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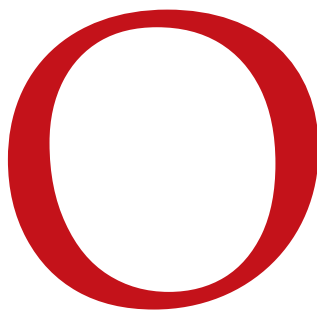
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Over the past several months *The Nation* has interviewed fifty combat veterans of the Iraq War from around the United States in an effort to investigate the effects of the four-year-old occupation on average Iraqi civilians. These combat veterans, some of whom bear deep emotional and physical scars, and many of whom have come to oppose the occupation, gave vivid, on-the-record accounts. They described a brutal side of the war rarely seen on television screens or chronicled in newspaper accounts.

Their stories, recorded and typed into thousands of pages of transcripts, reveal disturbing patterns of behavior by American troops in Iraq. Dozens of those interviewed witnessed Iraqi civilians, including children, dying from American firepower. Some participated in such killings; others treated or investigated civilian casualties after the fact. Many also heard such stories, in detail, from members of their unit. The soldiers, sailors and marines emphasized that not all troops took part in indiscriminate killings. Many said that these acts were perpetrated by a minority. But they nevertheless described such acts as common and said they often go unreported – and almost always go unpunished.

Court cases, such as the ones surrounding the massacre in Haditha and the rape and murder of a 14-year-old in Mahmudiya, and news stories in the *Washington Post*, *Time*, the *London Independent* and elsewhere based on Iraqi accounts have begun to hint at the wide extent of the attacks on civilians.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Human rights groups have issued reports, such as Human Rights Watch's *Hearts and Minds: Post-war Civilian Deaths in Baghdad Caused by U.S. Forces*, packed with detailed incidents that suggest that the killing of Iraqi civilians by occupation forces is more common than has been acknowledged by military authorities.

This *Nation* investigation marks the first time so many on-the-record, named eyewitnesses from within the US military have been assembled in one place to openly corroborate these assertions.

While some veterans said civilian shootings were routinely investigated by the military, many more said such inquiries were rare. "I mean, you physically could not do an investigation every time a civilian was wounded or killed because it just happens a lot and you'd spend all your time doing that," said Marine Reserve Lieut. Jonathan Morgenstein, 35, of Arlington, Virginia. He served from August 2004 to March 2005 in Ramadi with a Marine Corps civil affairs unit supporting a combat team with the Second Marine Expeditionary Brigade. (All interviewees are identified by the rank they held during the period of service they recount here; some have since been promoted or demoted.)

Veterans said the culture of this counterinsurgency war, in which most Iraqi civilians were assumed to be hostile, made it difficult for soldiers to sympathize with their victims – at least until they returned home and had a chance to reflect.

"I guess while I was there, the general attitude was, A dead Iraqi is just another dead Iraqi," said Spc. Jeff Englehart, 26, of Grand Junction, Colorado. Specialist Englehart served with the Third Brigade, First Infantry Division, in Baquba, about thirty-five miles northeast of Baghdad, for a year beginning in February 2004. "You know, so what?... The soldiers honestly thought we were trying to help the people and they were mad because it was almost like a betrayal. Like here we are trying to help you, here I am, you know, thousands of miles away from home and my family, and I have to be here for a year and work every day on these missions. Well, we're trying to help you and you just turn around and try to kill us."

He said it was only "when they get home, in dealing with veteran issues and meeting other veterans, it seems like the guilt really takes place, takes root, then."

The Iraq War is a vast and complicated enterprise. In this investigation of alleged military misconduct, *The Nation* focused on a few key elements of the

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

occupation, asking veterans to explain in detail their experiences operating patrols and supply convoys, setting up checkpoints, conducting raids and arresting suspects. From these collected snapshots a common theme emerged. Fighting in densely populated urban areas has led to the indiscriminate use of force and the deaths at the hands of occupation troops of thousands of innocents.

Many of these veterans returned home deeply disturbed by the disparity between the reality of the war and the way it is portrayed by the US government and American media. The war the vets described is a dark and even depraved enterprise, one that bears a powerful resemblance to other misguided and brutal colonial wars and occupations, from the French occupation of Algeria to the American war in Vietnam and the Israeli occupation of Palestinian territory.

"I'll tell you the point where I really turned," said Spc. Michael Harmon, 24, a medic from Brooklyn. He served a thirteen-month tour beginning in April 2003 with the 167th Armor Regiment, Fourth Infantry Division, in Al-Rashidiya, a small town near Baghdad. "I go out to the scene and [there was] this little, you know, pudgy little 2-year-old child with cute little pudgy legs, and I look and she has a bullet through her leg.... An IED [improvised explosive device] went off, the gun-happy soldiers just started shooting anywhere and the baby got hit. And this baby looked at me, wasn't crying, wasn't anything, it just looked at me like - I know she couldn't speak. It might sound crazy, but she was like asking me why. You know, Why do I have a bullet in my leg?... I was just like, This is - this is it. This is ridiculous."

Much of the resentment toward Iraqis described to *The Nation* by veterans was confirmed in a report released May 4 by the Pentagon. According to the survey, conducted by the Office of the Surgeon General of the US Army Medical Command, just 47 percent of soldiers and 38 percent of marines agreed that civilians should be treated with dignity and respect. Only 55 percent of soldiers and 40 percent of marines said they would report a unit member who had killed or injured "an innocent noncombatant."

These attitudes reflect the limited contact occupation troops said they had with Iraqis. They rarely saw their enemy. They lived bottled up in heavily fortified compounds that often came under mortar attack. They only ventured outside their compounds ready for combat. The mounting frustration of fighting an elusive enemy and the devastating effect of roadside bombs, with their steady

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

toll of American dead and wounded, led many troops to declare an open war on all Iraqis.

Veterans described reckless firing once they left their compounds. Some shot holes into cans of gasoline being sold along the roadside and then tossed grenades into the pools of gas to set them ablaze. Others opened fire on children. These shootings often enraged Iraqi witnesses.

In June 2003 Staff Sgt. Camilo Mejía's unit was pressed by a furious crowd in Ramadi. Sergeant Mejía, 31, a National Guardsman from Miami, served for six months beginning in April 2003 with the 1-124 Infantry Battalion, Fifty-Third Infantry Brigade. His squad opened fire on an Iraqi youth holding a grenade, riddling his body with bullets. Sergeant Mejía checked his clip afterward and calculated that he had personally fired eleven rounds into the young man.

"The frustration that resulted from our inability to get back at those who were attacking us led to tactics that seemed designed simply to punish the local population that was supporting them," Sergeant Mejía said

We heard a few reports, in one case corroborated by photographs, that some soldiers had so lost their moral compass that they'd mocked or desecrated Iraqi corpses. One photo, among dozens turned over to *The Nation* during the investigation, shows an American soldier acting as if he is about to eat the spilled brains of a dead Iraqi man with his brown plastic Army-issue spoon.

"Take a picture of me and this motherfucker," a soldier who had been in Sergeant Mejía's squad said as he put his arm around the corpse. Sergeant Mejía recalls that the shroud covering the body fell away, revealing that the young man was wearing only his pants. There was a bullet hole in his chest.

"Damn, they really fucked you up, didn't they?" the soldier laughed.

The scene, Sergeant Mejía said, was witnessed by the dead man's brothers and cousins.

In the sections that follow, snipers, medics, military police, artillerymen, officers and others recount their experiences serving in places as diverse as Mosul in the north, Samarra in the Sunni Triangle, Nasiriya in the south and Baghdad in the center, during 2003, 2004 and 2005. Their stories capture the impact of their units on Iraqi civilians.

A Note on Methodology

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

The Nation interviewed fifty combat veterans, including forty soldiers, eight marines and two sailors, over a period of seven months beginning in July 2006. To find veterans willing to speak on the record about their experiences in Iraq, we sent queries to organizations dedicated to US troops and their families, including Iraq and Afghanistan Veterans of America, the antiwar groups Military Families Speak Out, Veterans for Peace and Iraq Veterans Against the War and the prowar group Vets for Freedom. The leaders of IVAW and Paul Rieckhoff, the founder of IAVA, were especially helpful in putting us in touch with Iraq War veterans. Finally, we found veterans through word of mouth, as many of those we interviewed referred us to their military friends.

To verify their military service, when possible we obtained a copy of each interviewee's DD Form 214, or the Certificate of Release or Discharge From Active Duty, and in all cases confirmed their service with the branch of the military in which they were enlisted. Nineteen interviews were conducted in person, while the rest were done over the phone; all were tape-recorded and transcribed; all but five interviewees (most of those currently on active duty) were independently contacted by fact checkers to confirm basic facts about their service in Iraq. Of those interviewed, fourteen served in Iraq from 2003 to 2004, twenty from 2004 to 2005 and two from 2005 to 2006. Of the eleven veterans whose tours lasted less than one year, nine served in 2003, while the others served in 2004 and 2005.

The ranks of the veterans we interviewed ranged from private to captain, though only a handful were officers. The veterans served throughout Iraq, but mostly in the country's most volatile areas, such as Baghdad, Tikrit, Mosul, Falluja and Samarra.

During the course of the interview process, five veterans turned over photographs from Iraq, some of them graphic, to corroborate their claims.

Raids

"So we get started on this day, this one in particular," recalled Spc. Philip Chrystal, 23, of Reno, who said he raided between twenty and thirty Iraqi homes during an eleven-month tour in Kirkuk and Hawija that ended in October 2005, serving with the Third Battalion, 116th Cavalry Brigade. "It starts with the psy-ops vehicles out there, you know, with the big speakers playing a message in

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Arabic or Farsi or Kurdish or whatever they happen to be, saying, basically, saying, Put your weapons, if you have them, next to the front door in your house. Please come outside, blah, blah, blah, blah, blah. And we had Apaches flying over for security, if they're needed, and it's also a good show of force. And we're running around, and they - we'd done a few houses by this point, and I was with my platoon leader, my squad leader and maybe a couple other people.

"And we were approaching this one house," he said. "In this farming area, they're, like, built up into little courtyards. So they have, like, the main house, common area. They have, like, a kitchen and then they have a storage shed-type deal. And we're approaching, and they had a family dog. And it was barking ferociously, 'cause it's doing its job. And my squad leader, just out of nowhere, just shoots it. And he didn't - motherfucker - he shot it and it went in the jaw and exited out. So I see this dog - I'm a huge animal lover; I love animals - and this dog has, like, these eyes on it and he's running around spraying blood all over the place. And like, you know, What the hell is going on? The family is sitting right there, with three little children and a mom and a dad, horrified. And I'm at a loss for words. And so, I yell at him. I'm, like, What the fuck are you doing? And so the dog's yelping. It's crying out without a jaw. And I'm looking at the family, and they're just, you know, dead scared. And so I told them, I was like, Fucking shoot it, you know? At least kill it, because that can't be fixed...."

"And - I actually get tears from just saying this right now, but - and I had tears then, too - and I'm looking at the kids and they are so scared. So I got the interpreter over with me and, you know, I get my wallet out and I gave them twenty bucks, because that's what I had. And, you know, I had him give it to them and told them that I'm so sorry that asshole did that.

"Was a report ever filed about it?" he asked. "Was anything ever done? Any punishment ever dished out? No, absolutely not."

Specialist Chrystal said such incidents were "very common."

According to interviews with twenty-four veterans who participated in such raids, they are a relentless reality for Iraqis under occupation. The American forces, stymied by poor intelligence, invade neighborhoods where insurgents operate, bursting into homes in the hope of surprising fighters or finding weapons. But such catches, they said, are rare. Far more common were stories in which soldiers assaulted a home, destroyed property in their futile search and left terrorized civilians struggling to repair the damage and begin the long tor-

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

ment of trying to find family members who were hauled away as suspects.

Raids normally took place between midnight and 5 am, according to Sgt. John Bruhns, 29, of Philadelphia, who estimates that he took part in raids of nearly 1,000 Iraqi homes. He served in Baghdad and Abu Ghraib, a city infamous for its prison, located twenty miles west of the capital, with the Third Brigade, First Armor Division, First Battalion, for one year beginning in March 2003. His descriptions of raid procedures closely echoed those of eight other veterans who served in locations as diverse as Kirkuk, Samarra, Baghdad, Mosul and Tikrit.

“You want to catch them off guard,” Sergeant Bruhns explained. “You want to catch them in their sleep.” About ten troops were involved in each raid, he said, with five stationed outside and the rest searching the home.

Once they were in front of the home, troops, some wearing Kevlar helmets and flak vests with grenade launchers mounted on their weapons, kicked the door in, according to Sergeant Bruhns, who dispassionately described the procedure:

“You run in. And if there’s lights, you turn them on – if the lights are working. If not, you’ve got flashlights.... You leave one rifle team outside while one rifle team goes inside. Each rifle team leader has a headset on with an earpiece and a microphone where he can communicate with the other rifle team leader that’s outside.

“You go up the stairs. You grab the man of the house. You rip him out of bed in front of his wife. You put him up against the wall. You have junior-level troops, PFCs [privates first class], specialists will run into the other rooms and grab the family, and you’ll group them all together. Then you go into a room and you tear the room to shreds and you make sure there’s no weapons or anything that they can use to attack us.

“You get the interpreter and you get the man of the home, and you have him at gunpoint, and you’ll ask the interpreter to ask him: ‘Do you have any weapons? Do you have any anti-US propaganda, anything at all – anything – anything in here that would lead us to believe that you are somehow involved in insurgent activity or anti-coalition forces activity?’

“Normally they’ll say no, because that’s normally the truth,” Sergeant Bruhns said. “So what you’ll do is you’ll take his sofa cushions and you’ll dump them. If he has a couch, you’ll turn the couch upside down. You’ll go into the fridge, if

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

he has a fridge, and you'll throw everything on the floor, and you'll take his drawers and you'll dump them.... You'll open up his closet and you'll throw all the clothes on the floor and basically leave his house looking like a hurricane just hit it.

“And if you find something, then you'll detain him. If not, you'll say, ‘Sorry to disturb you. Have a nice evening.’ So you've just humiliated this man in front of his entire family and terrorized his entire family and you've destroyed his home. And then you go right next door and you do the same thing in a hundred homes.”

Each raid, or “cordon and search” operation, as they are sometimes called, involved five to twenty homes, he said. Following a spate of attacks on soldiers in a particular area, commanders would normally order infantrymen on raids to look for weapons caches, ammunition or materials for making IEDs. Each Iraqi family was allowed to keep one AK-47 at home, but according to Bruhns, those found with extra weapons were arrested and detained and the operation classified a “success,” even if it was clear that no one in the home was an insurgent.

Before a raid, according to descriptions by several veterans, soldiers typically “quarantined” the area by barring anyone from coming in or leaving. In pre-raid briefings, Sergeant Bruhns said, military commanders often told their troops the neighborhood they were ordered to raid was “a hostile area with a high level of insurgency” and that it had been taken over by former Baathists or Al Qaeda terrorists.

“So you have all these troops, and they're all wound up,” said Sergeant Bruhns. “And a lot of these troops think once they kick down the door there's going to be people on the inside waiting for them with weapons to start shooting at them.”

Sgt. Dustin Flatt, 33, of Denver, estimates he raided “thousands” of homes in Tikrit, Samarra and Mosul. He served with the Eighteenth Infantry Brigade, First Infantry Division, for one year beginning in February 2004. “We scared the living Jesus out of them every time we went through every house,” he said.

Spc. Ali Aoun, 23, a National Guardsman from New York City, said he conducted perimeter security in nearly 100 raids while serving in Sadr City with the Eighty-Ninth Military Police Brigade for eleven months starting in April 2004. When soldiers raided a home, he said, they first cordoned it off with Humvees.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Soldiers guarded the entrance to make sure no one escaped. If an entire town was being raided, in large-scale operations, it too was cordoned off, said Spc. Garrett Reppenhagen, 32, of Manitou Springs, Colorado, a cavalry scout and sniper with the 263rd Armor Battalion, First Infantry Division, who was deployed to Baquba for a year in February 2004.

Staff Sgt. Timothy John Westphal, 31, of Denver, recalled one summer night in 2004, the temperature an oppressive 110 degrees, when he and forty-four other US soldiers raided a sprawling farm on the outskirts of Tikrit. Sergeant Westphal, who served there for a yearlong tour with the Eighteenth Infantry Brigade, First Infantry Division, beginning in February 2004, said he was told some men on the farm were insurgents. As a mechanized infantry squad leader, Sergeant Westphal led the mission to secure the main house, while fifteen men swept the property. Sergeant Westphal and his men hopped the wall surrounding the house, fully expecting to come face to face with armed insurgents.

“We had our flashlights and...I told my guys, ‘On the count of three, just hit them with your lights and let’s see what we’ve got here. Wake ‘em up!’”

Sergeant Westphal’s flashlight was mounted on his M-4 carbine rifle, a smaller version of the M-16, so in pointing his light at the clump of sleepers on the floor he was also pointing his weapon at them. Sergeant Westphal first turned his light on a man who appeared to be in his mid-60s.

“The man screamed this gut-wrenching, blood-curdling, just horrified scream,” Sergeant Westphal recalled. “I’ve never heard anything like that. I mean, the guy was absolutely terrified. I can imagine what he was thinking, having lived under Saddam.”

The farm’s inhabitants were not insurgents but a family sleeping outside for relief from the stifling heat, and the man Sergeant Westphal had frightened awake was the patriarch.

“Sure enough, as we started to peel back the layers of all these people sleeping, I mean, it was him, maybe two guys...either his sons or nephews or whatever, and the rest were all women and children,” Sergeant Westphal said. “We didn’t find anything.”

“I can tell you hundreds of stories about things like that and they would all pretty much be like the one I just told you. Just a different family, a different time, a different circumstance.”

For Sergeant Westphal, that night was a turning point. “I just remember thinking to myself, I just brought terror to someone else under the American flag, and that’s just not what I joined the Army to do,” he said.

Intelligence

Fifteen soldiers we spoke with told us the information that spurred these raids was typically gathered through human intelligence – and that it was usually incorrect. Eight said it was common for Iraqis to use American troops to settle family disputes, tribal rivalries or personal vendettas. Sgt. Jesus Bocanegra, 25, of Weslaco, Texas, was a scout in Tikrit with the Fourth Infantry Division during a yearlong tour that ended in March 2004. In late 2003, Sergeant Bocanegra raided a middle-aged man’s home in Tikrit because his son had told the Army his father was an insurgent. After thoroughly searching the man’s house, soldiers found nothing and later discovered that the son simply wanted money his father had buried at the farm.

After persistently acting on such false leads, Sergeant Bocanegra, who raided Iraqi homes in more than fifty operations, said soldiers began to anticipate the innocence of those they raided. “People would make jokes about it, even before we’d go into a raid, like, Oh fucking we’re gonna get the wrong house,” he said. “‘Cause it would always happen. We always got the wrong house.” Specialist Chrystal said that he and his platoon leader shared a joke of their own: Every time he raided a house, he would radio in and say, “This is, you know, Thirty-One Lima. Yeah, I found the weapons of mass destruction in here.”

Sergeant Bruhns said he questioned the authenticity of the intelligence he received because Iraqi informants were paid by the US military for tips. On one occasion, an Iraqi tipped off Sergeant Bruhns’s unit that a small Syrian resistance organization, responsible for killing a number of US troops, was holed up in a house. “They’re waiting for us to show up and there will be a lot of shooting,” Sergeant Bruhns recalled being told.

As the Alpha Company team leader, Sergeant Bruhns was supposed to be the first person in the door. Skeptical, he refused. “So I said, ‘If you’re so confident that there are a bunch of Syrian terrorists, insurgents...in there, why in the world are you going to send me and three guys in the front door, because chances are I’m not going to be able to squeeze the trigger before I get shot.’” Sergeant

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Bruhns facetiously suggested they pull an M-2 Bradley Fighting Vehicle up to the house and shoot a missile through the front window to exterminate the enemy fighters his commanders claimed were inside. They instead diminished the aggressiveness of the raid. As Sergeant Bruhns ran security out front, his fellow soldiers smashed the windows and kicked down the doors to find “a few little kids, a woman and an old man.”

In late summer 2005, in a village on the outskirts of Kirkuk, Specialist Chrystal searched a compound with two Iraqi police officers. A friendly man in his mid-30s escorted Specialist Chrystal and others in his unit around the property, where the man lived with his parents, wife and children, making jokes to lighten the mood. As they finished searching – they found nothing – a lieutenant from his company approached Specialist Chrystal: “What the hell were you doing?” he asked. “Well, we just searched the house and it’s clear,” Specialist Chrystal said. The lieutenant told Specialist Chrystal that his friendly guide was “one of the targets” of the raid. “Apparently he’d been dined out by somebody as being an insurgent,” Specialist Chrystal said. “For that mission, they’d only handed out the target sheets to officers, and officers aren’t there with the rest of the troops.” Specialist Chrystal said he felt “humiliated” because his assessment that the man posed no threat was deemed irrelevant and the man was arrested. Shortly afterward, he posted himself in a fighting vehicle for the rest of the mission.

Sgt. Larry Cannon, 27, of Salt Lake City, a Bradley gunner with the Eighteenth Infantry Brigade, First Infantry Division, served a yearlong tour in several cities in Iraq, including Tikrit, Samarra and Mosul, beginning in February 2004. He estimates that he searched more than a hundred homes in Tikrit and found the raids fruitless and maddening. “We would go on one raid of a house and that guy would say, ‘No, it’s not me, but I know where that guy is.’ And...he’d take us to the next house where this target was supposedly at, and then that guy’s like, ‘No, it’s not me. I know where he is, though.’ And we’d drive around all night and go from raid to raid to raid.”

“I can’t really fault military intelligence,” said Specialist Reppenhagen, who said he raided thirty homes in and around Baquba. “It was always a guessing game. We’re in a country where we don’t speak the language. We’re light on interpreters. It’s just impossible to really get anything. All you’re going off is a pattern of what’s happened before and hoping that the pattern doesn’t change.”

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Sgt. Geoffrey Millard, 26, of Buffalo, New York, served in Tikrit with the Rear Operations Center, Forty-Second Infantry Division, for one year beginning in October 2004. He said combat troops had neither the training nor the resources to investigate tips before acting on them. "We're not police," he said. "We don't go around like detectives and ask questions. We kick down doors, we go in, we grab people."

First Lieut. Brady Van Engelen, 26, of Washington, DC, said the Army depended on less than reliable sources because options were limited. He served as a survey platoon leader with the First Armored Division in Baghdad's volatile Adhamiya district for eight months beginning in September 2003. "That's really about the only thing we had," he said. "A lot of it was just going off a whim, a hope that it worked out," he said. "Maybe one in ten worked out."

Sergeant Bruhns said he uncovered illegal material about 10 percent of the time, an estimate echoed by other veterans. "We did find small materials for IEDs, like maybe a small piece of the wire, the detonating cord," said Sergeant Cannon. "We never found real bombs in the houses." In the thousand or so raids he conducted during his time in Iraq, Sergeant Westphal said, he came into contact with only four "hard-core insurgents."

Arrests

Even with such slim pretexts for arrest, some soldiers said, any Iraqis arrested during a raid were treated with extreme suspicion. Several reported seeing military-age men detained without evidence or abused during questioning. Eight veterans said the men would typically be bound with plastic handcuffs, their heads covered with sandbags. While the Army officially banned the practice of hooding prisoners after the Abu Ghraib scandal broke, five soldiers indicated that it continued.

"You weren't allowed to, but it was still done," said Sergeant Cannon. "I remember in Mosul [in January 2005], we had guys in a raid and they threw them in the back of a Bradley," shackled and hooded. "These guys were really throwing up," he continued. "They were so sick and nervous. And sometimes, they were peeing on themselves. Can you imagine if people could just come into your house and take you in front of your family screaming? And if you actually were innocent but had no way to prove that? It would be a scary, scary thing."

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Specialist Reppenhagen said he had only a vague idea about what constituted contraband during a raid. "Sometimes we didn't even have a translator, so we find some poster with Muqtada al-Sadr, Sistani or something, we don't know what it says on it. We just apprehend them, document that thing as evidence and send it on down the road and let other people deal with it."

Sergeant Bruhns, Sergeant Bocanegra and others said physical abuse of Iraqis during raids was common. "It was just soldiers being soldiers," Sergeant Bocanegra said. "You give them a lot of, too much, power that they never had before, and before you know it they're the ones kicking these guys while they're handcuffed. And then by you not catching [insurgents], when you do have someone say, 'Oh, this is a guy planting a roadside bomb' - and you don't even know if it's him or not - you just go in there and kick the shit out of him and take him in the back of a five-ton - take him to jail."

Tens of thousands of Iraqis - military officials estimate more than 60,000 - have been arrested and detained since the beginning of the occupation, leaving their families to navigate a complex, chaotic prison system in order to find them. Veterans we interviewed said the majority of detainees they encountered were either innocent or guilty of only minor infractions.

Sergeant Bocanegra said during the first two months of the war he was instructed to detain Iraqis based on their attire alone. "They were wearing Arab clothing and military-style boots, they were considered enemy combatants and you would cuff 'em and take 'em in," he said. "When you put something like that so broad, you're bound to have, out of a hundred, you're going to have ten at least that were, you know what I mean, innocent."

Sometime during the summer of 2003, Bocanegra said, the rules of engagement narrowed - somewhat. "I remember on some raids, anybody of military age would be taken," he said. "Say, for example, we went to some house looking for a 25-year-old male. We would look at an age group. Anybody from 15 to 30 might be a suspect." (Since returning from Iraq, Bocanegra has sought counseling for post-traumatic stress disorder and said his "mission" is to encourage others to do the same.)

Spc. Richard Murphy, 28, an Army Reservist from Pocono, Pennsylvania, who served part of his fifteen-month tour with the 800th Military Police Brigade in Abu Ghraib prison, said he was often struck by the lack of due process afforded the prisoners he guarded.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Specialist Murphy initially went to Iraq in May 2003 to train Iraqi police in the southern city of Al Hillah but was transferred to Abu Ghraib in October 2003 when his unit replaced one that was rotating home. (He spoke with *The Nation* in October 2006, while not on active duty.) Shortly after his arrival there, he realized that the number of prisoners was growing “exponentially” while the amount of personnel remained stagnant. By the end of his six-month stint, Specialist Murphy was in charge of 320 prisoners, the majority of whom he was convinced were unjustly detained.

“I knew that a large percentage of these prisoners were innocent,” he said. “Just living with these people for months you get to see their character.... In just listening to the prisoners’ stories, I mean, I get the sense that a lot of them were just getting rounded up in big groups.”

Specialist Murphy said one prisoner, a mentally impaired, blind albino who could “maybe see a few feet in front of his face” clearly did not belong in Abu Ghraib. “I thought to myself, What could he have possibly done?”

Specialist Murphy counted the prisoners twice a day, and the inmates would often ask him when they would be released or implore him to advocate on their behalf, which he would try to do through the JAG (Judge Advocate General) Corps office. The JAG officer Specialist Murphy dealt with would respond that it was out of his hands. “He would make his recommendations and he’d have to send it up to the next higher command,” Specialist Murphy said. “It was just a snail’s crawling process.... The system wasn’t working.”

Prisoners at the notorious facility rioted on November 24, 2003, to protest their living conditions, and Army Reserve Spc. Aidan Delgado, 25, of Sarasota, Florida, was there. He had deployed with the 320th Military Police Company to Talil Air Base, to serve in Nasiriya and Abu Ghraib for one year beginning in April 2003. Unlike the other troops in his unit, he did not respond to the riot. Four months earlier he had decided to stop carrying a loaded weapon.

Nine prisoners were killed and three wounded after soldiers opened fire during the riot, and Specialist Delgado’s fellow soldiers returned with photographs of the events. The images, disturbingly similar to the incident described by Sergeant Mejía, shocked him. “It was very graphic,” he said. “A head split open. One of them was of two soldiers in the back of the truck. They open the body bags of these prisoners that were shot in the head and [one soldier has] got an MRE spoon. He’s reaching in to scoop out some of his brain, looking at the cam-

era and he's smiling. And I said, 'These are some of our soldiers desecrating somebody's body. Something is seriously amiss.' I became convinced that this was excessive force, and this was brutality."

Spc. Patrick Resta, 29, a National Guardsman from Philadelphia, served in Jalula, where there was a small prison camp at his base. He was with the 252nd Armor, First Infantry Division, for nine months beginning in March 2004. He recalled his supervisor telling his platoon point-blank, "The Geneva Conventions don't exist at all in Iraq, and that's in writing if you want to see it."

The pivotal experience for Specialist Delgado came when, in the winter of 2003, he was assigned to battalion headquarters inside Abu Ghraib prison, where he worked with Maj. David DiNenna and Lieut. Col. Jerry Phillabaum, both implicated in the Taguba Report, the official Army investigation into the prison scandal. There, Delgado read reports on prisoners and updated a dry erase board with information on where in the large prison compound detainees were moved and held.

"That was when I totally walked away from the Army," Specialist Delgado said. "I read these rap sheets on all the prisoners in Abu Ghraib and what they were there for. I expected them to be terrorists, murderers, insurgents. I look down this roster and see petty theft, public drunkenness, forged coalition documents. These people are here for petty civilian crimes."

"These aren't terrorists," he recalled thinking. "These aren't our enemies. They're just ordinary people, and we're treating them this harshly." Specialist Delgado ultimately applied for conscientious objector status, which the Army approved in April 2004.

The Enemy

American troops in Iraq lacked the training and support to communicate with or even understand Iraqi civilians, according to nineteen interviewees. Few spoke or read Arabic. They were offered little or no cultural or historical education about the country they controlled. Translators were either in short supply or unqualified. 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.

As Spc. Josh Middleton, 23, of New York City, who served in Baghdad and

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Mosul with the Second Battalion, Eighty-Second Airborne Division, from December 2004 to March 2005, pointed out, 20-year-old soldiers went from the humiliation of training – “getting yelled at every day if you have a dirty weapon” – to the streets of Iraq, where “it’s like life and death. And 40-year-old Iraqi men look at us with fear and we can – do you know what I mean? – we have this power that you can’t have. That’s really liberating. Life is just knocked down to this primal level.”

In Iraq, Specialist Middleton said, “a lot of guys really supported that whole concept that, you know, if they don’t speak English and they have darker skin, they’re not as human as us, so we can do what we want.”

In the scramble to get ready for Iraq, troops rarely learned more than how to say a handful of words in Arabic, depending mostly on a single manual, *A Country Handbook, a Field-Ready Reference Publication*, published by the Defense Department in September 2002. The book, as described by eight soldiers who received it, has pictures of Iraqi military vehicles, diagrams of how the Iraqi army is structured, images of Iraqi traffic signals and signs, and about four pages of basic Arabic phrases such as *Do you speak English? I am an American. I am lost.*

Iraqi culture, identity and customs were, according to at least a dozen soldiers and marines interviewed by *The Nation*, openly ridiculed in racist terms, with troops deriding “haji food,” “haji music” and “haji homes.” In the Muslim world, the word “haji” denotes someone who has made the pilgrimage to Mecca. But it is now used by American troops in the same way “gook” was used in Vietnam or “raghead” in Afghanistan.

“You can honestly see how the Iraqis in general or even Arabs in general are being, you know, kind of like dehumanized,” said Specialist Englehart. “Like it was very common for United States soldiers to call them derogatory terms, like camel jockeys or Jihad Johnny or, you know, sand nigger.”

According to Sergeant Millard and several others interviewed, “It becomes this racialized hatred towards Iraqis.” And this racist language, as Specialist Harmon pointed out, likely played a role in the level of violence directed at Iraqi civilians. “By calling them names,” he said, “they’re not people anymore. They’re just objects.”

Several interviewees emphasized that the military did set up, for training pur-

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

poses, mock Iraqi villages peopled with actors who played the parts of civilians and insurgents. But they said that the constant danger in Iraq, and the fear it engendered, swiftly overtook such training.

“They were the law,” Specialist Harmon said of the soldiers in his unit in Al-Rashidiya, near Baghdad, which participated in raids and convoys. “They were very mean, very mean-spirited to them. A lot of cursing at them. And I’m like, Dude, these people don’t understand what you’re saying.... They used to say a lot, ‘Oh, they’ll understand when the gun is in their face.’”

Those few veterans who said they did try to reach out to Iraqis encountered fierce hostility from those in their units.

“I had the night shift one night at the aid station,” said Specialist Resta, recounting one such incident. “We were told from the first second that we arrived there, and this was in writing on the wall in our aid station, that we were not to treat Iraqi civilians unless they were about to die.... So these guys in the guard tower radio in, and they say they’ve got an Iraqi out there that’s asking for a doctor.

“So it’s really late at night, and I walk out there to the gate and I don’t even see the guy at first, and they point out to him and he’s standing there. Well, I mean he’s sitting, leaned up against this concrete barrier – like the median of the highway – we had as you approached the gate. And he’s sitting there leaned up against it and, uh, he’s out there, if you want to go and check on him, he’s out there. So I’m sitting there waiting for an interpreter, and the interpreter comes and I just walk out there in the open. And this guy, he has the shit kicked out of him. He was missing two teeth. He has a huge laceration on his head, he looked like he had broken his eye orbit and had some kind of injury to his knee.”

The Iraqi, Specialist Resta said, pleaded with him in broken English for help. He told Specialist Resta that there were men near the base who were waiting to kill him.

“I open a bag and I’m trying to get bandages out and the guys in the guard tower are yelling at me, ‘Get that fucking haji out of here,’” Specialist Resta said. “And I just look back at them and ignored them, and then they were saying, you know, ‘He doesn’t look like he’s about to die to me,’ ‘Tell him to go cry back to the fuckin’ IP [Iraqi police],’ and, you know, a whole bunch of stuff like that. So, you know, I’m kind of ignoring them and trying to get the story from this guy,

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

and our doctor rolls up in an ambulance and from thirty to forty meters away looks out and says, shakes his head and says, 'You know, he looks fine, he's gonna be all right,' and walks back to the passenger side of the ambulance, you know, kind of like, Get your ass over here and drive me back up to the clinic. So I'm standing there, and the whole time both this doctor and the guards are yelling at me, you know, to get rid of this guy, and at one point they're yelling at me, when I'm saying, 'No, let's at least keep this guy here overnight, until it's light out,' because they wanted me to send him back out into the city, where he told me that people were waiting for him to kill him.

"When I asked if he'd be allowed to stay there, at least until it was light out, the response was, 'Are you hearing this shit? I think Doc is part fucking haji,'" Specialist Resta said.

Specialist Resta gave in to the pressure and denied the man aid. The interpreter, he recalled, was furious, telling him that he had effectively condemned the man to death.

"So I walk inside the gate and the interpreter helps him up and the guy turns around to walk away and the guys in the guard tower go, say, 'Tell him that if he comes back tonight he's going to get fucking shot,'" Specialist Resta said. "And the interpreter just stared at them and looked at me and then looked back at them, and they nod their head, like, Yeah, we mean it. So he yells it to the Iraqi and the guy just flinches and turns back over his shoulder, and the interpreter says it again and he starts walking away again, you know, crying like a little kid. And that was that."

Convoys

Two dozen soldiers interviewed said that this callousness toward Iraqi civilians was particularly evident in the operation of supply convoys - operations in which they participated. These convoys are the arteries that sustain the occupation, ferrying items such as water, mail, maintenance parts, sewage, food and fuel across Iraq. And these strings of tractor-trailers, operated by KBR (formerly Kellogg, Brown & Root) and other private contractors, required daily protection by the US military. Typically, according to these interviewees, supply convoys consisted of twenty to thirty trucks stretching half a mile down the road, with a Humvee military escort in front and back and at least one more in the center.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Soldiers and marines also sometimes accompanied the drivers in the cabs of the tractor-trailers.

These convoys, ubiquitous in Iraq, were also, to many Iraqis, sources of wanton destruction.

According to descriptions culled from interviews with thirty-eight veterans who rode in convoys – guarding such runs as Kuwait to Nasiriya, Nasiriya to Baghdad and Balad to Kirkuk – when these columns of vehicles left their heavily fortified compounds they usually roared down the main supply routes, which often cut through densely populated areas, reaching speeds over sixty miles an hour. Governed by the rule that stagnation increases the likelihood of attack, convoys leapt meridians in traffic jams, ignored traffic signals, swerved without warning onto sidewalks, scattering pedestrians, and slammed into civilian vehicles, shoving them off the road. Iraqi civilians, including children, were frequently run over and killed. Veterans said they sometimes shot drivers of civilian cars that moved into convoy formations or attempted to pass convoys as a warning to other drivers to get out of the way.

“A moving target is harder to hit than a stationary one,” said Sgt. Ben Flanders, 28, a National Guardsman from Concord, New Hampshire, who served in Balad with the 172nd Mountain Infantry for eleven months beginning in March 2004. Flanders ran convoy routes out of Camp Anaconda, about thirty miles north of Baghdad. “So speed was your friend. And certainly in terms of IED detonation, absolutely, speed and spacing were the two things that could really determine whether or not you were going to get injured or killed or if they just completely missed, which happened.”

Following an explosion or ambush, soldiers in the heavily armed escort vehicles often fired indiscriminately in a furious effort to suppress further attacks, according to three veterans. The rapid bursts from belt-fed .50-caliber machine guns and SAWs (Squad Automatic Weapons, which can fire as many as 1,000 rounds per minute) left many civilians wounded or dead.

“One example I can give you, you know, we’d be cruising down the road in a convoy and all of the sudden, an IED blows up,” said Spc. Ben Schrader, 27, of Grand Junction, Colorado. He served in Baquba with the 263rd Armor Battalion, First Infantry Division, from February 2004 to February 2005. “And, you know, you’ve got these scared kids on these guns, and they just start opening fire. And there could be innocent people everywhere. And I’ve seen this, I mean, on

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

numerous occasions where innocent people died because we're cruising down and a bomb goes off."

Several veterans said that IEDs, the preferred weapon of the Iraqi insurgency, were one of their greatest fears. Since the invasion in March 2003, IEDs have been responsible for killing more US troops – 39.2 percent of the more than 3,500 killed – than any other method, according to the Brookings Institution, which monitors deaths in Iraq. This past May, IED attacks claimed ninety lives, the highest number of fatalities from roadside bombs since the beginning of the war.

"The second you left the gate of your base, you were always worried," said Sergeant Flatt. "You were constantly watchful for IEDs. And you could never see them. I mean, it's just by pure luck who's getting killed and who's not. If you've been in firefights earlier that day or that week, you're even more stressed and insecure to a point where you're almost trigger-happy."

Sergeant Flatt was among twenty-four veterans who said they had witnessed or heard stories from those in their unit of unarmed civilians being shot or run over by convoys. These incidents, they said, were so numerous that many were never reported.

Sergeant Flatt recalled an incident in January 2005 when a convoy drove past him on one of the main highways in Mosul. "A car following got too close to their convoy," he said. "Basically, they took shots at the car. Warning shots, I don't know. But they shot the car. Well, one of the bullets happened to just pierce the windshield and went straight into the face of this woman in the car. And she was – well, as far as I know – instantly killed. I didn't pull her out of the car or anything. Her son was driving the car, and she had her – she had three little girls in the back seat. And they came up to us, because we were actually sitting in a defensive position right next to the hospital, the main hospital in Mosul, the civilian hospital. And they drove up and she was obviously dead. And the girls were crying."

On July 30, 2004, Sergeant Flanders was riding in the tail vehicle of a convoy on a pitch-black night, traveling from Camp Anaconda south to Taji, just north of Baghdad, when his unit was attacked with small-arms fire and RPGs (rocket-propelled grenades). He was about to get on the radio to warn the vehicle in front of him about the ambush when he saw his gunner unlock the turret and swivel it around in the direction of the shooting. He fired his MK-19, a 40-millimeter automatic grenade launcher capable of discharging up to 350 rounds per minute.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

“He’s just holding the trigger down and it wound up jamming, so he didn’t get off as many shots maybe as he wanted,” Sergeant Flanders recalled. “But I said, ‘How many did you get off?’ ‘Cause I knew they would be asking that. He said, ‘Twenty-three.’ He launched twenty-three grenades....”

“I remember looking out the window and I saw a little hut, a little Iraqi house with a light on.... We were going so fast and obviously your adrenaline’s – you’re like tunnel vision, so you can’t really see what’s going on, you know? And it’s dark out and all that stuff. I couldn’t really see where the grenades were exploding, but it had to be exploding around the house or maybe even hit the house. Who knows? Who knows? And we were the last vehicle. We can’t stop.”

Convoys did not slow down or attempt to brake when civilians inadvertently got in front of their vehicles, according to the veterans who described them. Sgt. Kelly Dougherty, 29, from Cañon City, Colorado, was based at the Talil Air Base in Nasiriya with the Colorado National Guard’s 220th Military Police Company for a year beginning in February 2003. She recounted one incident she investigated in January 2004 on a six-lane highway south of Nasiriya that resembled numerous incidents described by other veterans.

“It’s like very barren desert, so most of the people that live there, they’re nomadic or they live in just little villages and have, like, camels and goats and stuff,” she recalled. “There was then a little boy – I would say he was about 10 because we didn’t see the accident; we responded to it with the investigative team – a little Iraqi boy and he was crossing the highway with his, with three donkeys. A military convoy, transportation convoy driving north, hit him and the donkeys and killed all of them. When we got there, there were the dead donkeys and there was a little boy on the side of the road.

“We saw him there and, you know, we were upset because the convoy didn’t even stop,” she said. “They really, judging by the skid marks, they hardly even slowed down. But, I mean, that’s basically – basically, your order is that you never stop.”

Among supply convoys, there were enormous disparities based on the nationality of the drivers, according to Sergeant Flanders, who estimated that he ran more than 100 convoys in Balad, Baghdad, Falluja and Baquba. When drivers were not American, the trucks were often old, slow and prone to breakdowns, he said. The convoys operated by Nepalese, Egyptian or Pakistani drivers did not receive the same level of security, although the danger was more severe

because of the poor quality of their vehicles. American drivers were usually placed in convoys about half the length of those run by foreign nationals and were given superior vehicles, body armor and better security. Sergeant Flanders said troops disliked being assigned to convoys run by foreign nationals, especially since, when the aging vehicles broke down, they had to remain and protect them until they could be recovered.

“It just seemed insane to run civilians around the country,” he added. “I mean, Iraq is such a security concern and it’s so dangerous and yet we have KBR just riding around, unarmed.... Remember those terrible judgments that we made about what Iraq would look like postconflict? I think this is another incarnation of that misjudgment, which would be that, Oh, it’ll be fine. We’ll put a Humvee in front, we’ll put a Humvee in back, we’ll put a Humvee in the middle, and we’ll just run with it.

“It was just shocking to me.... I was Army trained and I had a good gunner and I had radios and I could call on the radios and I could get an airstrike if I wanted to. I could get a Medevac.... And here these guys are just tooling around. And these guys are, like, they’re promised the world. They’re promised \$120,000, tax free, and what kind of people take those jobs? Down-on-their-luck-type people, you know? Grandmothers. There were grandmothers there. I escorted a grandmother there and she did great. We went through an ambush and one of her guys got shot, and she was cool, calm and collected. Wonderful, great, good for her. What the hell is she doing there?

“We’re using these vulnerable, vulnerable convoys, which probably piss off more Iraqis than it actually helps in our relationship with them,” Flanders said, “just so that we can have comfort and air-conditioning and sodas – great – and PlayStations and camping chairs and greeting cards and stupid T-shirts that say, Who’s Your Baghdaddy?”

Patrols

Soldiers and marines who participated in neighborhood patrols said they often used the same tactics as convoys – speed, aggressive firing – to reduce the risk of being ambushed or falling victim to IEDs. Sgt. Patrick Campbell, 29, of Camarillo, California, who frequently took part in patrols, said his unit fired often and without much warning on Iraqi civilians in a desperate bid to ward off attacks.

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

“Every time we got on the highway,” he said, “we were firing warning shots, causing accidents all the time. Cars screeching to a stop, going into the other intersection.... The problem is, if you slow down at an intersection more than once, that’s where the next bomb is going to be because you know they watch. You know? And so if you slow down at the same choke point every time, guaranteed there’s going to be a bomb there next couple of days. So getting onto a freeway or highway is a choke point ‘cause you have to wait for traffic to stop. So you want to go as fast as you can, and that involves added risk to all the cars around you, all the civilian cars.

“The first Iraqi I saw killed was an Iraqi who got too close to our patrol,” he said. “We were coming up an on-ramp. And he was coming down the highway. And they fired warning shots and he just didn’t stop. He just merged right into the convoy and they opened up on him.”

This took place sometime in the spring of 2005 in Khadamiya, in the northwest corner of Baghdad, Sergeant Campbell said. His unit fired into the man’s car with a 240 Bravo, a heavy machine gun. “I heard three gunshots,” he said. “We get about halfway down the road and...the guy in the car got out and he’s covered in blood. And this is where...the impulse is just to keep going. There’s no way that this guy knows who we are. We’re just like every other patrol that goes up and down this road. I looked at my lieutenant and it wasn’t even a discussion. We turned around and we went back.

“So I’m treating the guy. He has three gunshot wounds to the chest. Blood everywhere. And he keeps going in and out of consciousness. And when he finally stops breathing, I have to give him CPR. I take my right hand, I lift up his chin and I take my left hand and grab the back of his head to position his head, and as I take my left hand, my hand actually goes into his cranium. So I’m actually holding this man’s brain in my hand. And what I realized was I had made a mistake. I had checked for exit wounds. But what I didn’t know was the Humvee behind me, after the car failed to stop after the first three rounds, had fired twenty, thirty rounds into the car. I never heard it.

“I heard three rounds, I saw three holes, no exit wounds,” he said. “I thought I knew what the situation was. So I didn’t even treat this guy’s injury to the head. Every medic I ever told is always like, Of course, I mean, the guy got shot in the head. There’s nothing you could have done. And I’m pretty sure – I mean, you can’t stop bleeding in the head like that. But this guy, I’m watching this guy,

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

who I know we shot because he got too close. His car was clean. There was no – didn't hear it, didn't see us, whatever it was. Dies, you know, dying in my arms."

While many veterans said the killing of civilians deeply disturbed them, they also said there was no other way to safely operate a patrol.

"You don't want to shoot kids, I mean, no one does," said Sergeant Campbell, as he began to describe an incident in the summer of 2005 recounted to him by several men in his unit. "But you have this: I remember my unit was coming along this elevated overpass. And this kid is in the trash pile below, pulls out an AK-47 and just decides he's going to start shooting. And you gotta understand...when you have spent nine months in a war zone, where no one – every time you've been shot at, you've never seen the person shooting at you, and you could never shoot back. Here's some guy, some 14-year-old kid with an AK-47, decides he's going to start shooting at this convoy. It was the most obscene thing you've ever seen. Every person got out and opened fire on this kid. Using the biggest weapons we could find, we ripped him to shreds." Sergeant Campbell was not present at the incident, which took place in Khadamiya, but he saw photographs and heard descriptions from several eyewitnesses in his unit.

"Everyone was so happy, like this release that they finally killed an insurgent," he said. "Then when they got there, they realized it was just a little kid. And I know that really fucked up a lot of people in the head.... They'd show all the pictures and some people were really happy, like, Oh, look what we did. And other people were like, I don't want to see that ever again."

The killing of unarmed Iraqis was so common many of the troops said it became an accepted part of the daily landscape. "The ground forces were put in that position," said First Lieut. Wade Zirkle of Shenandoah County, Virginia, who fought in Nasiriya and Falluja with the Second Light Armored Reconnaissance Battalion from March to May 2003. "You got a guy trying to kill me but he's firing from houses...with civilians around him, women and children. You know, what do you do? You don't want to risk shooting at him and shooting children at the same time. But at the same time, you don't want to die either."

Sergeant Dougherty recounted an incident north of Nasiriya in December 2003, when her squad leader shot an Iraqi civilian in the back. The shooting was described to her by a woman in her unit who treated the injury. "It was just, like,

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

the mentality of my squad leader was like, Oh, we have to kill them over here so I don't have to kill them back in Colorado," she said. "He just, like, seemed to view every Iraqi as like a potential terrorist."

Several interviewees said that, on occasion, these killings were justified by framing innocents as terrorists, typically following incidents when American troops fired on crowds of unarmed Iraqis. The troops would detain those who survived, accusing them of being insurgents, and plant AK-47s next to the bodies of those they had killed to make it seem as if the civilian dead were combatants. "It would always be an AK because they have so many of these weapons lying around," said Specialist Aoun. Cavalry scout Joe Hatcher, 26, of San Diego, said 9-millimeter handguns and even shovels – to make it look like the noncombatant was digging a hole to plant an IED – were used as well.

"Every good cop carries a throwaway," said Hatcher, who served with the Fourth Cavalry Regiment, First Squadron, in Ad Dawar, halfway between Tikrit and Samarra, from February 2004 to March 2005. "If you kill someone and they're unarmed, you just drop one on 'em." Those who survived such shootings then found themselves imprisoned as accused insurgents.

In the winter of 2004, Sergeant Campbell was driving near a particularly dangerous road in Abu Gharth, a town west of Baghdad, when he heard gunshots. Sergeant Campbell, who served as a medic in Abu Gharth with the 256th Infantry Brigade from November 2004 to October 2005, was told that Army snipers had fired fifty to sixty rounds at two insurgents who'd gotten out of their car to plant IEDs. One alleged insurgent was shot in the knees three or four times, treated and evacuated on a military helicopter, while the other man, who was treated for glass shards, was arrested and detained.

"I come to find out later that, while I was treating him, the snipers had planted – after they had searched and found nothing – they had planted bomb-making materials on the guy because they didn't want to be investigated for the shoot," Sergeant Campbell said. (He showed *The Nation* a photograph of one sniper with a radio in his pocket that he later planted as evidence.) "And to this day, I mean, I remember taking that guy to Abu Ghraib prison – the guy who didn't get shot – and just saying 'I'm sorry' because there was not a damn thing I could do about it.... I mean, I guess I have a moral obligation to say something, but I would have been kicked out of the unit in a heartbeat. I would've been a traitor."

Checkpoints

The US military checkpoints dotted across Iraq, according to twenty-six soldiers and marines who were stationed at them or supplied them – in locales as diverse as Tikrit, Baghdad, Karbala, Samarra, Mosul and Kirkuk – were often deadly for civilians. Unarmed Iraqis were mistaken for insurgents, and the rules of engagement were blurred. Troops, fearing suicide bombs and rocket-propelled grenades, often fired on civilian cars. Nine of those soldiers said they had seen civilians being shot at checkpoints. These incidents were so common that the military could not investigate each one, some veterans said.

“Most of the time, it’s a family,” said Sergeant Cannon, who served at half a dozen checkpoints in Tikrit. “Every now and then, there is a bomb, you know, that’s the scary part.”

There were some permanent checkpoints stationed across the country, but for unsuspecting civilians, “flash checkpoints” were far more dangerous, according to eight veterans who were involved in setting them up. These impromptu security perimeters, thrown up at a moment’s notice and quickly dismantled, were generally designed to catch insurgents in the act of trafficking weapons or explosives, people violating military-imposed curfews or suspects in bombings or drive-by shootings.

Iraqis had no way of knowing where these so-called “tactical control points” would crop up, interviewees said, so many would turn a corner at a high speed and become the unwitting targets of jumpy soldiers and marines.

“For me, it was really random,” said Lieutenant Van Engelen. “I just picked a spot on a map that I thought was a high-volume area that might catch some people. We just set something up for half an hour to an hour and then we’d move on.” There were no briefings before setting up checkpoints, he said.

Temporary checkpoints were safer for troops, according to the veterans, because they were less likely to serve as static targets for insurgents. “You do it real quick because you don’t always want to announce your presence,” said First Sgt. Perry Jefferies, 46, of Waco, Texas, who served with the Fourth Infantry Division from April to October 2003.

The temporary checkpoints themselves varied greatly. Lieutenant Van Engelen set up checkpoints using orange cones and fifty yards of concertina wire. He would assign a soldier to control the flow of traffic and direct drivers

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

through the wire, while others searched vehicles, questioned drivers and asked for identification. He said signs in English and Arabic warned Iraqis to stop; at night, troops used lasers, glow sticks or tracer bullets to signal cars through. When those weren't available, troops improvised by using flashlights sent them by family and friends back home.

"Baghdad is not well lit," said Sergeant Flanders. "There's not street lights everywhere. You can't really tell what's going on."

Other troops, however, said they constructed tactical control points that were hardly visible to drivers. "We didn't have cones, we didn't have nothing," recalled Sergeant Bocanegra, who said he served at more than ten checkpoints in Tikrit. "You literally put rocks on the side of the road and tell them to stop. And of course some cars are not going to see the rocks. I wouldn't even see the rocks myself."

According to Sergeant Flanders, the primary concern when assembling checkpoints was protecting the troops serving there. Humvees were positioned so that they could quickly drive away if necessary, and the heavy weapons mounted on them were placed "in the best possible position" to fire on vehicles that attempted to pass through the checkpoint without stopping. And the rules of engagement were often improvised, soldiers said.

"We were given a long list of that kind of stuff and, to be honest, a lot of the time we would look at it and throw it away," said Staff Sgt. James Zuelow, 39, a National Guardsman from Juneau, Alaska, who served in Baghdad in the Third Battalion, 297th Infantry Regiment, for a year beginning in January 2005. "A lot of it was written at such a high level it didn't apply."

At checkpoints, troops had to make split-second decisions on when to use lethal force, and veterans said fear often clouded their judgment.

Sgt. Matt Mardan, 31, of Minneapolis, served as a Marine scout sniper outside Falluja in 2004 and 2005 with the Third Battalion, First Marines. "People think that's dangerous, and it is," he said. "But I would do that any day of the week rather than be a marine sitting on a fucking checkpoint looking at cars."

No car that passes through a checkpoint is beyond suspicion, said Sergeant Dougherty. "You start looking at everyone as a criminal.... Is this the car that's going to try to run into me? Is this the car that has explosives in it? Or is this just someone who's confused?" The perpetual uncertainty, she said, is mentally

exhausting and physically debilitating.

“In the moment, what’s passing through your head is, Is this person a threat? Do I shoot to stop or do I shoot to kill?” said Lieutenant Morgenstein, who served in Al Anbar.

Sergeant Mejía recounted an incident in Ramadi in July 2003 when an unarmed man drove with his young son too close to a checkpoint. The father was decapitated in front of the small, terrified boy by a member of Sergeant Mejía’s unit firing a heavy .50-caliber machine gun. By then, said Sergeant Mejía, who responded to the scene after the fact, “this sort of killing of civilians had long ceased to arouse much interest or even comment.” The next month, Sergeant Mejía returned stateside for a two-week rest and refused to go back, launching a public protest over the treatment of Iraqis. (He was charged with desertion, sentenced to one year in prison and given a bad-conduct discharge.)

During the summer of 2005, Sergeant Millard, who served as an assistant to a general in Tikrit, attended a briefing on a checkpoint shooting, at which his role was to flip PowerPoint slides. “This unit sets up this traffic control point, and this 18-year-old kid is on top of an armored Humvee with a .50-caliber machine gun,” he said. “This car speeds at him pretty quick and he makes a split-second decision that that’s a suicide bomber, and he presses the butterfly trigger and puts 200 rounds in less than a minute into this vehicle. It killed the mother, a father and two kids. The boy was aged 4 and the daughter was aged 3. And they briefed this to the general. And they briefed it gruesome. I mean, they had pictures. They briefed it to him. And this colonel turns around to this full division staff and says, ‘If these fucking hajis learned to drive, this shit wouldn’t happen.’”

Whether or not commanding officers shared this attitude, interviewees said, troops were rarely held accountable for shooting civilians at checkpoints. Eight veterans described the prevailing attitude among them as “Better to be tried by twelve men than carried by six.” Since the number of troops tried for killing civilians is so scant, interviewees said, they would risk court-martial over the possibility of injury or death.

Rules of Engagement

Indeed, several troops said the rules of engagement were fluid and designed to insure their safety above all else. Some said they were simply told they were

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

authorized to shoot if they felt threatened, and what constituted a risk to their safety was open to wide interpretation. “Basically it always came down to self-defense and better them than you,” said Sgt. Bobby Yen, 28, of Atherton, California, who covered a variety of Army activities in Baghdad and Mosul as part of the 222nd Broadcast Operations Detachment for one year beginning in November 2003.

“Cover your own butt was the first rule of engagement,” Lieutenant Van Engelen confirmed. “Someone could look at me the wrong way and I could claim my safety was in threat.”

Lack of a uniform policy from service to service, base to base and year to year forced troops to rely on their own judgment, Sergeant Jefferies explained. “We didn’t get straight-up rules,” he said. “You got things like, ‘Don’t be aggressive’ or ‘Try not to shoot if you don’t have to.’ Well, what does that mean?”

Prior to deployment, Sergeant Flanders said, troops were trained on the five S’s of escalation of force: Shout a warning, Shove (physically restrain), Show a weapon, Shoot non-lethal ammunition in a vehicle’s engine block or tires, and Shoot to kill. Some troops said they carried the rules in their pockets or helmets on a small laminated card. “The escalation-of-force methodology was meant to be a guide to determine course of actions you should attempt before you shoot,” he said. “‘Shove’ might be a step that gets skipped in a given situation. In vehicles, at night, how does ‘Shout’ work? Each soldier is not only drilled on the five S’s but their inherent right for self-defense.”

Some interviewees said their commanders discouraged this system of escalation. “There’s no such thing as warning shots,” Specialist Resta said he was told during his predeployment training at Fort Bragg. “I even specifically remember being told that it was better to kill them than to have somebody wounded and still alive.”

Lieutenant Morgenstein said that when he arrived in Iraq in August 2004, the rules of engagement barred the use of warning shots. “We were trained that if someone is not armed, and they are not a threat, you never fire a warning shot because there is no need to shoot at all,” he said. “You signal to them with some other means than bullets. If they are armed and they are a threat, you never fire a warning shot because...that just gives them a chance to kill you. I don’t recall at this point if this was an ROE [rule of engagement] explicitly or simply part of our consistent training.” But later on, he said, “we were told the ROE was

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

changed” and that warning shots were now explicitly allowed in certain circumstances.

Sergeant Westphal said that by the time he arrived in Iraq earlier in 2004, the rules of engagement for checkpoints were more refined – at least where he served with the Army in Tikrit. “If they didn’t stop, you were to fire a warning shot,” said Sergeant Westphal. “If they still continued to come, you were instructed to escalate and point your weapon at their car. And if they still didn’t stop, then, if you felt you were in danger and they were about to run your checkpoint or blow you up, you could engage.”

In his initial training, Lieutenant Morgenstein said, marines were cautioned against the use of warning shots because “others around you could be hurt by the stray bullet,” and in fact such incidents were not unusual. One evening in Baghdad, Sergeant Zuelow recalled, a van roared up to a checkpoint where another platoon in his company was stationed and a soldier fired a warning shot that bounced off the ground and killed the van’s passenger. “That was a big wake-up call,” he said, “and after that we discouraged warning shots of any kind.”

Many checkpoint incidents went unreported, a number of veterans indicated, and the civilians killed were not included in the overall casualty count. Yet judging by the number of checkpoint shootings described to *The Nation* by veterans we interviewed, such shootings appear to be quite common.

Sergeant Flatt recounted one incident in Mosul in January 2005 when an elderly couple zipped past a checkpoint. “The car was approaching what was in my opinion a very poorly marked checkpoint, or not even a checkpoint at all, and probably didn’t even see the soldiers,” he said. “The guys got spooked and decided it was a possible threat, so they shot up the car. And they literally sat in the car for the next three days while we drove by them day after day.”

In another incident, a man was driving his wife and three children in a pickup truck on a major highway north of the Euphrates, near Ramadi, on a rainy day in February or March 2005. When the man failed to stop at a checkpoint, a marine in a light-armored vehicle fired on the car, killing the wife and critically wounding the son. According to Lieutenant Morgenstein, a civil affairs officer, a JAG official gave the family condolences and about \$3,000 in compensation. “I mean, it’s a terrible thing because there’s no way to pay money to replace a family member,” said Lieutenant Morgenstein, who was sometimes charged with

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

apologizing to families for accidental deaths and offering them such compensation, called “condolence payments” or “solatia.” “But it’s an attempt to compensate for some of the costs of the funeral and all the expenses. It’s an attempt to make a good-faith offering in a sign of regret and to say, you know, We didn’t want this to happen. This is by accident.” According to a May report from the Government Accountability Office, the Defense Department issued nearly \$31 million in solatia and condolence payments between 2003 and 2006 to civilians in Iraq and Afghanistan who were “killed, injured or incur[red] property damage as a result of U.S. or coalition forces’ actions during combat.” The study characterizes the payments as “expressions of sympathy or remorse...but not an admission of legal liability or fault.” In Iraq, according to the report, civilians are paid up to \$2,500 for death, as much as \$1,500 for serious injuries and \$200 or more for minor injuries.

On one occasion, in Ramadi in late 2004, a man happened to drive down a road with his family minutes after a suicide bomber had hit a barrier during a cordon-and-search operation, Lieutenant Morgenstein said. The car’s brakes failed and marines fired. The wife and her two children managed to escape from the car, but the man was fatally hit. The family was mistakenly told that he had survived, so Lieutenant Morgenstein had to set the record straight. “I’ve never done this before,” he said. “I had to go tell this woman that her husband was actually dead. We gave her money, we gave her, like, ten crates of water, we gave the kids, I remember, maybe it was soccer balls and toys. We just didn’t really know what else to do.”

One such incident, which took place in Falluja in March 2003 and was reported on at the time by the BBC, even involved a group of plainclothes Iraqi policemen. Sergeant Mejía was told about the event by several soldiers who witnessed it.

The police officers were riding in a white pickup truck, chasing a BMW that had raced through a checkpoint. “The guy that the cops were chasing got through and I guess the soldiers got scared or nervous, so when the pickup truck came they opened fire on it,” Sergeant Mejía said. “The Iraqi police tried to cease fire, but when the soldiers would not stop they defended themselves and there was a firefight between the soldiers and the cops. Not a single soldier was killed, but eight cops were.”

Accountability

A few veterans said checkpoint shootings resulted from basic miscommunication, incorrectly interpreted signals or cultural ignorance.

“As an American, you just put your hand up with your palm towards somebody and your fingers pointing to the sky,” said Sergeant Jefferies, who was responsible for supplying fixed checkpoints in Diyala twice a day. “That means stop to most Americans, and that’s a military hand signal that soldiers are taught that means stop. Closed fist, please freeze, but an open hand means stop. That’s a sign you make at a checkpoint. To an Iraqi person, that means, Hello, come here. So you can see the problem that develops real quick. So you get on a checkpoint, and the soldiers think they’re saying stop, stop, and the Iraqis think they’re saying come here, come here. And the soldiers start hollering, so they try to come there faster. So soldiers holler more, and pretty soon you’re shooting pregnant women.”

“You can’t tell the difference between these people at all,” said Sergeant Mardan. “They all look Arab. They all have beards, facial hair. Honestly, it’ll be like walking into China and trying to tell who’s in the Communist Party and who’s not. It’s impossible.”

But other veterans said that the frequent checkpoint shootings resulted from a lack of accountability. Critical decisions, they said, were often left to the individual soldier’s or marine’s discretion, and the military regularly endorsed these decisions without inquiry.

“Some units were so tight on their command and control that every time they fired one bullet, they had to write an investigative report,” said Sergeant Campbell. But “we fired thousands of rounds without ever filing reports,” he said. “And so it has to do with how much interaction and, you know, the relationship of the commanders to their units.”

Cpt. Megan O’Connor said that in her unit every shooting incident was reported. O’Connor, 30, of Venice, California, served in Tikrit with the Fiftieth Main Support Battalion in the National Guard for a year beginning in December 2004, after which she joined the 2-28 Brigade Combat Team in Ramadi. But Captain O’Connor said that after viewing the reports and consulting with JAG officers, the colonel in her command would usually absolve the soldiers. “The bottom line is he always said, you know, We weren’t there,” she said. “We’ll give

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

them the benefit of the doubt, but make sure that they know that this is not OK and we're watching them."

Probes into roadblock killings were mere formalities, a few veterans said. "Even after a thorough investigation, there's not much that could be done," said Specialist Reppenhagen. "It's just the nature of the situation you're in. That's what's wrong. It's not individual atrocity. It's the fact that the entire war is an atrocity."

The March 2005 shooting death of Italian secret service agent Nicola Calipari at a checkpoint in Baghdad, however, caused the military to finally crack down on such accidents, said Sergeant Campbell, who served there. Yet this did not necessarily lead to greater accountability. "Needless to say, our unit was under a lot of scrutiny not to shoot any more people than we already had to because we were kind of a run-and-gun place," said Sergeant Campbell. "One of the things they did was they started saying, Every time you shoot someone or shoot a car, you have to fill out a 15-[6] or whatever the investigation is. Well, that investigation is really onerous for the soldiers. It's like a 'You're guilty' investigation almost - it feels as though. So commanders just stopped reporting shootings. There was no incentive for them to say, Yeah, we shot so-and-so's car."

(Sergeant Campbell said he believes the number of checkpoint shootings did decrease after the high-profile incident, but that was mostly because soldiers were now required to use pinpoint lasers at night. "I think they reduced, from when we started to when we left, the number of Iraqi civilians dying at checkpoints from one a day to one a week," he said. "Inherent in that number, like all statistics, is those are reported shootings.")

Fearing a backlash against these shootings of civilians, Lieutenant Morgenstein gave a class in late 2004 at his battalion headquarters in Ramadi to all the battalion's officers and most of its senior noncommissioned officers during which he asked them to put themselves in the Iraqis' place.

"I told them the obvious, which is, everyone we wound or kill that isn't an insurgent, hurts us," he said. "Because I guarantee you, down the road, that means a wounded or killed marine or soldier... One, it's the right thing to do to not wound or shoot someone who isn't an insurgent. But two, out of self-preservation and self-interest, we don't want that to happen because they're going to come back with a vengeance."

Responses

The Nation contacted the Pentagon with a detailed list of questions and a request for comment on descriptions of specific patterns of abuse. These questions included requests to explain the rules of engagement, the operation of convoys, patrols and checkpoints, the investigation of civilian shootings, the detention of innocent Iraqis based on false intelligence and the alleged practice of “throw-away guns.” The Pentagon referred us to the Multi-National Force Iraq Combined Press Information Center in Baghdad, where a spokesperson sent us a response by e-mail.

“As a matter of operational security, we don’t discuss specific tactics, techniques, or procedures (TTPs) used to identify and engage hostile forces,” the spokesperson wrote, in part. “Our service members are trained to protect themselves at all times. We are facing a thinking enemy who learns and adjusts to our operations. Consequently, we adapt our TTPs to ensure maximum combat effectiveness and safety of our troops. Hostile forces hide among the civilian populace and attack civilians and coalition forces. Coalition forces take great care to protect and minimize risks to civilians in this complex combat environment, and we investigate cases where our actions may have resulted in the injury of innocents.... We hold our Soldiers and Marines to a high standard and we investigate reported improper use of force in Iraq.”

This response is consistent with the military’s refusal to comment on rules of engagement, arguing that revealing these rules threatens operations and puts troops at risk. But on February 9, Maj. Gen. William Caldwell, then coalition spokesman, writing on the coalition force website, insisted that the rules of engagement for troops in Iraq were clear. “The law of armed conflict requires that, to use force, ‘combatants’ must distinguish individuals presenting a threat from innocent civilians,” he wrote. “This basic principle is accepted by all disciplined militaries. In the counterinsurgency we are now fighting, disciplined application of force is even more critical because our enemies camouflage themselves in the civilian population. Our success in Iraq depends on our ability to treat the civilian population with humanity and dignity, even as we remain ready to immediately defend ourselves or Iraqi civilians when a threat is detected.”

When asked about veterans’ testimony that civilian deaths at the hands of coalition forces often went unreported and typically went unpunished, the

THE OTHER WAR | CHRIS HEDGES & LAILA AL-ARIAN

Press Information Center spokesperson replied only, "Any allegations of misconduct are treated seriously.... Soldiers have an obligation to immediately report any misconduct to their chain of command immediately."

Last September, Senator Patrick Leahy, then ranking member of the Judiciary Committee, called a Pentagon report on its procedures for recording civilian casualties in Iraq "an embarrassment." "It totals just two pages," Leahy said, "and it makes clear that the Pentagon does very little to determine the cause of civilian casualties or to keep a record of civilian victims."

In the four long years of the war, the mounting civilian casualties have already taken a heavy toll – both on the Iraqi people and on the US servicemembers who have witnessed, or caused, their suffering. Iraqi physicians, overseen by epidemiologists at Johns Hopkins University's Bloomberg School of Public Health, published a study late last year in the British medical journal *The Lancet* that estimated that 601,000 civilians have died since the March 2003 invasion as the result of violence. The researchers found that coalition forces were responsible for 31 percent of these violent deaths, an estimate they said could be "conservative," since "deaths were not classified as being due to coalition forces if households had any uncertainty about the responsible party."

"Just the carnage, all the blown-up civilians, blown-up bodies that I saw," Specialist Englehart said. "I just – I started thinking, like, Why? What was this for?"

"It just gets frustrating," Specialist Reppenhagen said. "Instead of blaming your own command for putting you there in that situation, you start blaming the Iraqi people.... So it's a constant psychological battle to try to, you know, keep – to stay humane."

"I felt like there was this enormous reduction in my compassion for people," said Sergeant Flanders. "The only thing that wound up mattering is myself and the guys that I was with. And everybody else be damned."

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