hurt Arabs. He will prefer that the Arab will sit another hour in the heat or cold and wait for the company commander than that he would decide himself. At the end of the day he stands in front of the commander, he takes care of the promotions, if he goes home. It's his mother and father. Like in school, don't tell my father.

In this case, not hurting a Palestinian, which in principle is inhibitive moral agentic behaviour, is motivated by fear of the scrutiny of the commander, not by the realization that it is morally wrong.<sup>36</sup> We could say that this soldier has internalized the disciplinary gaze of the military. What the soldier conveys here, furthermore, is the fact that soldiers find it hard, at times, to make a decision and prefer a Palestinian to suffer a bit longer rather than to make a wrong decision for which they could then be punished. The company commander has a great deal of power over the soldiers, he is their 'mother and father' and hence his influence on the behaviour of soldiers and their decision-making is immense.

A third 'counter gaze' and different than the previous two, is the gaze of the soldiers themselves when they photograph their own activities and those of their

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<sup>36</sup> Bandura, "Selective Moral Disengagement."

comrades. Interestingly, often illegal activities or activities that are judged to be disrespectful or even immoral are eternalized by the perpetrators themselves.

These pictures and films seem to be made for a specific reason and with regard to a specific audience. In the context of our article one could say that it seems important whose gaze one is subjected to, or wants to be subjected to. In this second 'counter gaze' the eye of the camera does not seem to function as a conscience and an appeal to morally responsible behavior. On the contrary, the camera is used to capture acts by soldiers that in the public eye would be considered as moral transgressions and thus immoral and irresponsible behavior. Capturing this behavior can perhaps be explained as showing the 'guts' of the person who, in the eye of the camera, crosses moral boundaries. However, other underlying motivation or explanations should be considered.

Photography by soldiers is definitely not new. Already in WWII, German soldiers photographed themselves during their service, while killing and beating Jews in concentration camps for example. Morrison has called such pictures acts of 'genocidal tourism'.<sup>37</sup> Also the pictures taken by American soldiers in Iraq and Afghanistan have received some scholarly attention in which the motivation for making such pictures was discussed. Anden-Papadopoulos, for example, analyzed the NTFU website where American soldiers stationed abroad could exchange porn and pictures from their tours of duty.<sup>38</sup> She concludes that motivations behind sharing the gruesome pictures that are put on the websites vary from being symptoms of trauma, ritualistic motives that reinforce group solidarity and letting the outside world witness what these soldiers have 'really' gone through.<sup>39</sup> Kennedy characterizes such sharing of pictures by soldiers on the internet as a new "distinctive language, blending the genres of institutional, touristic and war photography into a new type of soldiers photography."<sup>40</sup>

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<sup>37</sup> Wayne Morrison, "Reflections with Memories: Everyday Photography Capturing Genocide," *Theoretical Criminology* 8, no. 3 (2004).

<sup>38</sup> NowThat'sFuckedUp.com. This website was closed in 2006.

<sup>39</sup> Kari Anden-Papadopoulos, "Body Horror on the Internet: US Soldiers recording the War in Iraq and Afghanistan," *Media, Culture & Society* 31, no. 6 (2009): 922.

<sup>40</sup> Liam Kennedy, "Soldier Photography: Visualizing the War in Iraq," *Review of International Studies* 35 (2009): 819.

Whitty mentions in his work on the same issue that the act of documenting our personal experiences, even if they are violent and immoral, is part of 'increasingly mediated cultures and lifestyles'.<sup>41</sup> He, like Morrison, furthermore mentions the important concept of tourism and the fact that soldiers often keep a picture of their deeds as a memento of passed times and experiences. The 'randomness' and 'everydayness' of soldiers taking pictures is an important issue. While we can interpret the photographs in many ways and while many motivations may lay at the basis of pictures taken by soldiers, the very fact of taking pictures as a 'tourist' of one's experiences and in order to show one was 'there' should not be disregarded. This point can straightforwardly be illustrated by the cases of the 'lost picture' and that of Abergil, described below. Importantly, most instances of photography by soldiers are related to processes of dehumanization and objectification also mentioned above. The 'other' who is abused or killed and then photographed serves as a silent other to be shown to strangers with no face or name.

In the documentary film, 'To See if I'm Smiling' by Tamar Yarom, an Israeli female soldier goes on a search for a photograph. She served in the IDF as a medic and remembers she was photographed by a fellow soldier with the body of a dead Palestinian. She just has one question, so many years later, she want to find out if she was smiling when the picture was taken. In retrospect, this (ex) soldier understands the deep immoral feature of the act of taking a picture with a dead body. She finds the picture years later in one of the photo albums another girl from her unit keeps. Ordinary photo albums convey dozens of pictures of uniformed and smiling girls, a few of them in the company of a Palestinian who was just killed by their fellow soldiers. The deeply troubled girl does not understand, today, how she was able then to stand next to the body and actually smile. Thus, while at the time the picture was taken this was seen as unproblematic, after years of deliberation the immorality of the situation was brought back home to the ex-soldier. When it was taken, the picture was to serve as a memento, to remember the army days and to perhaps show friends. It was to be kept in a photo-album, next to the albums featuring pictures from trips abroad and parties attended.

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<sup>41</sup> Noel Whitty, "Soldier Photography of Detainee Abuse in Iraq: Digital Technology, Human Rights and the Death of Baha Mousa," *Human Rights Law Review* 10, no. 4 (2010): p. 691.

The story of Eden Abergil is another clear example of this specific counter gaze. This female soldier, being part of the present-day obsession with social media and sharing everything we see or do , became infamous when she posted pictures of herself as a soldier with bound and blindfolded Palestinians on Facebook under the title 'IDF-the best time of my life'. The comments on the pictures by her Facebook friends are sexually charged and not in any way judging this behavior. When the pictures were publicized in the media and Abergil was asked about the pictures she did not understand 'what the fuss was about', she commented that she only treated the detainees well and she didn't hurt them. This shows that being photographed with these immobilized and contained men who had no say in their situation did not trigger her to reflect critically and morally on her actions.

The media outcry after the publication of these pictures, the reactions of Human Rights organizations, such as the Public Committee Against Torture, and the official reactions of the IDF who strongly condemned the photos, all, and understandably so, focus on the immorality of the act of the girl, the treatment of the Palestinians. However, for our purposes it is interesting and telling to look at the very act of photographing this behavior and publicizing it in such a way as Abergil or the girl who was smiling did. In both cases the photography was meant for 'personal' use, i.e. not with an official motivation, and for limited exposure (even though Facebook is, of course, less limited than often imagined when posting something). The reasons behind taking the pictures, as is also reflected in the title Abergil gave her photo collection, is as mundane as taking a picture during a holiday. We want to remember what we saw or did and we want to show our friends and family that we were really there. No moral compass was triggered when the pictures were taken. In one case this compass was activated in retrospect. Perhaps this will also happen with Abergil in a few years time. For now the immorality of her deeds has not sunken in.

### **Conclusion**

We began this article with the question of what the effects can be of the gaze of the camera on the moral behavior of soldiers, on their reflective, moral abilities.

According to the ideas of Foucault this gaze would have a 'controlling' effect; soldiers would behave 'better' when knowing they are being watched.

The first and second counter gaze we discussed, indeed show the disciplining effect of these gazes. The Human Rights 'eyes' and the Palestinian 'eyes', either in direct personal confrontation or through the lens of a camera, make the soldiers behave in a morally responsible way. This also holds for the 'eye' of the commander. Yet, as indicated, this seemingly morally responsible behavior is often instrumental.

As we saw in the first and second counter gaze, often soldiers alter their behavior in reaction to a present gaze, that of a superior, Human Rights activist or Palestinian with camera. This, however, does not mean their moral compass is triggered. Often they want to avoid punishment or ruining the 'good name' of their unit or of the IDF as a whole.

The third counter gaze leaves us with a few questions; how then can we explain the soldiers taking pictures of their own immoral behavior and the behavior of soldiers who know they are filmed or photographed but who still continue their violent activities.

As indicated before, the disciplinary gaze is not always disciplining its subjects. It seems to matter whose gaze one is subjected to, or, whose gaze one feels subjected to. Maybe it is precisely due to the disciplinary purpose of the disciplinary gaze that people challenge, or defy it? If this first explanation is true this implies that, the defiance takes shape in using the eye of the camera to consciously register morally reprehensible acts. Notably, this only works if this defiance' can be seen by people with the same intention.

A second explanation might be the numbing effect of the soldiers' experiences and thus the normalization of violence, as seen in the examples from the Israeli case.<sup>42</sup> In these situations the question is whether the moral conscience of soldiers is triggered at all. If it is not, if soldiers perceive their activities as 'normal' or legitimate as Eden Abergil did, they will not feel the need to alter their behavior in front of any camera or anyone's gaze.

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<sup>42</sup> Grassiani, *Soldiering under Occupation*.

Notably, both explanations may be connected, for the challenge of the disciplinary gaze, which is also a defiance of the normative power one feels subjected to (or maybe mistreated by, as the destructive behavior of the C- Company of Lieutenant Calley in the Vietnamese village Mi Lay illustrated) can only fully develop in circumstances in which the numbing of conscious and thus the normalization of violence has taken place.<sup>43</sup>

Maybe, in these circumstances the best one can hope for is the instrumental reaction to the disciplinary gaze of the commander's eye.

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<sup>43</sup> Richard A. Gabriel and Paul Savage. *Crisis in Command: Mismanagement in the Army* (New York: Hill and Wang, 1979).