

May 16, 2004. 01:00 AM

The privatization of Abu Ghraib

Civilians named in abuse scandal can't be charged

Iraq war ramps up Pentagon's use of private contractors

LYNDA HURST

In the shock of the Iraqi abuse scandal — amid horrific images of prisoner brutality, the inquiries into who did what and who told them to — one unsettling detail went largely unnoticed.

But only temporarily.

Of the 37 interrogators at Abu Ghraib prison, 27 did not belong to the U.S. military but to a Virginia private contractor called CACI International. Twenty-two linguists who assisted them were employed by California-based Titan International.

Two of these workers were cited in Maj.-Gen. Anthony Taguba's damning report on the "sadistic, blatant and wanton" treatment of detainees at Abu Ghraib 1A cellblock.

Unlike the seven reservist guards facing criminal trials and military intelligence officers under investigation, interrogator Steven Stefanowicz and translator John Israel face no accountability, let alone punishment. Being civilians, they are not subject to military law nor to the Geneva Convention.

Local prosecution could have been an option — if Iraq had a functioning judiciary, which it doesn't — but last year, U.S. administrator Paul Bremer issued an order protecting contractors from precisely that.

An extraterritoriality law that would have made civilian contractees subject to U.S. domestic law sits stalled on Attorney-General John Ashcroft's desk.

The two men likely will be fired, though neither CACI nor Titan has so far said so. That's all that happened in 1999 in Bosnia after several employees of another firm, DynCorp, were accused of statutory rape and running a child-prostitution ring.

The only court cases involved the two whistleblowers.

"To give the civilians in Iraq a legal free pass is unconscionable," says Peter W. Singer, author of *Corporate Warriors: The Rise Of The Privatized Military Industry*, a scathing examination of the Pentagon's spiralling reliance on outsourcing.

Singer, a national security fellow at the Brookings Institution, briefed 40 members of Congress last week, after they'd viewed the photographic evidence of abuse. He says they wanted to know why civilians were even involved in the questioning of detainees.

"Using them for interrogation is pushing the envelope about as far as it's possible to go. It should nor have happened."

It likely wasn't planned, analysts say.

With an arrest-first, question-later policy in Iraq and the conflict lasting longer than the White House envisioned, the demand for interrogators simply outstripped the supply, both of military and Central Intelligence Agency specialists.

The defence department was caught on the hop, says Singer, "because it never prepared a worst-case scenario. That's the mode in this administration, and disagreement isn't the proper face of loyalty."

Washington has made no secret of the fact that private military firms (PMFs) have been active in Iraq since the start of the war. Their numbers shot up after its official end a year ago, when the job of reconstruction began.



THE NEW YORKER
An Iraqi prisoner is surrounded by U.S. guards and attack dogs in this photo taken December, 2003 in the Abu Ghraib prison in Baghdad.

RELATED LINKS

- > U.S. probes death of inmate (May 21)
- > Soldier jailed for Iraq abuse (May 20)
- > Guard's questionable past (May 19)
- > New photos 'more graphic' (May 13)
- > Army probe report (courtesy The Smoking Gun)
- > Photo gallery
- > Guards untrained, overwhelmed (May 9)
- > Human Rights Watch statement
- > U.S. Army report on Iraqi prisoner abuse
- > U.S. Army course materials on handling POWs

PMFs, the largest of which is Halliburton, formerly headed by Vice-President Dick Cheney, are used for everything short of front-line combat.

They're feeding the troops, guarding key sites, managing logistics and providing security for the Coalition Provisional Authority, even for Bremer.

(He's guarded by Blackwater Security, four of whose employees were murdered in March, bringing to 17 the number of contractees killed in Iraq.)

Training of both the Iraqi army and police force are being conducted by private firms with contracts worth tens of millions of dollars.

Outsourcing has been on the rise since the Cold War's end led to the downsizing of the world's huge standing armies: In 1991, the U.S. military numbered 2 million; today, it's 1.4 million. Thousands of newly unemployed special forces and intelligence officers signed up with the burgeoning private security industry and saw their income jump from paltry military pay to upwards of \$1,500 a day.

A decade ago, the industry was mainly used by multinational corporations and oil companies operating in high-risk regions. Since 9/11 and the war on terror, however, its biggest client is the Pentagon.

Today, there are hundreds of for-profit companies, mainly American, some British, with about 20,000 personnel in Iraq, doing traditional military work, including intelligence. That makes PMFs the largest contingent after the U.S. military, far outnumbering the British.

The companies stand to reap an estimated 30 per cent of the \$87 billion (U.S.) appropriated by Congress for Iraq's "regeneration." No one is sure of the amount because Congress doesn't have to be notified on contracts worth less than \$50 million.

But Congress, much less the American public, also wasn't notified that privatization had moved beyond support roles.

Analysts say outsourcing crept up on the Pentagon. But it was the under-deployment of troops — only 130,000 were sent, against the military's recommended 250,000 — that led to the unprecedented amount being used in Iraq.

'After Abu Ghraib, we'll see a slowing-down of the private military industry'

Wesley Wark, UofT professor

"Outsourcing just grew and grew and no line was drawn at core functions," says Lawrence Korb, an assistant defence secretary in the Reagan administration who is now at the Council on Foreign Relations. "But interrogation crosses over into government's role."

Once the furor over Abu Ghraib subsides, Korb says, a hard look will be taken at the role of contractors, regardless of who wins the election in November. If they are going to be used, then laws must be written to govern their activities.

"But should they be doing interrogations?" he asks. "Are these people qualified?"

Not according to Torin Nelson, a former military intelligence officer who served in Bosnia and Guantanamo before resigning to go private with CACI. He was hired after a 35-minute phone call, he says, and was one of the 27 civilian interrogators at Abu Ghraib. He supplied evidence for Taguba's report.

In an interview with the Guardian this month, Nelson said the competence of the private contractees was "kind of hit or miss." As the demand rose, the quality of CACI's interrogators dropped sharply, he said, with "cooks and truck drivers" being hired because the company was "under so much pressure to fill slots quickly."

But Nelson also said he was alarmed by the message from military commanders at Abu Ghraib to get intelligence from the detainees — at any cost.

"'Anything goes' to me as an interrogator puts up a red flag," he said, "but with others, it may be a green light."

He quit in disgust in February but is now working for another PMF elsewhere in the world.

Analysts say the expansion of for-hire contractors into areas beyond basic military support could lower the social and psychological bar for resorting to war.

If young troops don't have to be sacrificed in far-flung combat zones, it could be easier for generals and their political masters to make the decision to use force.

And the industry won't object because conflicts equal profits.

Going private also allows the Pentagon to avoid scrutiny of its actions, critics say. It has been alleged, for instance, that put private soldiers were sent to Colombia to boost the number of regular U.S. troops authorized by Congress.

The catch, say analysts, is that when military and private meet up — when low-paid loyalty to country has to work with high-paid loyalty to company — resentments can breed.

Bill Hartung, a senior fellow at the World Policy Institute in New York, says regular troops in Iraq resent the two civilians in the abuse scandal getting off without reprisal, while the reservists face courts martial.

And they were furious last winter when Vinnell, a subsidiary of defence giant Northrop Grumman, so badly botched the job of training the new Iraqi military that the Jordanian army had to be rushed in to finish the job.

The military also had qualms when DynCorp, the firm involved in the prostitution scandal in Bosnia, was brought in to train the Iraqi police force.

It's already in Afghanistan, providing security for President Hamid Karzai.

"Their guys are seen as too *swaggery*, waving their guns around, full of Texas testosterone," says Hartung.

Those guys wouldn't be there if the administration hadn't underestimated the amount of troops needed for the war and the bloody aftermath, he says, "but ramping up the numbers would have been an unacceptable admission of error.

"There will be some sort of reckoning after this. Contractors have to be regulated, yes, but they also have to be kept out of intelligence and out of the front lines — not that there are well-defined front lines in this kind of war."

During Defence Secretary Donald Rumsfeld's lightning visit to Iraq last week, it was announced that Abu Ghraib would be renamed Camp Redemption.

Meanwhile, the events, participants and chain of command, or absence thereof, are now under minute scrutiny by the Pentagon, an angry Senate armed forces committee and an outraged public.

Before the inquiries are over, the spotlight is certain to turn to the unapproved use of civilians for interrogations.

Then, says Wesley Wark, an intelligence specialist at the University of Toronto's Munk Centre for International Studies, "a huge tidal wave will sweep over the issue and the real drive will come from the higher ranks at the Pentagon who've been divided under Rumsfeld.

"After Abu Ghraib, we'll see a slowing-down of the private military industry. At least that's my optimistic hope."

Col. Foster Payne, now in charge of interrogation at "Camp Redemption" — where some 3,000 Iraqis remain in detention — said three CACI interrogators were are still working there. He made no apologies.

"They're professionals in their own right. They have wide experience in the field and contribute to the team."

But then he added: "We're questioning whether we need to use contractors."

Additional articles by Lynda Hurst

> **Pay less than \$3 per week for 7 day home delivery.**

[FAQs](#) | [Site Map](#) | [Privacy Policy](#) | [Webmaster](#) | [Subscribe](#) | [My Subscription](#)

[Home](#) | [GTA](#) | [Business](#) | [Waymoresports](#) | [A&E](#) | [Life](#)

Legal Notice: Copyright Toronto Star Newspapers Limited. All rights reserved. Distribution, transmission or republication of any material from www.thestar.com is strictly prohibited without the prior written permission of Toronto Star Newspapers Limited. For information please contact us using our [webmaster form](#). www.thestar.com online since 1996.