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Repeal the Military Commissions Act and Restore the Most American Human Right

by Thom Hartmann

"The power of the executive to cast a man into prison without formulating any charge known to the law, and particularly to deny him the judgment of his peers, is in the highest degree odious, and the foundation of all totalitarian government whether Nazi or Communist."

— Winston Churchill

The oldest human right defined in the history of English-speaking civilization is the right to challenge governmental power of arrest and detention through the use of habeas corpus laws. Habeas corpus is roughly Latin for "hold the body," and is used in law to mean that a government must either charge a person with a crime and allow them due process, or let them go free.

Last autumn the House and Senate passed, and the President signed into law [The United States Military Commissions Act of 2006](#), which explicitly strips both aliens and Americans of the right of habeas corpus, the right of recourse to the courts (as provided in the Fifth through Eighth Amendments to the Constitution), and denies appeal through mechanisms of the Geneva Conventions to those designated to lose these rights by the President.

As the most conspicuous part of a series of laws which have fundamentally changed the nature of this nation, moving us from a democratic republic to a state under the rule of a "unitary" President, the Military Commissions Act should be immediately reversed. When a demi-tyrant like Vladimir Putin begins lecturing the United States, as he did just a few days ago, on how our various behaviors over the past five years have "nothing in common with democracy," we should pay attention.

This attack on eight centuries of English law is no small thing. While the Republican's (and [13 Democrats in the Senate](#)) purported intent was to deny Guantanamo Bay Concentration Camp detainees the right to see a civilian judge or jury, it could just as easily extend to you and me. (Already two American citizens have been arbitrarily stripped of their habeas corpus rights by the Bush administration - Jose Padilla and Yasser Hamdi - and there may be others.)

Section 9, Clause 2, of Article I of the United States Constitution says: "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

Alberto Gonzales testified on January 18th before Congress that "there is no express grant of habeas in the Constitution. There is [only] a prohibition against taking it away."

While there are many countries in the world where all power and all rights are reserved to the government, and then doled out to the people by constitutional, legislative, or executive decree, the first three words of our Constitution clearly state who in this country holds all the power and all the rights: "We the People."

Our Constitution does not grant us rights, because "We" already hold *all* rights. Instead, it defines the boundaries of our government, and identifies what privileges "We the People" will grant to that government.

When Gonzales suggested we have no habeas corpus rights because the Constitution doesn't grant them, his testimony betrayed a breathtaking ignorance of the history and meaning of the United States Constitution. And, because his thinking probably reflects that of his superior, George W. Bush, Gonzales' testimony demonstrates the urgency with which Congress must act to repeal the many laws, signing statements, and executive orders that have been issued by this administration.

But particularly, and first, with regard to habeas corpus.

Abraham Lincoln was the first president (on March 3, 1863) to suspend habeas corpus so he could imprison those he considered a threat until the war was over. Congress invoked this power again during Reconstruction when President Grant requested The Ku Klux Klan Act in 1871 to put down a rebellion in South Carolina. Those are the only two fully legal suspensions of habeas corpus in the history of the United States (and Lincoln's is still being debated).

The United States hasn't suffered a "Rebellion" or an "Invasion" since Lincoln's and Grant's administrations. There are no foreign armies on our soil, seizing our cities. No states or municipalities are seriously talking about secession. Yet the Attorney General says we have no rights to habeas corpus, and the Military Commissions Act now backs him up.

The modern institution of civil and human rights, and particularly the writ of habeas corpus, began in June of 1215 when King John was forced by the feudal lords to sign the Magna Carta at Runnymede. Although that document mostly protected "freemen" - what were then known as feudal lords or barons, and today known as CEOs and millionaires - rather than the average person, it initiated a series of events that echo to this day.

Two of the most critical parts of the Magna Carta were articles 38 and 39, which established the foundation for what is now known as "habeas corpus" laws, as well as the Fourth through Eighth Amendments of our Constitution and hundreds of other federal and state due process provisions.

Articles 38 and 39 of the Magna Carta said:

"38 In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

"39 No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send

others to do so, except by the lawful judgment of his equals or by the law of the land."

This was radical stuff, and over the next four hundred years average people increasingly wanted for themselves these same protections from the abuse of the power of government or great wealth. But from 1215 to 1628, outside of the privileges enjoyed by the feudal lords, the average person could be arrested and imprisoned at the whim of the king with no recourse to the courts.

Then, in 1627, King Charles I overstepped, and the people snapped. Charles I threw into jail five knights in a tax disagreement, and the knights sued the King, asserting their habeas corpus right to be free or on bail unless convicted of a crime.

King Charles I, in response, invoked his right to simply imprison anybody he wanted (other than the rich), anytime he wanted, as he said, "*per speciale Mandatum Domini Regis.*"

This is essentially the same argument that George W. Bush makes today for why he has the right to detain both citizens and non-citizens solely on his own say-so: because he's in charge. And it's an argument now supported by the Military Commissions Act.

But just as George's Act is meeting resistance, Charles' decree wasn't well received. The result of his overt assault on the rights of citizens led to a sort of revolt in the British Parliament, producing the 1628 "Petition of Right" law, an early version of our Fourth through Eighth Amendments, which restated Articles 38 and 39 of the Magna Carta and added that "writs of habeas corpus, [are] there to undergo and receive [only] as the court should order." It was later strengthened with the "Habeas Corpus Act of 1640" and a second "Habeas Corpus Act of 1679."

Thus, the right to suspend habeas corpus no longer was held by the King. It was exercised solely by the people's (elected and hereditary) representatives in the Parliament.

The third George to govern the United Kingdom confronted this in 1815 when he came into possession of Napoleon Bonaparte. British laws were so explicit that everybody was entitled to habeas corpus - even people who were not British citizens - that when Napoleon surrendered on the deck of the British flagship Bellerophon after the battle of Waterloo in 1815, the British Parliament had to pass a law ("An Act For The More Effectually Detaining In Custody Napoleon Bonaparte") to suspend habeas corpus so King George III could legally continue to hold him prisoner (and then legally exile him to a British fortification on a distant island).

Now, the Military Commissions Act and Alberto Gonzales say that George W. Bush may similarly detain people or exile them to concentration camps on distant islands. Except these people are not Napoleon Bonaparte. "They" could even be you or me.

The Founders must be turning in their graves. As Alexander Hamilton - arguably the most conservative of the Founders - wrote in Federalist 84:

"The establishment of the writ of habeas corpus ... are perhaps greater securities to liberty and republicanism than any it [the Constitution] contains. ...[T]he practice of arbitrary imprisonments have been, in all ages, the favorite and most formidable instruments of tyranny. The observations of the judicious [British 18th century legal scholar] Blackstone, in reference to the latter, are well worthy of recital:

"'To bereave a man of life,' says he, 'or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism, as must at once convey the alarm of tyranny throughout the whole nation; but confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and therefore A MORE DANGEROUS ENGINE of arbitrary government.'" [Capitals all Hamilton's from the original.]

The question, ultimately, is whether our nation will continue to stand for the values upon which it was founded.

Early American conservatives suggested that democracy was so ultimately weak it couldn't withstand the assault of newspaper editors and citizens who spoke out against it, or terrorists from the Islamic Barbary Coast, leading John Adams to pass America's first Military Commissions Act-like laws, the *Alien and Sedition Acts of 1798*. President Thomas Jefferson rebuked those who wanted America ruled by an iron-handed presidency that could - [as Adams had](#) - throw people in jail for "crimes" such as speaking political opinion, or without constitutional due process.

"I know, indeed," Jefferson said in his first inaugural address on March 4, 1801, *"that some honest men fear that a republican government cannot be strong; that this government is not strong enough.*

But, Jefferson said, our nation was "the world's best hope," and because of our strong commitment to rights like habeas corpus, "the strongest government on earth."

The sum of this, Jefferson said, was found in *"freedom of person under the protection of the habeas corpus; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation.*

"The wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civil instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."

When I was working in Russia some years ago, a friend in Kaliningrad told me a perhaps apocryphal story about Nikita Khrushchev, who, following Stalin's death, gave a speech to the Politburo denouncing Stalin's policies of arbitrarily arresting people and throwing them into prisons or mental institutions without the rights of habeas corpus. A few minutes into Khrushchev's diatribe, somebody shouted out, "Why didn't you challenge him then, the way you are now?"

The room fell silent, as Khrushchev angrily swept the audience with his glare. "Who said that?" he asked in a reasoned voice. Silence.

"Who said that?" Khrushchev demanded, leaning forward. Silence.

Pounding his fist on the podium to accent each word, he screamed, "Who - said - that?" Still no answer.

Finally, after a long and strained silence, the elected politicians in the room fearful to even cough, a corner of Khrushchev's mouth lifted into a smile.

"Now you know," he said with a chuckle, "why I did not speak up against Stalin when I sat where you now sit."

The question for our day is who will speak up against Stalinist policies in America? Who will speak against the man who punishes reporters and news organizations by cutting off their access; who punishes politicians by targeting them in their

home districts; who punishes truth-tellers in the Executive branch by character assassination that even extends to destroying their spouse's careers? And why is our press doing such a pathetic job that in all probability 95 percent of Americans don't even know that our Attorney General says we have no rights to habeas corpus?

As Alexander Hamilton wrote in Federalist Number 8:

"The violent destruction of life and property incident to war; the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty, to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they, at length, become willing to run the risk of being less free."

We must not make the mistake that Jefferson and Hamilton warned us against. We must not remain silent, like Khrushchev's people did. We must speak out.

Contact your U.S. Senators and members of the House of Representatives (the Capitol's phone number is 202 225-3121) and tell them to stop this assault on eight hundred years of legal precedent by repealing the Military Commissions Act and thus restore the most fundamentally American human right of habeas corpus.

Thom Hartmann is a three-time Project Censored Award-winning, New York Times best-selling author of nineteen books and, for the past four years, the host of a nationally syndicated noon-3 PM ET daily progressive talk show which will, starting on February 19th, replace the Al Franken show on [Air America Radio](#) radio stations from coast-to-coast and on Sirius Satellite Radio. His website is at www.thomhartmann.com His most recent books are "[What Would Jefferson Do? A Return To Democracy](#)," and [Screwed: The Undeclared War Against the Middle Class and What We Can Do About It](#).

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BUSH MOVES TOWARD MARTIAL LAW

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Written by Frank Morales

Thursday, 26 October 2006



In a stealth maneuver, President Bush has signed into law a provision which, according to Senator Patrick Leahy (D-Vermont), will actually encourage the President to declare federal martial law (1). It does so by revising the Insurrection Act, a set of laws that limits the President's ability to deploy troops within the United States. The Insurrection Act (10 U.S.C.331 -335) has historically, along with the Posse Comitatus Act (18 U.S.C.1385), helped to enforce strict prohibitions on military involvement in domestic law enforcement. With one cloaked swipe of his pen, Bush is seeking to undo those prohibitions.

Public Law 109-364, or the "John Warner Defense Authorization Act of 2007" (H.R.5122) (2), which was signed by the commander in chief on October 17th, 2006, in a private Oval Office ceremony, allows the President to declare a "public emergency" and station troops anywhere in America and take control of state-based National Guard units without the consent of the governor or local authorities, in order to "suppress public disorder."

President Bush seized this unprecedented power on the very same day that he signed the equally odious Military Commissions Act of 2006. In a sense, the two laws complement one another. One allows for torture and detention abroad, while the other seeks to enforce acquiescence at home, preparing to order the military onto the streets of America. Remember, the term for putting an area under military law enforcement control is precise; the term is "martial law."

Section 1076 of the massive Authorization Act, which grants the Pentagon another \$500-plus-billion for its ill-advised adventures, is entitled, "Use of the Armed Forces in Major Public Emergencies." Section 333, "Major public emergencies; interference with State and Federal law" states that "the President may employ the armed forces, including the National Guard in Federal service, to restore public order and enforce the laws of the United States when, as a result of a natural disaster, epidemic, or other serious public health emergency, terrorist attack or incident, or other condition in any State or possession of the United States, the President determines that domestic violence has occurred to such an extent that the constituted authorities of the State or possession are incapable of ("refuse" or "fail" in) maintaining public order, "in order to suppress, in any State, any insurrection, domestic violence, unlawful combination, or conspiracy."

For the current President, "enforcement of the laws to restore public order" means to commandeer guardsmen from any state, over the objections of local governmental, military and local police entities; ship them off to another state; conscript them in a law enforcement mode; and set them loose against "disorderly" citizenry - protesters, possibly, or those who object to forced vaccinations and quarantines in the event of a bio-terror event.

The law also facilitates militarized police round-ups and detention of protesters, so called "illegal aliens," "potential terrorists" and other "undesirables" for detention in facilities already contracted for and under construction by Halliburton. That's right. Under the cover of a trumped-up "immigration emergency" and the frenzied militarization of the southern border, detention camps are being constructed right under our noses, camps designed for anyone who resists the foreign and domestic agenda of the Bush administration.

An article on "recent contract awards" in a recent issue of the slick, insider "Journal of Counterterrorism & Homeland Security International" reported that "global engineering and technical services powerhouse KBR [Kellogg, Brown & Root] announced in January 2006 that its Government and Infrastructure division was awarded an Indefinite Delivery/Indefinite Quantity (IDIQ) contract to support U.S. Immigration and Customs Enforcement (ICE) facilities in the event of an emergency." "With a maximum total value of \$385 million over a five year term," the report notes, "the contract is to be executed by the U.S. Army Corps of Engineers," "for establishing temporary detention and processing capabilities to augment existing ICE Detention and Removal Operations (DRO) - in the event of an emergency influx of immigrants into the U.S., or to support the rapid development of new programs." The report points out that "KBR is the engineering and construction subsidiary of Halliburton." (3) So, in addition to authorizing another \$532.8 billion for the Pentagon, including a \$70-billion "supplemental provision" which covers the cost of the ongoing, mad military maneuvers in Iraq, Afghanistan, and other places, the new law, signed by the president in a private White House ceremony, further collapses the historic divide between the police and the military: a tell-tale sign of a rapidly consolidating police state in America, all accomplished amidst ongoing U.S. imperial pretensions of global domination, sold to an "emergency managed" and seemingly willfully gullible public as a "global war on terrorism."

Make no mistake about it: the de-facto repeal of the Posse Comitatus Act (PCA) is an ominous assault on American democratic tradition and jurisprudence. The 1878 Act, which reads, "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both," is the only U.S. criminal statute that outlaws military operations directed against the American people under the cover of 'law enforcement.' As such, it has been the best protection we've had against the power-hungry intentions of an unscrupulous and reckless executive, an executive intent on using force to enforce its will.



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NONVIOLENT WARRIOR

Dave Dellinger



Unfortunately, this past week, the president dealt posse comitatus, along with American democracy, a near fatal blow. Consequently, it will take an aroused citizenry to undo the damage wrought by this horrendous act, part and parcel, as we have seen, of a long train of abuses and outrages perpetrated by this authoritarian administration.

Despite the unprecedented and shocking nature of this act, there has been no outcry in the American media, and little reaction from our elected officials in Congress. On September 19th, a lone Senator Patrick Leahy (D-Vermont) noted that 2007's Defense Authorization Act contained a "widely opposed provision to allow the President more control over the National Guard [adopting] changes to the Insurrection Act, which will make it easier for this or any future President to use the military to restore domestic order WITHOUT the consent of the nation's governors."

Senator Leahy went on to stress that, "we certainly do not need to make it easier for Presidents to declare martial law. Invoking the Insurrection Act and using the military for law enforcement activities goes against some of the central tenets of our democracy. One can easily envision governors and mayors in charge of an emergency having to constantly look over their shoulders while someone who has never visited their communities gives the orders."

A few weeks later, on the 29th of September, Leahy entered into the Congressional Record that he had "grave reservations about certain provisions of the fiscal Year 2007 Defense Authorization Bill Conference Report," the language of which, he said, "subverts solid, longstanding posse comitatus statutes that limit the military's involvement in law enforcement, thereby making it easier for the President to declare martial law." This had been "slipped in," Leahy said, "as a rider with little study," while "other congressional committees with jurisdiction over these matters had no chance to comment, let alone hold hearings on, these proposals."

In a telling bit of understatement, the Senator from Vermont noted that "the implications of changing the (Posse Comitatus) Act are enormous". "There is good reason," he said, "for the constructive friction in existing law when it comes to martial law declarations. Using the military for law enforcement goes against one of the founding tenets of our democracy. We fail our Constitution, neglecting the rights of the States, when we make it easier for the President to declare martial law and trample on local and state sovereignty."

Senator Leahy's final ruminations: "Since hearing word a couple of weeks ago that this outcome was likely, I have wondered how Congress could have gotten to this point. It seems the changes to the Insurrection Act have survived the Conference because the Pentagon and the White House want it."

The historic and ominous re-writing of the Insurrection Act, accomplished in the dead of night, which gives Bush the legal authority to declare martial law, is now an accomplished fact.

The Pentagon, as one might expect, plays an even more direct role in martial law operations. Title XIV of the new law, entitled, "Homeland Defense Technology Transfer Legislative Provisions," authorizes "the Secretary of Defense to create a Homeland Defense Technology Transfer Consortium to improve the effectiveness of the Department of Defense (DOD) processes for identifying and deploying relevant DOD technology to federal, State, and local first responders."

In other words, the law facilitates the "transfer" of the newest in so-called "crowd control" technology and other weaponry designed to suppress dissent from the Pentagon to local militarized police units. The new law builds on and further codifies earlier "technology transfer" agreements, specifically the 1995 DOD-Justice Department memorandum of agreement achieved back during the Clinton-Reno regime.(4)

It has become clear in recent months that a critical mass of the American people have seen through the lies of the Bush administration; with the president's polls at an historic low, growing resistance to the war Iraq, and the Democrats likely to take back the Congress in mid-term elections, the Bush administration is on the ropes. And so it is particularly worrying that President Bush has seen fit, at this juncture to, in effect, declare himself dictator.

Source:

(1) <http://leahy.senate.gov/press/200609/091906a.html> and <http://leahy.senate.gov/press/200609/092906b.html> See also, Congressional Research Service Report for Congress, "The Use of Federal Troops for Disaster Assistance: Legal Issues," by Jennifer K. Elsea, Legislative Attorney, August 14, 2006

(2) <http://www.govtrack.us/congress/bill.xpd?bill+h109-5122>

(3) Journal of Counterterrorism & Homeland Security International, "Recent Contract Awards", Summer 2006, Vol.12, No.2, pg.8; See also, Peter Dale Scott, "Homeland Security Contracts for Vast New Detention Camps," New American Media, January 31, 2006.

(4) "Technology Transfer from defense: Concealed Weapons Detection", National Institute of Justice Journal, No 229, August, 1995, pp.42-43.

Photo source: <http://sandiego.indymedia.org/images/2005/08/110478.jpg>



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February 21, 2007

Understanding AFRICOM - Part I

Understanding AFRICOM: A Contextual Reading of Empire's New Combatant Command

(This is part one of *Understanding AFRICOM*. Published now are also [part II](#) and [part III](#). A PDF version of the complete series is [available](#). Your comments on this are welcome [here](#).)

by **b real**

AFRICOM

In early February 2007 the White House finally announced a presidential directive to establish by September 2008 a new unified combatant command with an area of responsibility (AOR) solely dedicated to the African continent. While there had been chatter and debate over a period of years about the form that such a military command should take, the announcement to proceed with centralizing military resources in Africa should not have surprised anyone paying attention for the past seven years.

The U.S. African Command (AFRICOM) will replace the AOR for each of three other geographic combatant commands (there are now a total of six) currently tasked with portions of the second-largest continent, with the small exception of U.S. Central Command (CENTCOM) retaining AOR for Egypt. Further details on operations have not been made public apart from the usual basic press briefings and the formation of a transition team, though it not a mystery to identify what role AFRICOM will play in both the U.S. and Africa's future.

In many ways, a context for the pending strategic role of AFRICOM can be gained from an understanding of the origins of CENTCOM and the role that it continues to provide in Iraq, Iran, Saudi Arabia, and the many "stans" popping up after the implosion of the former U.S.S.R. That context is centered on strategic energy supplies and, explicitly, that of oil. In the petroleum age, these energy stores - along with the territories concealing them -- have taken on great significance in the foreign policies of the industrialized nations, fueled by an insatiable fever for black gold and the seemingly instant wealth and power it delivers to its possessor. The record-breaking quarterly profits reported by the major oil "producers" over the past few years are only one symbol of the power that oil can bring.

Oil is money. But it is also much more, a crucial ingredient in the continuation of modern living as people in the major power centers have come to know it. Oil is the lifeblood of contemporary, militarized western civilization, and at least that much reality has been apparent to its planners for many decades now, especially as the natural deposits in the so-called developed nations dwindle away from over-exploitation and the centers' dependence on the periphery becomes everything.

Since the end of the Second World War and the intensified expansion of the modern industrial superpower, the ruling classes of the United States have strategized to guarantee themselves access to and delivery of hydrocarbons from the Persian Gulf region. Having experienced their own domestic production peak in the early 1970s, and perceiving themselves in battle with an international communist conspiracy determined to cast the western capitalist ideology into the dustbin of history, the increasingly powerful rulers of the U.S. pondered their dependency upon the Middle Eastern reserves -- containing perhaps 60% of all known accessible oil on the planet -- and adjusted their foreign policy programs accordingly. Not only was it imperative to secure the spigots, but in line with the trajectory of their long-worn practice of enforcing the Monroe Doctrine in their

own hemisphere, by the beginning of the following decade a new doctrine would be in place to extend the U.S. military directly into the Persian Gulf.

Michael Klare describes the importance of President Jimmy Carter's decision "in response to the Soviet occupation of Afghanistan and the Islamic revolution in Iran" [1] as

...the transformation of the U.S. military into a global oil-protection service whose primary function is the guarding of overseas energy supplies as well as their global delivery systems (pipelines, tanker ships, and supply routes). This overarching mission was first articulated by President Jimmy Carter in January 1980, when he described the oil flow from the Persian Gulf as a "vital interest" of the United States, and affirmed that this country would employ "any means necessary, including military force" to overcome an attempt by a hostile power to block that flow. When President Carter issued this edict, quickly dubbed the Carter Doctrine, the United States did not actually possess any forces capable of performing this role in the Gulf. To fill this gap, Carter created a new entity, the Rapid Deployment Joint Task Force (RDJTF), an ad hoc assortment of U.S.-based forces designated for possible employment in the Middle East. In 1983, President Reagan transformed the RDJTF into the Central Command (CENTCOM), the name it bears today. CENTCOM exercises command authority over all U.S. combat forces deployed in the greater Persian Gulf area including Afghanistan and the Horn of Africa. At present, CENTCOM is largely preoccupied with the wars in Iraq and Afghanistan, but it has never given up its original role of guarding the oil flow from the Persian Gulf in accordance with the Carter Doctrine. [2]

Indeed, as one only need recall the priority assigned to protecting the oil infrastructure in the 2003 invasion of Iraq (reportedly the campaign was to initially be named Operation Iraqi Liberation, or OIL) and the positioning of military bases along oil routes to see how central these energy supplies are to CENTCOM's missions. In fact, as Klare pointed out in an article from 2004, "[i]n the first U.S. combat operation of the war in Iraq, Navy commandos stormed an offshore oil-loading platform." [3]

Originally covering the Gulf states and the Horn of Africa (Djibouti, Eritrea, Ethiopia, Kenya, Somalia, and Sudan) CENTCOM's AOR expanded in the 1990s to include the newly independent Central Asian republics after President William Clinton extended the Carter Doctrine to qualify the Caspian Sea basin as another "vital interest" for securing oil and natural gas redistribution.

Paradoxically, as the military reach grew, so too did the need for more oil. The Pentagon is currently "the single largest oil consumer in the world." [4] The modern combatant command is an integral component of U.S. national security strategies regarding energy resources, plain and simple. And that is the role which AFRICOM will take up on the resource-rich continent of Africa as the amount of petroleum available globally continues to diminish. This was made clear through the Bush administration's May 2001 National Energy Policy and ensuing governmental objectives.

In May 2001 the Cheney report warned that the U.S. would grow increasingly dependent upon foreign oil in the years to come and recommended that as a matter of policy the Bush Administration work to increase production and export of oil from regions other than the Middle East, noting that Latin America and West Africa were likely to be the fastest growing sources of future U.S. oil imports. ... Three months later, Assistant Secretary of State for African Affairs Walter Kansteiner declared that African oil "has become a national strategic interest." This statement is particularly noteworthy in that it uses the language of the Carter Doctrine in the Middle East, in which President Carter went on to declare that the U.S. would intervene by any means necessary to protect its national interest in Middle Eastern oil. In April 2002, Donald Norland, former U.S. Ambassador to Chad told a Congressional subcommittee: "It's been reliably reported that, for the first time, the two concepts -- 'Africa' and 'U.S. national security' -- have been used in the same sentence in Pentagon documents." [5]

The 2002 *National Security Strategy* (NSS) outlined a blueprint for military cover enabling increased activity on the continent, positioning the global war on terror (GWOT) as both a key task for military forces and as an amorphous talking point, necessary to justify the stepped up interest in the area. The image of Africa portrayed as a haven of "terrorist cells," "porous borders," "civil wars," "poverty" and "disease", all of which not only makes humanitarian efforts more difficult, but also "threatens .. a core value of the United States -- preserving human dignity." The document also identified "South Africa, Kenya, Nigeria, and Ethiopia" as "anchors for regional engagement."

One of the only allusions to the role that the National Energy Policy played in this new NSS was the proclamation that "We will strengthen our own energy security and the shared prosperity of the global economy by working with our allies, trading partners, and energy producers to expand the sources and types of global energy supplied, especially in the Western Hemisphere, Africa, Central Asia, and the Caspian region." [6] Nigerians' ears perked up especially. To the military, the goose chase was on. All branches set their main focus on 'winning the war on terror,' and before long, as one former Bush administration official told reporter Raffi Khatchadourian, "Rumsfeld had his goons running all over the continent." [7]

The Horn of Africa

In 2002, CENTCOM's Combined Joint Task Force Horn of Africa (CJTF-HOA) began establishing a permanent forward operating base at Camp Lemonier, an old French Foreign Legion base in Djibouti, using the pretext of the GWOT.

CJTF-HOA, staffed by about 1500 troops, has the mission of "detecting, disrupting and ultimately defeating transnational terrorist groups operating in the region -- denying safe havens, external support and material assistance for transnational terrorism in the region." Initially, it was driven by concerns that terrorists fleeing from Afghanistan would be attracted to the 'vast ungoverned spaces' of the Horn of Africa. When such a mass influx failed to materialize, and the local terrorist threat proved to be relatively limited, CJTF-HOA began giving greater emphasis to its role in preventing terrorism by providing humanitarian assistance and waging a hearts and minds campaign. [8]

And a foot in the door...

Similar to the Rapid Deployment Joint Task Force (RDJTF) that preceded USCENTCOM, these operations have initiated much ground work to gain better insight into the region and increase engagement in Africa. In the majority of cases, interaction within the region meets with less resistance than that experienced by the RDJTF. Specifically with other agencies within the U.S. government, this is best evidenced by the fact that TSCTI and CJTF-HOA have significant interaction with agencies such as the Department of State or USAID. [9]

A *Congressional Research Service* (CRS) report in 2004 informed members of Congress that "SOF units operating with Combined Joint Task Force Horn of Africa (CJTF-HOA) are involved in training selected regional armies in counterterrorism and counterinsurgency tactics as well as assisting in the apprehension of terrorists operating in the region." [10] Another CRS report for Congress, this time in 2006, stated that

Originally, the reported mission of CJTF-HOA was to conduct raids on Al Qaeda targets in the region -- particularly Somalia -- but due to a lack of targets, the mission has instead evolved into gathering intelligence, military training for some of the region's military forces, and building infrastructure and goodwill to create an environment hostile to terrorist organizations. [11]

William Arkin's directory, *Code Names*, summarizes the role of CJTF-HOA as: "The 1,800 personnel at Camp Lemonier coordinate military operations in Kenya, Somali, Sudan, Eritrea, Ethiopia, Djibouti, and Yemen." [12] And a report to the members of the Senate Foreign Relations Committee (SFRC) ascribes to it a more enlightened Good Samaritan mission:

Such an expansion of military-provided humanitarian and civic assistance is nowhere more evident than in the Horn of Africa. U.S. Central Command oversees some 1800 troops stationed at Camp Lemonier, Djibouti, who are tasked with building health clinics, wells and schools in remote areas where government influence is weak and terrorists are known to be recruiting. In an effort to provide evidence of alternatives to religious extremism, small military teams train local forces, gain access and gather information, and provide practical assistance in an attempt to improve the lives of local residents in areas that terrorists may be targeting. [13]

Hearts, minds, and souls aside, there is more going on here, as should be expected when placing CJTF-HOA's role into the global energy protection context. As John Foster Bellamy wrote in June 2006,

At present the main, permanent U.S. military base in Africa is the one established in 2002 in Djibouti in the Horn of Africa, giving the United States strategic control of the maritime zone through which a quarter of the world's oil production passes. The Djibouti base is also close in proximity to the Sudanese oil pipeline. ... The Djibouti base allows the United States to dominate the eastern end of the broad oil swath cutting across Africa that now considers vital to its strategic interests -- a vast strip running southwest from the 994-mile Hagleig-Port Sudan oil pipeline in the east to the 640-mile Chad-Cameroon pipeline and the Gulf of Guinea in the West. [14]

In addition to Djibouti, there are prominent forward-operating bases located in Kenya, Ethiopia (two of the nations identified as regional anchors in the NSS), and Uganda, geographically situated near both the southern edge of Sudan (the part where most of the oil is) and the resource-rich, highly-prized Great Lakes region.

The first country to conclude a formal agreement with Washington for the use of local military facilities was Kenya, which signed an agreement in February 1980. The Kenyan agreement allows U.S. troops to use the port of Mombassa, as well as airfields at Embakasi and Nanyuki. These facilities were used to support the American military intervention in Somalia 1992-1994 and have been used in the past year [written in 2005] to support forces from the United States and other coalition forces involved in counter-terrorism operations in the region. The United States has signed agreements with Ghana, Senegal, Gabon, Namibia, Uganda, and Zambia to allow American aircraft to refuel at local air bases. In its efforts to secure other basing options, the United States has negotiated agreements granting it access to airfields and other facilities in several African nations. These facilities are often referred to as "lily pad" facilities, because American forces can hop in and out of them in times of crisis while avoiding the impression of establishing a permanent - and potentially provocative - presence. They include Entebbe Airport in Uganda, where the United States has built two "K-Span" steel buildings to house troops and equipment; an airfield near Bamako, the capital of Mali; an airfield at Dakar, Senegal; an airfield in Gabon; and airfields and port facilities in Morocco and Tunisia. [15]

Investigative reporter Keith Harmon Snow, in an article from 2004, wrote of training camps in Ethiopia:

In 2003, the U.S. Army's 10th Mountain Division (Special Operations Forces) completed a three-month program to train an Ethiopian army division in counter-terrorism tactics. Operations are coordinated through the Combined Joint Task Forces-Horn of Africa (CJTF-HOA) base in Djibouti. In January 2004, Special Operations soldiers from the 3rd U.S. Infantry Regiment replaced the 10th Mountain Division forces at a new Hurso Training Camp, northwest of Dire Dawa near the border with Somalia, to be used for launching local joint missions in "counter-terrorism" with the Ethiopian military. Soldiers will continue to operate missions out of Hurso for several months from a new forward base names "Camp United." From April 12-25, 2003, under the U.S. State Department-sponsored Africa Contingency Operations Training and Assistance Program, CJTF-HOA provided instruction to nearly 900 Ethiopian soldiers at a base in Legedadi. CJTF-HOA forces from the U.S. Army's 478th Civil Affairs Battalion also operated in Ethiopia in 2003 in and around Dire Dawa, Galadi, and Dolo Odo, among other areas. [16]

The December 2006 invasion of Somalia was coordinated using these and other bases throughout the region. While efforts to replace the popular Islamic Courts Union in Somalia with the warlord-led Transitional Federal Government (TFG) appear to be failing, the arrival of AFRICOM may bring more boots on the ground into that unstable, geostrategic nation. Especially now that TFG spokesman Abdirahman Dinari has dangled a carrot before foreign investors: "Somalia has a lot of oil, and our ministers have just approved a key exploration law to regulate how concessions are given

out.... But what we need now is international support to restore security and build our nation, and we will be noting who helps us and who doesn't when these decisions are taken." [17]

The persistent Western calls for "humanitarian intervention" into the Darfur region of Sudan also sets up another possibility for military engagement to deliver regime change in another Islamic state in the Horn. However, since the conflicts in Iraq and Afghanistan are grinding down available U.S. resources, for now, any increased involvement in these two areas will likely consist primarily of U.S.-organized and directed regional militaries, private contractors and mercenaries, or potentially African Union and United Nations forces. The training and arming of national militaries is taking place throughout the continent already, although the most visible efforts have been taking place in the European Command's AOR.

Go to [Part II](#).

A PDF version of the complete series is [available](#).

Your comments on this are welcome [here](#).

Notes:

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15. Daniel Volman, "U.S. Military Programs in Sub-Saharan Africa, 2005-2007," *African Security Research Project*, [\[link\]](#)
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Posted by Bernhard on February 21, 2007 at 08:50 AM | [Permalink](#)

Comments

Thanks b real - we certainly neglect Africa here except for the links and news you put to us.

A good source is the Association of Concerned Africa Scholars which has reports on [U.S. Military Programs in sub-Saharan Africa, 2001-2003](#) and [U.S. MILITARY PROGRAMS IN SUB-SAHARAN AFRICA, 2005-2007](#). Especially of interests are the ACRI and ACOTA [programs](#) where U.S. special forces are training African troops.

I wonder if the ["School of the Africas"](#) has already opened up.

Posted by: [b](#) | Feb 21, 2007 11:28:39 AM | [1](#)

[UN consents Somalia peacekeepers](#)

Mogadishu 21, Feb.07 (Sh.M.Network) The U.N. Security Council authorized for six months an African Union peacekeeping mission to Somalia on Tuesday as mortar attacks pounded the capital Mogadishu and the northeast African country spiraled further into chaos.

The resolution, adopted unanimously, calls on African Union troops to take "all necessary measures" to provide government, infrastructure and humanitarian security and training for Somali security forces.

...

It also lifts a 1992 arms embargo and says the import of weapons are to be used by this force only. Outside experts hired by the Security Council reported last year that Djibouti, Egypt, Eritrea, Iran, Libya, Saudi Arabia and Syria provided illegal weapons to the Islamists while Ethiopia, Uganda and Yemen helped supply the interim government.

The resolution "reiterates its intention to consider taking measures against those who seek to prevent or block a peaceful political process, threaten the transitional federal institutions by force or take action that undermines stability in Somalia or the region."

[Security Council authorizes African-led peace mission in Somalia](#)

20 February 2007 – The United Nations Security Council today authorized the African Union to

establish a mission in Somalia aimed at helping the war-ravaged country, which has not had a functioning government for over a decade and a half, to achieve national reconciliation and facilitate the delivery of humanitarian aid.

Through a unanimous resolution adopted under Chapter VII of the UN Charter – which allows for enforcement measures – the Council decided that the operation, to be known as AMISOM, will support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the process.

The new mission overrides a previous Council-authorized operation led by the Intergovernmental Authority on Development (IGAD), a regional body, which had a more limited mandate. It will provide protection to the Transitional Federal Institutions (TFIs) to help them carry out their functions of government, and security for key infrastructure.

In addition, AMISOM, will assist to the extent possible, with carrying out the National Security and Stabilization Plan, particularly as regards the re-establishment and training of all-inclusive Somali security forces.

...

It welcomed the initiative of the TFIs to pursue an inclusive intra-Somali political process, citing in particular President Abdullahi Yusuf Ahmed's announced intention to convene a national reconciliation congress involving all concerned, including political leaders, clan leaders, religious leaders, and representatives of civil society.

actually, yusuf and the TFG are clan warlords. and yusuf has maintained a hardline against the ICU, continuously refusing to meet w/ any of it's representatives.

for more history on yusuf & the ongoing u.s. involvement in somalia, see james petras' recent article on [The Case of Somalia](#)

The current 'President' of the US puppet regime, dubbed the 'Transitional Federal Government,' is Abdullahi Yusuf. He is a veteran warlord deeply involved in all of the corrupt and lawless depredations that characterized Somalia from 1991 to 2006. Yusuf had been President of the self-styled autonomous Puntland breakaway state in the 1990's.

Despite US and Ethiopian financial backing, Abdullahi Yusuf and his warlord associates were finally driven out of Mogadishu in June 2006 and out of the entire south central part of the country. Yusuf was holed up and cornered in a single provincial town on the Ethiopian border and lacked any social basis of support even from most of the remaining warlord clans in the capital. Some warlords had withdrawn their support of Yusuf and accepted the ICU's offers to disarm and integrate into Somali society underscoring the fact that Washington's discredited and isolated puppet was no longer a real political or military factor in Somalia. Nevertheless, Washington secured a UN Security Council resolution recognizing the warlord's tiny enclave of Baidoa as the legitimate government. This was despite the fact that the TFG's very existence depended on a contingent of several hundred Ethiopian mercenaries financed by the US. As the ICU troops moved westward to oust Yusuf from his border outpost -- comprising less than 5% of the country -- the US increased its funding for the dictatorial regime of Meles Zenawi in Ethiopia to invade Somalia.

the attempted installation of yusuf and his unpopular band is not working out as hoped, despite efforts to gain legitimacy through the UN. yusuf has resisted u.s. pressure to negotiate w/ what they deem the 'moderates' of the ICU in the hopes of creating divisions and weakening it.

Posted by: b real | Feb 21, 2007 11:42:16 AM | [2](#)

And the moral of the story is? :::::

We can't have the hungry of the world breaking Walmart's windows.

We have to keep the peace for the corporate machine everywhere.

Posted by: pb | Feb 21, 2007 12:14:35 PM | [3](#)

Impressive.

Looking forward to the next installments.

From b real's first link (in comment #2 above):

Outside experts hired by the Security Council reported last year that Djibouti, Egypt, Eritrea, Iran, Libya, Saudi Arabia and Syria provided illegal weapons to the Islamists while Ethiopia, Uganda and Yemen helped supply the interim government.

And while this is all true it is worth noting the difference that is made between breaking the embargo to supply one side with weapons ("provided illegal weapons") and breaking the embargo to supply an other side with weapons ("helped supply").

But near daily attacks blamed on ousted Islamist hard-liners have put pressure on the interim government, which is struggling to restore stability so Ethiopian troops who helped it take the capital can return home.

A wave of pre-dawn mortar attacks killed at least 16 people in Mogadishu earlier on Tuesday in one of the most brutal bombardments since the Islamists were forced out of the city.

The Security Council on Feb. 2 welcomed an African Union offer to send peacekeepers to Somalia and urged it to do so quickly after Ethiopia's Prime Minister Meles Zenawi said last month he wanted his thousands of troops out "within weeks."

So it looks unclear wheter Meles are letting his army get tied down in occupying Mogadishu. On one hand he wants to withdraw "within weeks" on the other if stability is demanded before they can withdraw, well we all know what that means.

Posted by: [a swedish kind of death](#) | Feb 21, 2007 2:31:44 PM | [4](#)

b real

thanks & thanks, immeasurably important information

Posted by: [remembereringgiap](#) | Feb 21, 2007 5:43:23 PM | [5](#)

Further comments on this are welcome in the concluding part III [thread](#).

Posted by: [b](#) | Feb 22, 2007 7:58:52 AM | [6](#)

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Article from Oxfam International:

http://www.oxfam.org/en/policy/briefingpapers/bp101_regional_trade_agreements_0703

Published: 20 March 2007

Signing Away The Future: How trade and investment agreements between rich and poor countries undermine development

The quiet advance of trade and investment agreements between rich and poor countries threatens to deny developing countries a favourable foothold in the global economy. Driven by the USA and the European Union, these agreements impose far-reaching rules that place severe restrictions on the very policies developing countries need in order to fight poverty.

 (http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101_regional_trade_agreements_0703/download) **Signing Away The Future: How trade and investment agreements between rich and poor countries undermine development** (http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101_regional_trade_agreements_0703/download) (pdf 302.6 kb)

Summary

The quiet advance of trade and investment agreements between rich and poor countries threatens to deny developing countries a favourable foothold in the global economy.

Powerful countries, led by the USA and the European Union (EU), are pursuing regional and bilateral free trade agreements with unprecedented vigour. This is happening without the fanfare of global summitry and international press coverage. Around 25 developing countries have now signed free trade agreements with developed countries, and more than 100 are engaged in negotiations. An average of two bilateral investment treaties are signed every week. Virtually no country, however poor, has been left out.

Rich countries are using these bilateral and regional 'free trade agreements' (FTAs) and investment treaties to win concessions that they are unable to obtain at the World Trade Organization (WTO), where developing countries can band together and hold out for more favourable rules. The USA has called its approach 'competitive liberalization', and the EU declared its intention to use bilateral deals as 'stepping stones to future multilateral agreements'. The EU argues that this new generation of bilateral and regional agreements is vital in order for developing countries in Africa, the Caribbean and the Pacific to maintain their access to European markets in a form that is compatible with WTO rules. It has also repeatedly told poor countries that it has no commercial 'offensive interests' in the negotiations and that there will be long periods for implementation. Yet its far-reaching proposals and aggressive approach appear to contradict these statements.

The inexorable advance of such trade and investment agreements, negotiated largely behind closed doors, threatens to undermine the promise of trade and globalization as forces to reduce poverty. In an increasingly globalised world, these agreements seek to benefit rich-country exporters and firms at the expense of poor farmers and workers, with grave implications for the environment and development.

The worst of the agreements strip developing countries of the capacity to effectively govern their economies and to protect their poorest people. Going beyond the provisions negotiated at a multilateral level, they impose far-reaching, hard-to-reverse rules that systematically dismantle national policies designed to promote development.

The USA and EU are pushing through rules on intellectual property that reduce poor people's access to life-saving medicines, increase the prices of seeds and other farming inputs beyond the reach of small farmers, and make it harder for developing-country firms to access new technology. The proposed trade deal between the USA and Colombia, for example, would increase medicine costs by \$919m by the year 2020, enough to provide health care for 5.2 million people under the public-health system. Under the US–Dominican Republic–Central America Free Trade Agreement (DR-CAFTA) the prices of agrochemicals are expected to rise several-fold.

The rules on liberalization of services in FTAs threaten to drive local firms out of business, reduce competition, and extend the monopoly power of large companies. When Mexico liberalised financial services in 1993 in preparation for the North American Free Trade Agreement (NAFTA), for example, foreign ownership of the banking system increased to 85 per cent in seven years, but lending to Mexican businesses dropped from 10 per cent of gross domestic product (GDP) to 0.3 per cent, depriving poor people living in rural areas of vital sources of credit.

These new rules also pose a potential threat to poor people's access to essential services. In some US FTAs, developing countries are committing themselves to let foreign investors into public utilities if the sector is opened up to domestic private companies. A leaked version of the EU's draft negotiating mandates for FTAs with ASEAN, India, Central America, the Andean countries, and South Korea show that the EU is seeking similar provisions for water and other utilities.

New investment rules in many agreements prevent developing-country governments from requiring foreign companies to transfer technology, train local workers, or source inputs locally. Under such conditions, foreign investment fails to build national linkages, create decent employment, or increase wages, and instead exacerbates inequality.

The investment chapters of FTAs and bilateral investment agreements make governments vulnerable to being sued by foreign investors if a new regulation is perceived as damaging the investor's profits, even when such reforms are in the public interest. Current claims against Argentina for emergency measures adopted during the financial crisis in 2001/2002 are estimated at \$18bn.

Free trade agreements can impose radical tariff liberalization, threatening the livelihoods of small farmers and preventing governments from using tariff policy to promote manufacturing. For example, through its Economic Partnership Agreements (EPAs), Europe proposes to oblige the poorest countries in the world to reduce a very large part of their tariffs to zero. At the same time FTAs do not address the adverse impacts of rich-country subsidies on poor countries through dumping, or the plethora of non-tariff barriers that continue to impede access to rich-country markets.

The overall effect of these changes in the rules is to progressively undermine economic governance, transferring power from governments to largely unaccountable multinational firms, robbing developing countries of the tools they need to develop their economies and gain a favourable foothold in global markets.

Although developing-country governments have proved themselves increasingly assertive at the WTO and in some regional and bilateral agreements, the balance of power in current negotiations remains tipped heavily in favour of rich countries and large, politically influential corporations. Furthermore, within developing countries, small businesses, trade unions, non-government organizations, women's groups, and indigenous peoples have very few mechanisms for participation, and their rights and needs are largely ignored.

Trade and investment are essential for development, and the imbalances that characterise and distort global trade and investment rules must be addressed as a matter of urgency. But unequal and exploitative free trade agreements and bilateral investment treaties, which prohibit the very policies developing countries need in order to fight poverty, is no way to put trade and investment at the service of development, or to build a safer, fairer world.

In order to turn the tide and put trade and investment at the service of development, Oxfam believes that trade rules, whether multilateral, regional, or bilateral, should:

- Recognize the special and differential treatment that developing countries require in order to move up the development ladder.
- Enable developing countries to adopt flexible intellectual-property legislation to ensure the primacy of public health and agricultural livelihoods and protect traditional knowledge and biodiversity.
- Exclude essential public services such as education, health, water and sanitation from liberalization commitments.
- Recognize the right of governments to regulate the entry of foreign investors to promote development and the creation of decent employment, and include commitments to enforce core labour standards for all workers.
- Ensure mechanisms for extensive participation of all stakeholders in the negotiating process, with full disclosure of information to the public, including the findings of independent impact assessments.

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A U.S. Fortress Rises in Baghdad: Asian Workers Trafficked to Build World's Largest Embassy

by David Phinney, Special to CorpWatch
October 17th, 2006

John Owens didn't realize how different his job would be from his last 27 years in construction until he signed on with First Kuwaiti Trading & Contracting in November 2005. Working as general foreman, he would be overseeing an army of workers building the largest, most expensive and heavily fortified US embassy in the world. Scheduled to open in 2007, the sprawling complex near the Tigris River will equal Vatican City in size.

Then seven months into the job, he quit.

Not one of the five different US embassy sites he had worked on around the world compared to the mess he describes. Armenia, Bulgaria, Angola, Cameroon and Cambodia all had their share of dictators, violence and economic disruption, but the companies building the embassies were always fair and professional, he says. The Kuwait-based company building the \$592-million Baghdad project is the exception. Brutal and inhumane, he says "I've never seen a project more fucked up. Every US labor law was broken."

In the resignation letter last June, Owens told First Kuwaiti and US State Department officials that his managers beat their construction workers, demonstrated little regard for worker safety, and routinely breached security.

Pentagon Finds Worker Abuse and Trafficking in Iraq, but Penalizes No One

On April 4, 2006, the Pentagon issued a [new contracting directive](#) following a secret investigation that officially confirms what



Cartoon by Khalil Bendib

And it was all happening smack in the middle of the US-controlled Green Zone -- right under the nose of the State Department that had quietly awarded the controversial embassy contract in July 2005.

He also complained of poor sanitation, squalid living conditions and medical

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many South Asian laborers have been complaining about ever since the March 2003 invasion of Iraq. Some contractors, many working as subcontractors to [Halliburton](#) /KBR in Iraq, were found to be using deceptive, bait-and-switch hiring practices and charging recruiting fees that indebted low-paid migrant workers for many months or even years to their employers. Contractors were also accused of providing substandard, crowded sleeping quarters, serving poor food, and circumventing Iraqi immigration procedures.

While the Pentagon declines to specifically name those contractors found to be doing business in this way, it also acknowledged in an [April 19 memorandum](#) that it was a widespread practice among contractors in Iraq and Afghanistan to take away workers passports. Holding onto employee passports -- a direct violation of US labor trafficking laws -- helped stop workers from leaving war-torn Iraq or taking better jobs with other contractors.

Contractors engaging in the practice, states the memo, must immediately "cease and desist."

"All passports will be returned to employees by 1 May 06. This requirement will be flowed down to each of your subcontractors performing work in this theater."

The Pentagon has yet to announce of any penalty for those found to be in violation of US labor trafficking laws or contract requirements.

The secrecy struck Owens as a little odd, but he grabbed his luggage and moved on. Everyone filed out to the private jet and flew directly to Baghdad. "I figured that they had visas for Kuwait and not Iraq," Owens offers.

The deception had the appearance of smuggling workers into Iraq, but Owens didn't know at the time that the Philippines, India, and other countries had banned or restricted their citizens from working in Iraq because of safety concerns and fading support for the war. After 2004, many passports were stamped "Not valid for Iraq."

Nor did Owens know that both the US State Department and the Pentagon were quietly

malpractice in the labor camps where several thousand low-paid migrant workers lived. Those workers, recruited on the global labor market from the Philippines, India, Pakistan and other poor south Asian countries, earned as little as \$10 to \$30 a day.

As with many US-funded contractors, First Kuwaiti prefers importing labor because it views Iraqi workers as a security headache not worth the trouble.

No Questions Asked

By March 2006, First Kuwaiti's operation began looking even sketchier to Owens as he boarded a nondescript white jet on his way back to Baghdad following some R&R in Kuwait city. He remembers being surrounded by about 50 First Kuwaiti laborers freshly hired from the Philippines and India. Everyone was holding boarding passes to Dubai -- not to Baghdad.

"I thought there was some sort of mix up and I was getting on the wrong plane," says the 48-year-old Floridian who once worked as a fisherman with his father before moving into the construction business.

He buttonholed a First Kuwaiti manager standing near by and asked what was going on. The manager waved his hand, looked around the terminal and whispered to keep quiet.

"If anyone hears we are going to Baghdad, they won't let us on the plane," Owens recalls the manager saying.

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investigating contractors such as First Kuwaiti for labor trafficking and worker abuse. In fact, the **international news media had accused First Kuwaiti repeatedly of coercing workers** to take jobs in battle-torn Iraq once they had been lured with safer offers to Kuwait. The company has billed several billion dollars on US contracts since the war began in March 2003 and now has an estimated 7,500 laborers in the theater of war.

Despite numerous emails and phone calls about such allegations, neither First Kuwaiti general manager Wadih Al Absi nor his lawyer Angela Styles, the former top White House contract policy advisor, have responded. After a year of requests, State Department officials involved with the project also have ignored or rejected opportunities for comment.

Your Passports Please

That same March Owens returned to work in Baghdad, Rory Mayberry would witness similar events after he flew to Kuwait from his home in Myrtle Creek, Oregon.

The gravely voiced, easy-going Army veteran had previously worked in Iraq for **Halliburton** and the private security company, Danubia. Missing the action and the big paychecks US contractors draw Iraq, he snagged a \$10,000 a month job with MSDS consulting Company.

MSDS is a two-person minority-owned consulting company that assists US State Department managers in Washington with procurement programming. Never before had the firm offered medical services or worked in Iraq, but First Kuwaiti hired MSDS on the recommendation of Jim Golden, the State Department contract official overseeing the embassy project. Within days, an agreement worth hundreds of thousands of dollars for medical care was signed.

The 45-year-old Mayberry, a former emergency medical technician in the Army who worked as a funeral director in Oregon, responded to a help wanted ad placed by MSDS. The plan was that he would work as a medic attending to the construction crews on the work site in Baghdad.

Mayberry sensed things weren't right when he boarded a First Kuwaiti flight on March 15 to Baghdad – a different flight from Owens.

At the airport in Kuwait City, Mayberry said, he saw a person behind a counter hand First Kuwaiti managers a passenger manifest, an envelope of money and a stack of boarding passes to Dubai. The managers then handed out the boarding passes to Mayberry and 50 or so new First Kuwaiti laborers, mostly Filipinos.

"Everyone was told to tell customs and security that they were flying to Dubai," Mayberry explains. Once the group passed the guards, they went upstairs and waited by the McDonald's for First Kuwaiti staff to unlock a door -- Gate 26 -- that led to an unmarked, white 52-seat jet. It was "an antique piece of shit" Mayberry offers in a casual, blunt manner.

"All the workers had their passports taken away by First Kuwaiti," Mayberry claims, and while he knew the plane was bound for Baghdad, he's not so sure the others were aware of their destination. The Asian laborers began asking questions about why they were flying north and the jet wasn't flying east over the ocean, he says. "I think they thought they were going to work in Dubai."

One former First Kuwaiti supervisor acknowledges that the company holds passports of many workers in Iraq – a violation of US contracting.

“All of the passports are kept in the offices,” said one company insider who requested anonymity in fear of financial and personal retribution. As for distributing Dubai boarding passes for Baghdad flights, “It’s because of the travel bans,” he explained.

Mayberry believes that migrant workers from the Philippines, India and Nepal are especially vulnerable to employers like First Kuwaiti because their countries have little or no diplomatic presence in Iraq.

“If you don’t have your passport or an embassy to go to, what you do to get out of a bad situation?” he asks. “How can they go to the US State Department for help if First Kuwaiti is building their embassy?”

Deadly ‘Candy Store’ Medicine

Owens had already been working at the embassy site since late November when Mayberry arrived. The two never crossed paths, but both share similar complaints about management of the project and brutal treatment of the laborers that, at times, numbered as many as 2,500. Most are from the Philippines, India, and Pakistan. Others are from Egypt and Turkey.

The number of workers with injuries and ailments stunned Mayberry. He went to work immediately after and stayed busy around the clock for days.

Four days later, First Kuwaiti pulled him off the job after he requested an investigation of two patients who had died before he arrived from what he suspected was medical malpractice. Mayberry also recommended that the health clinics be shut down because of unsanitary conditions and mismanagement.

“There hadn’t been any follow up on medical care. People were walking around intoxicated on pain relievers with unwrapped wounds and there were a lot of infections,” he recalls. “The idea that there was any hygiene seemed ridiculous. I’m not sure they were even bathing.”

Labor Trafficking Under US Funded Iraq Contracts

[CNN: Probe into Iraq Trafficking Claims – May 5, 2004](#)

[The New York Times: Indian Contract Workers in Iraq Complain of Exploitation – May 7, 2004](#)

[The Washington Post: Underclass of Workers Created in Iraq – July 1, 2004](#)

In reports made available to the US State Department, the US Army and First Kuwaiti, Mayberry listed dozens of concerns about the clinics, which he found lacking in hot water, disinfectant, hand washing stations, properly supplied ambulances, and communication equipment. Mayberry also complained that workers’ medical records were in total disarray or nonexistent, the beds were dirty, and the support staff hired by First Kuwaiti was poorly trained.

The handling of prescription drugs especially bothered him. Many of the drugs that originated from Iraq and Kuwait were unsecured, disorganized and

unintelligibly labeled, he said in one memo. He found that the medical staff frequently misdiagnosed patients. Prescription pain killers were being handed out "like a candy store ... and then people were sent back to work."

Mayberry warned that the practice could cause addiction and safety hazards. "Some were on the construction site climbing scaffolding 30 feet off the ground. I told First Kuwaiti that you don't give painkillers to people who are running machinery and working on heavy construction and they said 'that's how we do it.'"

The sloppy handling of drugs may have led to the two deaths, Mayberry speculates. One worker, age 25, died in his room. The second, in his mid-30s, died at the clinic because of heart failure. Both deaths may be "medical homicide," Mayberry says -- because the patients may have been negligently prescribed improper drug treatment.

If the State Department investigated, Mayberry knows nothing of the outcome. Two State Department officials with project oversight responsibilities did not return phone calls or emails inquiring about Mayberry's allegations. The reports may have been ignored, not because of his complaints, but because Mayberry is a terrible speller, a problem compounded by an Arabic translation program loaded on his computer, he says.

Accidents Happen

Owens' account of his seven months on the job paints a similar picture to Mayberry's. Health and safety measures were essentially non-existent, he says. Not once did he witness a safety meeting. Once an Egyptian worker fell and broke his back and was sent home. No one ever heard from him again. "The accident might not have happened if there was a safety program and he had known how to use a safety harness."

Owens also says that managers regularly beat workers and that laborers were issued only one work uniform, making it difficult to go to the laundry. "You could never have it washed. Clothing got really bad – full of sweat and dirt."

And while he often smuggled water to the work crews, medical care was a different issue. When he urged laborers to get medical treatment for rashes and sores, First Kuwaiti managers accused him of spoiling the laborers and allowing them simply to avoid work, he says.

State Department officials supervising the project are aware of many such events, but apparently do nothing, he said. Once when 17 workers climbed the wall of the construction site to escape, a State Department official helped round them up and put them in "virtual lockdown," Owens said.

Just before he resigned, hundreds of Pakistani workers went on strike in June and beat up a Lebanese manager who they accused of harassing them. Owens estimates that 375 were then sent home.

'Treated Like Animals'

Recent First Kuwaiti employees agree that the accounts shared by Owens and Mayberry are accurate. One longtime supervisor claims that 50 to 60 percent of the laborers regularly

complain that First Kuwaiti "treats them like animals," and routinely reduces their promised pay with confusing and unexplained deductions.

Another former First Kuwaiti manager, who declines to be named because of possible adverse consequences, says that Owens' and Mayberry's complaints only begin "to scratch the surface."

But scratching the surface is the only view yet available of what may be the most lasting monument to the US liberation and occupation of Iraq. As of now only a handful of authorized State Department managers and contractors, along with First Kuwaiti workers and contractors, are officially allowed inside the project's walls. No journalist has ever been allowed access to the sprawling 104-acre site with towering construction cranes raising their necks along the skyline.

Even this tight security is a charade, says on former high-level First Kuwaiti manager. First Kuwaiti managers living at the construction site regularly smuggle prostitutes in from the streets of Baghdad outside the Green Zone, he says.

Prostitutes, he explains are viewed as possible spies. "They are a big security risk."

But the exposure that the US occupation forces and First Kuwaiti may fear most could begin with the contractor itself and the conditions workers are forced to endure at this most obvious symbol of the American democracy project in Iraq.

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Operation FALCON

From SourceWatch

The "aptly-christened" **Operation FALCON**—the acronym for "Federal and Local Cops Organized Nationally"—was the "massive roundup of 10,000 American citizens" in a "massive clandestine dragnet that involved hundreds of state, federal and local law-enforcement agencies during the week of April 4 to April 10, 2005. It was the largest criminal-sweep in the nation's history and was [the] brainchild of Attorney General Alberto Gonzales and his counterpart," Benigno Reyna, director of the United States Marshals Service (USMS) (a.k.a. Federal Marshals Service^[1]), Mike Whitney wrote May 18, 2005, for *CounterPunch*.^[2]

"The details are mind-boggling," Whitney said, with more than "960 agencies (state, local and federal) ... directly involved acting on 13,800 felony warrants and spending nearly \$900,000 on the operation." Whitney cites one report from CNN that "the raids netted '162 accused or convicted of murder, 638 wanted for armed robbery, 553 wanted for rape or sexual assault, 154 gang members and 106 unregistered sex offenders.'" But, Whitney pointed out, that accounts for approximately 10% of the 10,000 apprehended, so what of the other 9,000? As of May 18, 2005, the date of Whitney's report, "the US Marshall's office [had] issued no public statement to the press as to whether the 10,000 people arrested in operation Falcon have been processed or released."^[3]

For more background, see articles listed here.

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Some unanswered questions

The data provided by the U.S. Department of Justice and the U.S. Marshals Service for all three roundups carried out under the auspices of the Operation FALCON program does not address the following questions:

- How many of those arrested are illegal immigrants?
- How many were mistakenly arrested and, if so, were they released?
- Since they can do roundups of this magnitude, will they do it to deport illegal aliens?
- How many of the captured fugitives have been prosecuted and how many are still being confined?
- Although Attorney General Gonzales stated^[4] April 15, 2005, that Operation FALCON was "an excellent example of President Bush's direction and the Justice Department's dedication to deal both with the terrorist threat and traditional violent crime", where is the connection between the Operation FALCON roundups and catching terrorists?^[5]
- Have any alleged terrorists been captured, apprehended, incarcerated or prosecuted in connection with the roundups?
- Have any alleged terrorists been involved in extraordinary rendition and transported into the global detention system?
- How many of the captured fugitives have been confined in American concentration camps contracted^[6] in January 2006 by the U.S. Department of Homeland Security's (DHS) U.S. Immigration and Customs Enforcement (ICE) to Halliburton subsidiary Kellogg Brown and Root (KBR)?
- Since Congressional Committees on the Judiciary and Government Oversight are looking into Bush administration hiring and firing practices of U.S. attorneys and other questionable matters linked to the DoJ, will they be looking into Operation FALCON as well?
- Why wait until a roundup before arresting these fugitives? As blogger EAJ pointed out in April 2006 at *Hedge Blogspot*:^[7]
 - "Question: surely the popo didn't discover where all these fugitives [sic] were hiding in the space of a week. Using that logic, they had to have known where these people were before Operation Falcon II. So why the [xyz] didn't they arrest them sooner? Gee, is it any wonder people don't trust the police?"

Aggregating the numbers

The *Posse Incitatus* Blog has been tracking the reported statistics^[8] on all three Operations FALCON to date: "For a grand total of 30,150 fugitives who, between them, had only 586 firearms."

- Falcon I: 10,340 fugitives, 243 firearms
- Falcon II: 9,037 fugitives, 111 firearms
- Falcon III: 10,773 fugitives, 232 firearms

"Now, as we are often reminded, half of American households have firearms in them. So if this was a random sample, we should have produced 15,000 firearms at least (since many households own more than one).

"Yet only 1.9 percent of these criminals had them.

"The counter of course is that these are overwhelmingly non-violent offenders. Even so, non-violent people own guns as well - unless half of the country has bodies buried in the flower garden.

"This is an amazing piece of information, and deserves the widest possible distribution. Criminologists should extensively study these numbers, because the sample size is so massive, over such a long period of time that it simply cannot be ignored," *Posse Incitatus* wrote.

Operation FALCON III

Operation FALCON III was carried out in a week-long swing from October 22 to 28, 2006, involving "3,000-plus officers and agents" on the East Coast in "24 states east of the Mississippi River", the Department of Justice reported.^[9]

"Nearly 11,000 sex offenders, gang members and other fugitives were swept up" in what the Justice Department "called a sting targeting the 'worst of the worst' criminals on the run," the Associated Press reported.^[10]

Attorney General Alberto R. Gonzales said "officials caught 10,733 fugitives — including 1,659 sex offenders, 364 gang members and thousands of others sought on kidnapping, robbery, burglary, carjacking and weapons charges. More than 230 weapons were seized.

"Those totals represent a fraction of doors knocked on, liquor store drive-bys, construction site surveillances and tips chased down by agents during the weeklong sweep. Finding the fugitives — even at their homes in the early-morning hours — proved to be a hit-or-miss mission for the federal, state and local authorities," the AP wrote.^[11]

"Of the sex offenders nabbed, 971 had failed to register with authorities as required by law — what Gonzales called the largest number ever captured in a single law enforcement effort.

"Gonzales said prosecutors likely would seek to charge some of them under the 2006 Adam Walsh Act", which was "named for 6-year-old Adam Walsh, who was abducted from a Florida shopping mall and murdered in 1981," the AP wrote. The law, approved by Congress on July 25, 2006, "created federal penalties for sex offenders who fail [to] register with communities."^{[12][13]}

The Adam Walsh Child Protection and Safety Act of 2006 (H.R.4472) can be read here (<http://www.govtrack.us/congress/billtext.xpd?bill=h109-4472>) .

October Surprise?

NBC's Pete Williams raised^[14] the matter of timing in the Justice Department's November 2, 2006, "announcement of a multi-state fugitive sweep" which came "five days before the midterm elections."

Although "officials insist[ed] there was no political motive", the "two earlier roundups, in 2005 and 2006, were conducted in the spring. And this one concentrated on mainly eastern states, where many competitive political races are hotly contested. But the Marshals Service says the timing of this year's operation was based on the budget and the weather," Williams said: Money had been "earmarked in the budget", opposed to "derived from existing programs" as before. The operation was timed early in the fiscal year, had been "planned several months ago", and needed to be executed "before it begins snowing."^[15]

According to a Justice Department official, "the Marshals Service decided the timing, including the date for the announcement, and that DOJ headquarters had no role in the scheduling of the operation or today's announcement," Williams reported.^[16]

Statistics

For example, in eastern North Carolina, personnel "from 21 different law enforcement agencies" worked in conjunction with the U.S. Marshals Service to "arrest 367 people, including 20 convicted sex offenders, and serve 415 warrants."^[17]

Tex Lindsey, the U.S. Marshal Fugitive Task Force commander for Eastern North Carolina, cited the "national average for a round up of this type" as 13 percent. This roundup "far exceeded our expectations with an arrest average close to 40 percent," Lindsey said.^[18]

"Nationally, 10,773 fugitives were arrested and 13,333 felony warrants were cleared, including 365 documented gang members and 1,659 sexual offenders, of which 971 were unregistered sex offenders."^[19]

Hidden within the data

"A press release from Arizona related to Operation Falcon II highlighted the number of sex offenders and violent criminals apprehended, however hidden in the statistics is the fact that there were nearly twice as many people arrested for immigration related offences than any other offense," BlackPacker reported November 3, 2006.^[20] (See below.)

"With the contracts awarded^[21] [in January 2006] to Halliburton subsidiary Kellogg Brown and Root to construct an unknown number of incarceration facilities to hold detainees in the event of an immigration emergency, one must question where will these eleven thousand new prisoners be held and how will an allegedly strained justice system be able to assure the basic rights granted to Americans, such as the right to a fair and speedy trial."^[22]

Operation FALCON II

Operation FALCON II, carried out the week of April 17-23, 2006, was a "nationwide dragnet" "conducted in 27 states mostly west of the Mississippi River, and the territories of Guam and Northern Mariana Islands" "timed to coincide with National Victims Rights Week", with the focus on sex offenders. Of the individuals arrested, 1,102 were of people wanted for violent sex crimes "by federal, state and local authorities, the largest number ever captured in a single law enforcement operation," according to a Justice Department news release.^[23]

The Department of Justice reported^[24] that a total of 9,037 individuals were arrested nationwide. "High-priority targets for arrest were fugitives wanted for committing sexual offenses and crimes of violence against women, children and the elderly, as well as unregistered convicted sex offenders. Other priority targets were fugitive gang members and violent offenders wanted for homicide, kidnapping, robbery, burglary, carjacking, weapons offenses and major narcotics distribution."

"For this seven-day nationwide operation, the Marshals coordinated officers from 120 state agencies, 330 county agencies, 312 police departments, six foreign law enforcement agencies, and 24 other federal agencies," the DOJ said.^[25]

Statistics

The Associated Press reported^[26] April 27, 2006, that the "sweep netted more than 10,000 fugitives, 10 times the average in a week, but just 1% of the 1 million fugitives in the FBI's national database. ... Marshals arrested 35,500 federal fugitives for all of the government budget year that ended Sept. 30 [2005]. They worked with state and local authorities to nab another 44,000 people, according to the Marshals' website."

"A total of 793 different agencies participated - 25 federal, 120 state, 330 county sheriffs, 312 police departments, and 6 foreign agencies. Within the Marshals Service, 46 districts participated, including the Districts of Guam and Northern Marianas. In all, each day more than 2,100 law enforcement officers worked together tirelessly during this record setting operation," the U.S. Marshal's Service reported.^[27]

Although the stated "focus" of the roundup was purported to be sex offenders—only 1,102 of the 9,037 apprehended were wanted for violent sex crimes, slightly more than 12% of the total, the Associated Press reported.^[28]

Nationally, law enforcement officials cleared more than 10,419 felony warrants, arrested 462 "fugitives wanted for a variety of violent sex offenses, 311 fugitives for other felony sex crimes, 783 unregistered sex offenders, 73 homicide arrests with 87 warrants cleared, and 163 documented gang members. They also cleared 2,941 drug cases, and seized 111 guns, more than \$120,265.00 in cash, and more than 91 kilograms of narcotics."^[29]

The largest number of arrests were made in Bakersfield, California, where "300 warrants were issued and 86 arrests were made. Sixty-five arrests were made in Fresno, 20 in Madera and 4 in Merced. ... A total of 256 fugitives were arrested between Bakersfield and Redding. Of the 86 in Bakersfield, more than half were for drug offenses. One person was arrested for manslaughter charges and five for sexual

offenses."^[30]

Of the total 1,102 reported to be sex offenders, a quick scan of news reports shows:

- Washington: 104^[31]
- Nevada: 101^[32] (Southern Nevada: 35^[33])
- Lubbock, Texas: 82^[34]
- Washington County, Oregon: 32^[35]
- Colorado: 15^[36]
- San Diego and Imperial counties, California: 11^[37]
- Kansas City, Kansas: 10
- Milwaukee, Racine and Kenosha counties in Wisconsin: 10^[38]^[39]
- Bakersfield, California: 5^[40]
- Tucson and Southern Arizona: 5^[41]

Federal immigration-related cases

"Forty-six people wanted for federal immigration offenses, including smuggling illegal aliens were among 117 fugitives arrested in Tucson and Southern Arizona during the nationwide Operation Falcon II," John W. Slagle reported^[42] April 30, 2006, in the *American Chronicle* (based on information reported in the *Arizona Daily Star*). "A total of 247 people were arrested across Arizona, with officers in Chandler, Douglas, Flagstaff, Lake Havasu City, Mesa, Oro Valley, Parker and Tucson involved."

Slagle's report is supported by information provided by the United States Marshals Service Tucson office which services Tucson and Southern Arizona. Only five individuals were arrested for sex offenses.^[43]

Operation FALCON I

Fugitives arrested (Operation FALCON I)

See Operation FALCON: Statistics for information.

Gonzales's report to Congress

The following excerpt was taken from an April 14, 2005, U.S. Marshals Service news release:^[44]

"Attorney General Alberto R. Gonzales and Ben Reyna, Director of the U.S. Marshals Service (USMS), today announced that the USMS, working closely with its federal, state and local partners, has successfully completed **the largest fugitive apprehension operation in American history**. Through Operation FALCON ('Federal And Local Cops Organized Nationally'), which was conducted April 4–10, 2005, Deputy U.S. Marshals and their law enforcement partners arrested a total of 10,340 fugitives and cleared more than 13,800 felony warrants.

"Operation FALCON is an excellent example of President Bush's direction and the Justice Department's dedication to deal both with the terrorist threat and traditional violent crime,' said Attorney General Gonzales. 'This joint effort shows the commitment of our federal, state, and local partners to make our neighborhoods safer, and it has led to the highest number of arrests ever recorded for a single initiative of its kind. We will use all of our Nation's law enforcement resources to serve the people, to pursue justice, and to make our streets and Nation safer.'"

"Round-up" or "Dry Run"?

Mike Whitney concluded^[45] that the true purpose of the raids was not merely to round up thousands of petty criminals but, rather, that the "Bush administration is sharpening its talons for the inevitable difficulties it expects to face as a result of its disastrous policies. With each regressive initiative, the governing cabal seems to get increasingly paranoid, anticipating an outburst of public rage. Now, they're orchestrating massive round-ups of minor crooks to make sure that every cog and gear in the apparatus

of state repression is lubricated and ready to go.

"Rest assured that Attorney General Gonzales has absolutely no interest in the petty offenders that were netted in this extraordinary crackdown. His action is just another indication that the noose is tightening around the neck of the American public and that the Bush team is fully prepared for any unpleasant eventualities. They want to make sure that everyone knows that they're ready when its time to thin out the ranks of mutinous citizens."^[46]

The Wertz Generation blogspot spoke along similar lines in a May 13, 2005, posting^[47]:

"But perhaps Gonzales was telling us more than we may have realized. As law enforcement officials have privately acknowledged that most of those arrested in the nationwide raids would have been picked up in the course of normal police work anyway, there was clearly more to this Operation than simply a photo op for what has proved to be a stupendously inept Justice Department. ... The operation involved more than 3000 law enforcement officials with as many as 10,000 assisting part-time during the week long sweep. The Operation included officers from the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the FBI, the Secret Service, and even the US Department of Housing and Urban Development - in addition to eighty-three district and local agencies like sheriff's offices.

"To me, this looks like nothing so much as a dry run for massive round-ups in the event of widespread dissent once the White House's disastrous policies start bearing their toxic fruit. Should the need arise to intern tens of thousands of 'traitors' (as defined by the likes of Ann Coulter), the mechanism is not only in place, it has been shown to work. If you are reading this, you could already be on such a hit list. Be afraid, people - but be prepared. If you haven't stocked up on those semi-automatics yet, this could be the time."

After pointing out that the raids were carried out during Crime Victims Rights Week, blogspot *Winter Patriot* asked^[48] April 15, 2005, "what's it gonna be next time? Prosecuting Attorney Week? And when that happens, will we see another propaganda campaign? Will it be yet another attempt 'to prompt publicity and help highlight the mission'? And will it involve the arrests of another ten thousand people? Or will they pick up twenty [or thirty] [or fifty] thousand this time?," which made it tempting to make the prediction "we will soon become accustomed to nationwide police operations involving the arrests of thousands of people."

Fake news?

- "The Justice Department, meanwhile, supplied the television networks **government-shot action videotape of Marshals and local cops raiding homes and breaking down doors**. The footage was aired on news programs, accompanied by commentary that uncritically parroted the claims made by the department. ... The department produced a mind-numbing array of statistics on the raids, resulting in cookie-cutter articles appearing in local papers and on local television throughout the country, highlighting the number of arrests made in each area."^[49]
- Upstate New York Democrat Congressman Maurice Hinchey said that, because "newscasts are 'increasingly being corrupted' by the government, which is providing material like video news releases, TV stations "should have identified government-provided video used in reporting last week's nationwide federal sweep rounding up fugitives" as "supplied by the Justice Department." ... Some "stations and networks did identify the source of the Operation Falcon video but many did not. The Justice Department distributed a five-minute video package to T-V stations by satellite."^[50]
- *The Wertz Generation* blogspot posed the following question:^[51]

"This raises a couple of questions. Most obviously, if Federal Marshals or other law enforcement agencies knew about, say, 162 murder suspects at large, why did they wait for Operation FALCON to arrest them? Were our policing agencies allowing over 600 sex offenders to remain at large for several weeks or months in order to give Alberto Gonzales the opportunity for a flashy press conference?"

Facts checked

Steve at *The Modulator*, April 16, 2005^[52], "did some [fact] checking via "The Sourcebook of Criminal Justice Statistics, 2002"^[53] and found some interesting numbers:

- *Arrests for Violent Crime*: 620,510, or an average of 11,933 per week; Operation Falcon 10,000 including some non-violent crimes
- *Arrests for Murder*: 14,158, or an average of 272 per week; Operation Falcon 162

"No drug arrests [were included] in the above [statistics] but apparently [were] included in Operation Falcon!"

Steve wrote that he suspected "that they simply reported business as usual (in some cases less than usual) and by giving it one of those magic labels, Operation Falcon, and publicizing it they have tried to make us think something new and wonderful is happening. Well, welcome to the world of marketing and government BS. ... Oh," he added, "and if this really was a real coordinated effort, then we did not get our money's worth (surprise) as they appear to have failed to meet even average arrest rates."

The Wertz Generation blogspot added^[54] May 13, 2005, that:

"The stats cited by the Justice Department above account for a total of 1613 arrests. What of the other 8727 people picked up? With a bit of digging, we can find that 'narcotics violations' accounted for 4300 (and the only specific charges mentioned are two people picked up for operating methamphetamine labs). I'm assuming that the rest of those were people with outstanding warrants for cannabis possession (otherwise we would definitely have had a 'Major Battle Won in the War on Drugs' type press conference). That still leaves 4427 arrests unaccounted for - and in the month since Operation FALCON, there have been no follow-up reports letting us know if any convictions arose from the 10,000 people pulled off the street."

Googling for Headlines

- On April 15, 2005, the *Winter Patriot* blogspot reported that "Google News" carried nearly 600 news stories on "Operation Falcon."^[55]
- A similar "google" on May 24, 2005, found only 45 items listed within a 0.06-second search, 20 of which were all for the same May 20, 2005, news story "National Missing & Exploited Children Honors Law Enforcement"^[56], and only two linked to Whitney's May 18, 2005, article.

Low priority on fugitives

"Criminal-justice experts said that by apprehending thousands of fugitives in a matter of days, the operation underscored the low priority that law enforcement agencies often give to locating people who have jumped bail, violated parole or otherwise evaded state and federal courts.

"The dirty little secret is that there usually is not enough effort and manpower put into apprehension of fugitives," said David A. Harris, a law professor at the University of Toledo who studies criminal-justice issues. "Most fugitives are aware of this, and it makes the system a joke. . . . It's never been a top priority."^[57]

Operation FALCON-related press releases

Contact information

- Operation FALCON (<http://www.usmarshals.gov/falcon/index.html>) , U.S. Marshals Office website.

Resources and articles

Related SourceWatch articles

- American concentration camps

- civil liberties
- enemy combatant
- fake news/manufactured journalism/video news releases
- homeland security
- illegal immigration
- immigration raids (U.S.)
- Military Commissions Act of 2006
- Operation FALCON: Statistics
- Patriot Act I
- Patriot Act abuses
- prison-industrial complex
- Total Information Awareness
- war on terrorism

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2. ↑ Mike Whitney, "The Secret Raids of Alberto Gonzales. Operation Falcon: 10,000 Swept Up," (<http://counterpunch.org/whitney05182005.html>) *CounterPunch*, May 18, 2005.
3. ↑ Mike Whitney, "The Secret Raids of Alberto Gonzales. Operation Falcon: 10,000 Swept Up," (<http://counterpunch.org/whitney05182005.html>) *CounterPunch*, May 18, 2005.
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Our Mercenaries in Iraq: Blackwater Inc and Bush's Undeclared Surge

On Tuesday, five employees of the private security firm Blackwater USA were killed in a violent Baghdad neighborhood. Hours later, President Bush used his State of the Union address to call on what some are calling an undeclared surge of private mercenaries in Iraq. We speak with Jeremy Scahill, author of the forthcoming "Blackwater: The Rise of the World's Most Powerful Mercenary Army." [includes rush transcript]



The private security firm Blackwater USA is back in the news again. On Tuesday, hours before President Bush's State of the Union address, one of the company's helicopters was brought down in a violent Baghdad neighborhood. Five Blackwater troops—all Americans—were killed. Reports say the men's bodies show signs of execution-style deaths with bullet wounds to the back of the head.

Blackwater provided no identities or details of those killed. They did release a statement saying the deaths "are a reminder of the extraordinary circumstances under which our professionals voluntarily serve to bring freedom and democracy to the Iraqi people."

President Bush made no mention of the incident during his State of the Union. But he did address the very issue that has brought dozens of private security companies like Blackwater to Iraq in the first place: the need for more troops.

- **President Bush.**

Is the president looking to further outsource war? My next guest writes that Blackwater is a reminder of just how privatized the Iraq war has become. Jeremy Scahill is a Puffin Foundation Writing Fellow at The Nation Institute and is author of the forthcoming book, "Blackwater: The Rise of the World's Most Powerful Mercenary Army." He has an OpEd in yesterday's Los Angeles Times titled "Our mercenaries in Iraq." He joins me in the firehouse studio.

- **Jeremy Scahill.** Puffin Foundation Writing Fellow at The Nation Institute and the author of the forthcoming book, "Blackwater: The Rise of the World's Most Powerful Mercenary Army."

RUSH TRANSCRIPT

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AMY GOODMAN: President Bush made no mention of the incident during his State of the Union, but he did address the very issue that's brought dozens of private security companies like Blackwater to Iraq in the first place: the need for more troops.

PRESIDENT GEORGE W. BUSH: Tonight, I ask the Congress to authorize an increase in the size of our active Army and Marine Corps by 92,000 in the next five years. A second task we can take on together is to design and establish a volunteer civilian reserve corps. Such a corps would function much like our military reserve. It would ease the burden on the Armed Forces by allowing us to hire civilians with critical skills to serve on missions abroad when America needs them.

AMY GOODMAN: Is the President looking to further outsource war? My next guest writes, "Blackwater is a reminder of just how privatized the Iraq war has become." Jeremy Scahill is a Puffin Foundation Writing Fellow at the Nation Institute. He's author of the forthcoming book *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. He has an op-ed piece in yesterday's *Los Angeles Times*, entitled "Are Mercenaries in Iraq?" Joining us now in the firehouse studio, welcome to *Democracy Now!*, Jeremy.

JEREMY SCAHILL: It's good to be home.

AMY GOODMAN: We invited Blackwater on; they refused. But, Jeremy, let's talk fist about Blackwater. What is it?

JEREMY SCAHILL: Blackwater is a company that began in 1996 as a private military training facility in—it was built near the Great Dismal Swamp of North Carolina. And visionary executives, all of them former Navy Seals or other Elite Special Forces people, envisioned it as a project that would take advantage of the anticipated government outsourcing.

Well, here we are a decade later, and it's the most powerful mercenary firm in the world. It has 20,000 soldiers on the ready, the world's largest private military base, a fleet of twenty aircraft, including helicopter gunships. It's become nothing short of the Praetorian Guard for the Bush administration's so-called global war on terror. And it's headed by a very rightwing Christian activist, ex-Navy Seal named Erik Prince, whose family was one of the major bankrollers of the Republican Revolution of the 1990s. He, himself, is a significant funder of President Bush and his allies.

And what they've done is they have built a very frightening empire near the Great Dismal Swamp in North Carolina. They've got about 2,300 men actively deployed around the world. They provide the security for the US diplomats in Iraq. They've guarded everyone, from Paul Bremer and John Negroponte to the current US ambassador, Zalmay Khalilzad. They're training troops in Afghanistan. They have been active in the Caspian Sea, where they set up a Special Forces base miles from the Iranian border. They really are the frontline in what the Bush administration viewed as a necessary revolution in military affairs. In fact, they represent the life's work of Dick Cheney and Donald Rumsfeld.

AMY GOODMAN: What do you mean, the "life's work"?

JEREMY SCAHILL: Well, Dick Cheney, when he was Defense Secretary under George H.W. Bush during the Gulf War, one of the last things he did before leaving office was to create an unprecedented lucrative market for the firm that he would go on to head, Halliburton. He commissioned [a] Halliburton [division] to do a study on how to privatize the military bureaucracy. That effectively created the groundwork for the absolute war profiteer bonanza that we've seen unfold in the aftermath of 9/11. I mean, Clinton was totally on board with all of this, but it has exploded since 9/11. And so, Cheney, after he left office, when the first Bush was the president, went on to work at the neoconservative American Enterprise Institute, which really led the push for privatization of the government, not just the military.

And then, when these guys took office, Rumsfeld's first real major address, delivered on September 10, 2001, he literally declared war on the Pentagon bureaucracy and said he had come to liberate the Pentagon. And what he meant by that—and he wrote this in an article in *Foreign Affairs*—was that governments, unlike companies, can't die. He literally said that. So you have to figure out new incentives for competition, and Rumsfeld said that it should be run more like a corporation than a bureaucracy. And so, the company that most embodies that vision—and they call it a revolutionary in military affairs. It's a total part of the Project for a New American Century and the neoconservative movement. The company that most embodies that is not Halliburton; it's Blackwater.

AMY GOODMAN: Explain what you understand happened on Tuesday: President Bush giving his address, the Blackwater helicopter crashing.

JEREMY SCAHILL: Well, I think a lot of people—even though I think there's been a lot of reporting on it and it's been out in the public sphere, I think a lot of people still would be surprised to know that the US ambassador in Iraq and US diplomats throughout Iraq and US diplomatic facilities and regional occupational offices are actually guarded by mercenaries. And Blackwater has a \$300 million contract to provide diplomatic security. And so, they guard Zalmay Khalilzad and other US diplomats in Iraq.

While what we understand—and, of course, as you know, reports are always very shaky in the early stages—is that a US diplomatic convoy came under fire in a Sunni neighborhood of Baghdad, and a Blackwater helicopter apparently landed to try to respond to that attack, because Blackwater and its "Little Bird" helicopters provide the security for diplomatic convoys, and they got engaged in some kind of a firefight on the ground, and four men from one helicopter were killed. Then another helicopter responded and was brought down, either by fire or it got tangled in some wires.

Four of the five men who worked for Blackwater that were killed were shot in the back of the head, according to reports. And what's interesting about this is that Zalmay Khalilzad said that he had traveled with the men and then said that he had gone to the morgue to view their bodies. And he said that the circumstances of their death were unclear, because of what he called the "fog of war." But I think it's very possible that they were guarding a very senior diplomat, if not Zalmay Khalilzad himself. I mean, we don't have evidence to suggest that, but the fact that Khalilzad really came out forward and said, These were fine men. I was with them and visited them in the morgue, indicates that it could have been a very serious attack on a senior official.

AMY GOODMAN: What do you think is the actual body count in Iraq of US soldiers? I mean, we count them very carefully, you know, when it surpassed 3,000. This was extremely significant. What really is the number of US military dead?

JEREMY SCAHILL: Military dead is—I mean, I think it's interesting, because the lines have totally been erased. I would say that we should be counting the deaths of Blackwater soldiers in the total troop count. I mean, I filed over the last year a lot of Freedom of Information Act requests, and one of the ways that we have found to discover the deaths of the number of contractors that have been killed is actually through the Department of Labor, because the government has a federal insurance scheme that's been set up, which is actually very controversial—grew out of something called the Defense Base Act—and it's insurance provided to contractors who service the US military abroad. And so, as of late last year, more than 600 families of contractors in Iraq had filed for those benefits.

So I think we're talking somewhere in the realm of—and these are just US contractors that have rights to federal benefits inside of the United States. Remember, it's not necessarily Americans that make up the majority of these 100,000—100,000—contractors that are operating in Iraq right now, 48,000 of whom are mercenaries, according to the GAO. So I don't think it's possible to put a fine point on the number of troops killed, because the Bush administration has found a backdoor way to engage in an undeclared expansion of the occupation by deploying these private armies.

And at the State of the Union address the other night, Bush announces this civilian reserve corps, which is gaining momentum among Democrats and others. Wesley Clark has talked about it, the former presidential candidate and Supreme Allied NATO Commander. But what that is is another Frankenstein scheme that Cheney and these guys cooked up in their outsourcing laboratory to engage in an undeclared expansion. I mean, on the one hand, we have Bush talking about an official US troop surge. The Army said—a few months ago, when Colin Powell said that the active-duty Army is basically broken, the Army was calling for 30,000 troops over ten years. Bush then announces in his State of the Union 92,000 active-duty troops over five years, and at the same time, they're increasing the presence of the mercenaries, increasing the presence of the other contractors, talking about some privatized or civilian reserve corps. This is all an undeclared expansion of the US occupation, totally against the will of the American people and the world.

AMY GOODMAN: Civilian reserve corps?

JEREMY SCAHILL: Right. That's what they're calling it. And, you know, I mean, a lot of what has been tossed around about this since 2002 has been envisioning a sort of disaster response, international aid. You know, it's all very benign-sounding, but the context of it, when Bush announced it the other night, he said we need 92,000 troops and we should develop a civilian reserve corps to supplement the work of the military.

Now, what's interesting, Amy, is that two years ago Erik Prince, the head of Blackwater USA, was speaking at a military conference. He only comes out of his headquarters to speak in front of military audiences. He does not speak in front of civilians. He's on panels with top brass and others. He's very secretive. He gave a major address in which he called for the creation of what he called a "contractor brigade." And I actually—I can read you what he said. He said—this is two years ago, before Bush called for his civilian reserve corps. Erik Prince, head of Blackwater USA: "There's consternation in the [Pentagon] about increasing the permanent size of the Army. We want to add 30,000 people." And they talked about costs of anywhere from \$3.6 billion to \$4 billion to do that. Well, by my math, that comes out to about \$135,000 per soldier. And then, Prince added, "We could do it certainly cheaper."

And so, now you have Blackwater, the Praetorian Guard for the war on terror, itching to get into Sudan. You know, something happened last year that got no attention whatsoever. In October, President Bush lifted sanctions on Christian Southern Sudan, and there have been reports now that Blackwater has been negotiating directly with the Southern Sudanese regional government to come in and start training the Christian forces of the south of Sudan. Blackwater has been itching to get into Sudan, and Erik Prince is on the board of Christian Freedom International, which is an evangelical missionary organization that has been targeting Sudan for many years. And there is a political agenda that Blackwater fits perfectly into, whether it's Iraq and Afghanistan or Sudan.

AMY GOODMAN: And the other connections, Jeremy Scahill, between Blackwater and the Bush administration and the Republican Party?

JEREMY SCAHILL: The most recent one is that President Bush hired Blackwater's lawyer—Blackwater's former lawyer to be his lawyer. He replaced Harriet Miers. His name is Fred Fielding, of course, a man who goes back many decades to the Reagan administration, the Nixon administration. He is now going to be Bush's top lawyer, and he was Blackwater's lawyer.

Joseph Schmitz, who was the former Pentagon Inspector General, whose job it was to police the war contractor bonanza, then goes on to work for one of the most profitable of them, is the vice chairman of the Prince Group, Blackwater's parent company, and the general counsel for Blackwater.

Ken Starr, who's the former Whitewater prosecutor, the man who led the impeachment charge against President Clinton, Kenneth Starr is now Blackwater's counsel of record and has filed briefs for them at the Supreme Court, in fighting against wrongful death lawsuits filed against Blackwater for the deaths of its people and US soldiers in the war zones.

And then, perhaps the most frightening employee of Blackwater is Cofer Black. This is the man who was head of the CIA's counterterrorism center at the time of 9/11, the man who promised President Bush that he was going to bring bin Laden's head back in a box on dry ice and talked about having his men chop bin Laden's head off with a machete, told the Russians that he was going to bring the heads of the Mujahideen back on sticks, said there were going to be flies crawling across their eyeballs. Cofer Black is a 30-year veteran of the CIA, the man who many credit with really spearheading the extraordinary rendition program after 9/11, the man who told Congress that there was a "before 9/11" and an "after 9/11," and that after 9/11, the gloves come off. He is now a senior executive at Blackwater and perhaps their most powerful behind-the-scenes operative.

AMY GOODMAN: And electoral politics?

JEREMY SCAHILL: Well, Erik Prince, the head of Blackwater, and other Blackwater executives are major bankrollers of the President, of Tom DeLay, of Santorum. They really were—when those guys were running Congress, Amy, Blackwater had just a revolving door there. They were really welcomed in as heroes. Senator John Warner, the former head of the Senate Armed Services Committee, called them "our silent partner in the global war on terror." Erik Prince's sister, Betsy DeVos, is married to Dick Devos, who recently lost the gubernatorial race in Michigan.

But also, Amy, this is a family, the Prince family, that really was one of the primary funders. It was Amway and Dick DeVos in the 1990s, and it was Edgar Prince and his network—Erik Prince's father—that really created James Dobson, Focus on the Family—they gave them the seed money to start it—Gary Bauer, who was one of the original signers to the Project for a New American Century, a major anti-choice leader in this country, former presidential candidate, founder of the Family Research Council. He credits Edgar Prince, Erik's father, with giving him the money to start the Family Research Council. We're talking about people who were at the forefront of the rightwing Christian revolution in this country that really is gaining steam, despite recent electoral defeats.

And what's really frightening is that you have a man in Erik Prince, who is a neo-crusader, a Christian supremacist, who has been given over a half a billion dollars in federal contracts, and that's not to mention his black contracts, his secret contracts, his contracts with foreign friendly governments like Jordan. This is a man who espouses Christian supremacy, and he has been given, essentially, allowed to create a private army to defend Christendom around the world against secularists and Muslims and others, and has really been brought into the fold. He refers to Blackwater as the sort of FedEx of the Pentagon. He says if you really want a package to get somewhere, do you go with the postal service or do you go with FedEx? This is how these people view themselves. And it embodies everything that President Eisenhower prophesied would happen with the rise of an unchecked military-industrial complex. You have it all in Blackwater.

AMY GOODMAN: Jeremy Scahill, thanks very much for joining us, and I look forward to seeing your book when it comes out. Jeremy Scahill's forthcoming book is *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. Thanks for joining us.



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December 13, 2006

Vandana Shiva on Farmer Suicides, the U.S.-India Nuclear Deal, Wal-Mart in India and More

We speak with world-renowned environmental leader and thinker, Vandana Shiva. A physicist and ecologist, Shiva is author of many books, her latest is "Earth Democracy: Justice, Sustainability, and Peace." [includes rush transcript]



In India, more than three hundred farmers climbed water tanks in the country's central Vidarbha region, many of them threatening to commit suicide unless the government fulfilled their demands to lift them out of poverty. Throughout India, more and more troubled farmers are killing themselves. Up to three farmers a day swallow pesticides, hang themselves from trees, drown themselves in rivers, set themselves on fire or jump down wells. Many of them are plagued by debt, poor crops and hopelessness.

- Vandana Shiva**, world-renowned environmental leader and thinker. She is also a physicist and ecologist and the Director of the Research Foundation on Science, Technology, and Ecology. She is the founder of Navdanya—"nine seeds", a movement promoting diversity and use of native seeds. Dr. Shiva was the 1993 recipient of the Alternative Nobel Peace Prize—the Right Livelihood Award. And she is the author of many books, her latest is "Earth Democracy: Justice, Sustainability, and Peace."

RUSH TRANSCRIPT

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AMY GOODMAN: Vandana Shiva remains with us, physicist; ecologist; director of the Research Foundation on Science, Technology, and Ecology; in '93, awarded the Alternative Nobel Peace Prize, the Right Livelihood Award; her latest book, *Earth Democracy: Justice, Sustainability, and Peace*. There is an epidemic you write about in India of farmer suicides. Can you explain what's happening and where this is happening?

VANDANA SHIVA: Indian farmers have never committed suicide on a large scale. It's something totally new. It's linked to the last decade of globalization, trade liberalization under a corporate-driven economy. The seed sector was liberalized to allow corporations like Cargill and Monsanto to sell unregulated, untested seed. They began with hybrids, which can't be saved, and moved on to genetically engineered Bt cotton. The cotton belt is where the suicides are taking place on a very, very large scale. It is the suicide belt of India.

And the high cost of seed is linked to high cost of chemicals, because these seeds need chemicals. In addition, these costly seeds need to be bought every year, because their very design is to make seeds nonrenewable, seed that isn't renewable by its very nature, but whether it's through patenting systems, intellectual property rights or technologically through hybridization, nonrenewable seed is being sold to farmers so they must buy every year.

There's a case going on in the Supreme Court of India right now on the monopoly practices of Monsanto. An antitrust court ruled against Monsanto, because the price is so high, farmers necessarily get into a debt trap, which is why I was talking about credit, for the wrong thing, could actually be a problem and not a solution.

In addition, the price of cotton is collapsing under the huge \$4 billion subsidies given to agribusiness in the United States, which then dumps cotton on a world market with 50% reduction of price artificially. This is what led to the Cancun failure of WTO, but this is what is killing Indian farmers. Just three days ago, farmers were protesting against the low prices of cotton. They went to the government agency, which before globalization used to buy cotton at a fair price. One farmer was shot dead. So we're not just seeing suicides, we're also seeing farmers' protests treated as a new threat to the regime.

AMY GOODMAN: These descriptions of desperation, up to three farmers a day swallow pesticides, hang themselves from trees, drown themselves in rivers, set themselves on fire, or jump down wells, many of them plagued by debt, poor crops and hopelessness?

VANDANA SHIVA: 90% of the farmer suicides—we've studied it. Every year we bring out a report called "Seeds of Suicide." We started the first report in '97, which was the first suicide in the district of Warangal in Andhra Pradesh. Andhra Pradesh—

AMY GOODMAN: Where is it in India?

VANDANA SHIVA: Andhra Pradesh is kind of southern India. But Andhra Pradesh had a government that responded, and that's the government that took Monsanto to court. Vidarbha in Maharashtra has emerged as the epicenter. This is where the Prime Minister visited, because the suicide issue had become so intense. Unfortunately, the Prime Minister offered exactly the same package, more of the same, as a solution. Included in this package is a 20 billion rupee seed replacement package, which means what seed farmers has gets further destroyed, so they have no renewable seed, no affordable seed. They must buy on the market every year. Farmer suicides in Vidarbha are now eight per day.

A few weeks ago, I was in Punjab. 2,800 widows of farmer suicides who have lost their land, are having to bring up children as landless workers on others' land. And yet, the system does not respond to it, because there's only one response: get Monsanto out of the seed sector—they are part of this genocide—and ensure WTO rules are not bringing

down the prices of agricultural produce in the United States, in Canada, in India, and allow trade to be honest. I don't think we need to talk about free trade and fair trade. We need to talk about honest trade. Today's trade system, especially in agriculture, is dishonest, and dishonesty has become a war against farmers. It's become a genocide.

AMY GOODMAN: Can you talk about the water tower protests?

VANDANA SHIVA: In the state of Rajasthan, which is the capital of the production of mustard—and mustard in India is very symbolic. It's the color of our spring. When spring comes, we dress in the yellow of the mustard flower. It's our staple oil, and we love the pungency of it.

1998, Monsanto and Cargill managed to get a ban on indigenous oils in order to create a market for soya oil, something we've never eaten before. We led a movement of women to bring back the mustard. But today, 70% of the oil India is eating, edible oil—and India was the capital of edible oil production—mustard, sesame, linseed, coconut, wonderful healthy oils—today, 70% of our edible oil market is soya oil dumped on us, palm oil dumped on us. And, as you know, today soya is being cultivated in cutting the Amazon, and palm oil is being cultivated cutting the rain forest of Borneo.

When the farmers can't sell their mustard—nobody's buying it—they've had protests. Twelve farmers were killed in Central India. And there was a farmer who climbed onto the water tower a few months ago, mimicking a Bollywood film, but basically saying he would jump to suicide if the farmer's mustard was not bought. This hijacking of the market for agriculture by a handful of agribusiness, which is what the rules of WTO are—the Agreement on Agriculture is basically putting all of agriculture into the hands of ADM, ConAgra and Cargill, and all the seed sector into the hands of Monsanto—it must necessarily destroy more and more farms, more and more farming, and push more farmers to suicide for a while, unless we get a change.

We work for the change, and our work in Navdanya shows that farmers can double their incomes by using their own seeds, doing organic farming. All they need is a joining of hands with urban consumers and definitely a change in the rules of trade, which have treated the rights of Cargill as fundamental rights.

And something Americans don't know much about, the nuclear deal with India has a twin agreement, and that twin agreement is on agriculture. It's called the Knowledge Initiative on Agriculture, and on the board of this agreement are Monsanto, ADM and Wal-Mart. So a grab of the seed sector by Monsanto, of the trade sector by the giant agribusiness, and the retail sector, which is 400 million people in India, by Wal-Mart. These are issues that are preoccupying us for about democracy in India right now.

AMY GOODMAN: Vandana Shiva, I want to go back to that deal that just was announced this weekend, surprised some. The US will send nuclear fuel shipments for civilian use, critics saying it will allow India to use its existing nuclear fuel to build up to 50 nuclear weapons. And then I want to ask you to expand on this corollary that we definitely didn't know about.

VANDANA SHIVA: You know, the nuclear deal with India, in fact, shows the double standards of US nuclear policy, because for the same things that Iran does—Iran is axis of evil—but India here, through this nuclear agreement, is being told, we will separate civilian use and military use. Military use will be India's sovereign decision. I don't think it will be India's sovereign decision, because I think in this deal is a strategic use of India for Asia, for a containment for China. But in addition to that, there is turning India into a nuclear market: a sale of nuclear technologies, of nuclear fuel.

And I think we need to contextualize this in the context of the climate debates. Climate change has made us recognize that we can't keep messing up the atmosphere and pumping more carbon dioxide. But nuclear doesn't become clean automatically just because carbon dioxide has destabilized the climate. Nuclear is being offered as a clean development mechanism. And not only will it spread nuclear risks and hazards in India, it will also allow corporations, like General Electric and others who pollute with carbon dioxide, as well as them, get quotas through emissions trading and markets for nuclear technology.

You know, I was a nuclear physicist. I left my career in 1972. I was training to be a nuclear physicist in India's atomic energy program in the Bhabha Atomic Research Centre, and I left because I realized very clearly nuclear power, as much as nuclear war, are systems where you cannot have democracy. They're inconsistent with democracy. And I love democracy too much. So I went on to do theoretical physics.

AMY GOODMAN: So explain further this corollary that involves these other large multinational corporations. And why is it part of the nuclear deal?

VANDANA SHIVA: Well, two days ago the US representative—I think it's Mr. Burns who announced that the nuclear deal is the cutting edge, but what the United States is really seeking is agricultural markets and real estate markets, the land of the poor in India. And if you look at cities like Bombay, you look at cities like Delhi, you look at cities like Bangalore, they're exploding because there's this global hungry finance moving in to take over the land of people, not through a market mechanism, but using the state and an old colonial law of land acquisition to grab the land by force everywhere where this is happening. There is a war going on, outside Delhi in Dadri, outside Calcutta in Singur, everywhere. Peasants are being shot and killed in order to take away the last resort and the last asset of the poor.

The agreements, nuclear and agricultural agreements, came out of a July visit of our prime minister in 2005, were then moved forward in the March visit of President Bush to India, which saw huge protests, by the way—I'm sure it wasn't covered—but huge protests, where these deals, as well as the Iraq war, were the issue in India. And the two are twin programs. They are twin programs about a market grab and a security alignment.

AMY GOODMAN: You mentioned Wal-Mart. They have just announced they're going to be opening 500 stores in India, the first to open in August of 2007.

VANDANA SHIVA: We've been organizing the unorganized retail sector of India. The retail sector of India, to me, is the ultimate practice of democracy. When you go into a tiny vegetable market, the women put out their mats, they've brought the tomatoes they've grown outside the city, put it down, maybe five kilos of tomatoes, sell it for the day, go back home, feed their children. It's a community market. 400 people dependent on retail, 14 million people dependent on little hawking, you know, a tiny moveable cart, which goes door-to-door. 90% of our vegetables come to our doorstep. We don't have to go anywhere.

Wal-Mart's entry into India, 500 stores, cannot go hand-in-hand with the giant retail economy of India, which is giant not by being one big store, but by having millions of small sellers. And that is what has created the vibrance of India's

markets, the democracy in India's markets.

AMY GOODMAN: We're going to have to leave it there. I want to thank you very much, Vandana Shiva, for joining us. Her new book is *Earth Democracy: Justice, Sustainability, and Peace*.



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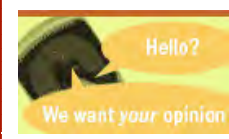
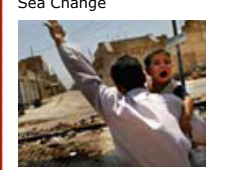
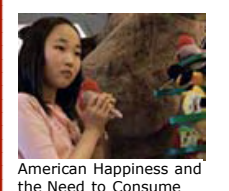


PHOTO ESSAYS



The Highwaymen



"THE ROAD IS ONE SUCCESSION OF DUST, RUTS, PITS, AND HOLES." So wrote Dwight D. Eisenhower, then a young lieutenant colonel, in November 1919, after heading out on a cross-country trip with a convoy of Army vehicles in order to test the viability of the nation's highways in case of a military emergency. To this description of one major road across the west, Eisenhower added reports of impassable mud, unstable sand, and wooden bridges that cracked beneath the weight of the trucks. In Illinois, the convoy "started on dirt roads, and practically no more pavement was encountered until reaching California."

It took 62 days for the trucks to make the trip from Washington, D.C., to San Francisco, and another 37 years for Ike to complete a quest, inspired by this youthful journey and by his World War II observations of Germany's autobahns, to build a national road system for the United States. In 1956, President Eisenhower signed the Federal-Aid Highway Act, which called for the federal and state governments to build 41,000 miles of high-quality roads across the nation, over rivers and gorges, swamps and deserts, over and through vast mountain ranges, in what would later be called the "greatest public works project in human history." So vital to the public interest did Eisenhower, an old-style fiscal conservative, consider the interstate highway system, he even authorized the federal government to assume 90 percent of the massive cost.

Fifty years to the day after Ike put his pen to the Highway Act, another Republican signed off on another historic highway project. On June 29, 2006, Mitch Daniels, the former Bush administration official turned governor of Indiana, was greeted with a round of applause as he stepped into a conference room packed with reporters and state lawmakers. The last of eight wire transfers had landed in the state's account, making it official: Indiana had received \$3.8 billion from a foreign consortium made up of the Spanish construction firm Cintra and the Macquarie Infrastructure Group (MIG) of Australia, and in exchange the state would hand over operation of the 157-mile Indiana Toll Road for the next 75 years. The arrangement would yield hundreds of millions of dollars in tax breaks for the consortium, which also received immunity from most local and state taxes in its contract with Indiana. And, of course, the consortium would collect all the tolls, which it was allowed to raise to levels far beyond what Hoosiers had been used to. By one calculation, the Toll Road would generate more than \$11 billion over the 75-year life of the contract, a nice return on MIG-Cintra's \$3.8 billion investment.

The deal to privatize the Toll Road had been almost a year in the making. Proponents celebrated it as a no-pain, all-gain way to off-load maintenance expenses and mobilize new highway-building funds without raising taxes. Opponents lambasted it as a major turn toward handing the nation's common property over to private firms, and at fire-sale prices to boot.

The one thing everyone agreed on was that the Indiana deal was just a prelude to a host of such efforts to come. Across the nation, there is now talk of privatizing everything from the New York Thruway to the Ohio, Pennsylvania, and New Jersey turnpikes, as well as of inviting the private sector to build and operate highways and bridges from Alabama to Alaska. More than 20 states have enacted legislation allowing public-private partnerships, or P3s, to run highways. Robert Poole, the founder of the libertarian Reason Foundation and a longtime privatization advocate, estimates that some \$25 billion in public-private highway deals are in the works—a remarkable figure given that as of 1991, the total cost of the interstate highway system was

NEWS: Why you could soon be paying Wall Street investors, Australian bankers, and Spanish builders for the privilege of driving on American roads.

By Daniel Schulman with James Ridgeway
 January/February 2007 Issue

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As of 2002, the total cost of the interstate highway system was estimated at \$128.9 billion.

On the same day the Indiana Toll Road deal closed, another Australian toll road operator, Transurban, paid more than half a billion dollars for a 99-year lease on Virginia's Pocahontas Parkway, and the Texas Transportation Commission green-lighted a \$1.3 billion bid by Cintra and construction behemoth Zachry Construction to build and operate a 40-mile toll road out of Austin. Many similar deals are now on the horizon, and MIG and Cintra are often part of them. So is Goldman Sachs, the huge Wall Street firm that has played a remarkable role advising states on how to structure privatization deals—even while positioning itself to invest in the toll road market.

Goldman Sachs' role has not been lost on skeptics, who accuse the firm of playing both sides of the fence. "In essence, they're double-dipping," says Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association, a truckers' group that opposes toll road privatization. "They're basically in the middle, playing one side against the other, and it's really, really lucrative."

Despite such concerns, the privatization model has the full backing of the Bush administration. Tyler Duvall, the U.S. Department of Transportation's assistant secretary for transportation policy, says DOT has raised the idea with "almost every state" government and is working on sample legislation that states can use for such projects. "This is a ground battle in the United States right now," he says. "States just need to be convinced that this is basically something they should be considering."

The financial stakes are potentially huge. "You're buying the infrastructure of the economy, and it's enormously valuable," says John Schmidt, who served as associate attorney general in the Clinton administration and as counsel to the city of Chicago on the \$1.8 billion privatization of the Chicago Skyway, the 7.8-mile freeway that connects the Dan Ryan Expressway in the west to the Indiana Toll Road in the east. "[Private road operators] haven't been able to get in here previously. There's been a demand, and it's been bottled up because we just haven't had privatized infrastructure in this country, so they've been buying toll roads in Chile and in France. Now, they suddenly have the opportunity to come into this country."

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Illustrations: Victor Juhasz

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THE USA IS THE ABOUT THE ONLY CIVILIZED[AS IN FLUSH TOILETS] COUNTRY I KNOW THAT ALLOWS PIRATES IN PUBLIC OFFICE TO RUN THINGS. SHAME ON YOU STUPID PEOPLE! YOU GET WHAT YOU DESERVE!

Posted by: **WILLIAM PAYNE** June 3, 2007 8:46:22 AM [Respond ^](#)

Isn't this the same crowd that bought up Russia's assets when it fell? Only in our case the vultures aren't waiting till we're dead.

Posted by: **Vicki** June 13, 2007 2:47:46 PM [Respond ^](#)

And what about global warming? Higher price to drive leads to less driving. The ironic thing is that this may be a very progressive thing. If government is barred from building roads, they're not barred from building rail systems. Or running buses over those privatized highways. This is the way that nothing useful gets done in this country. It's like the gas tax -- Republicans hate taxes in any form, Democrats say it'll hurt the poor. In this case, Republicans love roads, Democrats hate deals with large private corporations, and Ralph Nader just hates everything, period (never mind that he, of all people, should be in favor of discouraging driving). We need to start analyzing things rationally, not emotionally. Chicago got a bad deal, and so did Indiana. But France didn't, and Spain didn't. Just because our politicians are idiots doesn't mean that private highways are a bad idea. Let's not throw out the baby with the bathwater. Republican ideology led to us underfunding Amtrak. Green ideology led to us not starting a single nuclear plant. Meanwhile, France generates 80% of its electricity from carbon-free nuclear power, runs its high-speed trains on carbon-free nuclear-generated electricity (displacing airplanes which emit carbon). And, guess what, has a private system of toll roads. People think twice about using the roads rather than taking the train. (Ditto Spain, where Cintra is from.) Let's have a laugh at Chicago and Indiana's expense, and then go focus on the larger picture. If our own city or state privatizes something, let's make sure not to get screwed money-wise, but let's not hold onto highways just 'cause it feels weird to sell them off. This article reads like a Channel 5 news expose, all full of indignation and lacking in context. (Like the TV news report that questioned why Zipcar, the big bad private corporation, was given "free on-street parking." Hello?! Zipcar discourages people from owning cars, isn't that a good thing?)

Posted by: **Be-Careful-What-You-Wish** July 20, 2007 9:29:33 PM [Respond ^](#)

I think MIG-Centra is getting a bad deal. If they were to put their \$3.8 billion into any sort of investment instrument, they would make far more than \$11 billion over 75 years. This is not taking into account their maintenance expenses. Am I missing something?

Posted by: **Toby Hansen** August 3, 2007 12:02:01 PM [Respond ^](#)

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LETTERS

"*Mother Jones* is a magazine of fine, conscious-inducing editorial. They cover topics other mags leave alone and have established themselves (quite rightly) as the forerunner of well-researched, liberal views and community-minded actions. The thing is, you wouldn't know because, frankly, *Mother Jones* doesn't go out of its way to market itself to a newer, sexier crowd. A few suggestions to help *MJ* reach a new audience: 1. Instead of *Mother Jones*, how about *Mutha Fukkas*? 2. A scantily clad woman on the front. It's about dragging the morons in by any means necessary. 3. A fashion spread, because sexy people really do need a break from the heavy stuff."

Readers respond.

Ike charged the Bonus Marchers as a young cavalry officer, loved the Autobahn just like Lucky Lindy loved the Luftwaffe and now we are selling off our infrastructure like Mobutu sold off the wealth of the Congo. I am filled with civic admiration!

Posted by: **John** August 3, 2007 12:46:10 PM [Respond ^](#)

Aren't the "highwaymen" who want to privatize America's highways the same folks who are "protecting" us by blowing the [deleted] out of Iraq? Doesn't it ever dawn on the poorly educated minds of U.S. citizens that just maybe, the trillion dollars we threw away on this fiasco in Iraq could have rebuilt our national highway system? Just how proud can educators be, that citizens graduating from our high schools and universities, continue to vote for neo-cons while happily driving their SUV's down the road? No doubt, the ACLU has reaped what it has sown, replacing Jesus' human rights morality of reason with a "science" without moral compass, that creates mass pollution, nuclear bombs and the gas-guzzlers of GM and Ford Motor Company.

Posted by: **Richard Aberdeen** August 3, 2007 12:58:26 PM [Respond ^](#)

I see this barn wall with words painted on it - rules the Animals will live by on the Farm. I see these animals trying to read the rules painted on the barn wall. I see these pigs sneaking in under cover of night to change the rules. Why do I feel like the cows and chickens and the horse in Animal Farm listening to Goldman Sachs tell me why selling our roads to foreign companies (the infrastructure to our economy, someone called it) is a GOOD thing?

Posted by: **Pat Goudey O'Brien** August 3, 2007 1:00:15 PM [Respond ^](#)

Well, folks this is "democracy" on the march. Or more precisely, this is capitalism, which we say is what we applaud as a nation. Well, those who have money control the "free market" and since the USA is going bankrupt conducting an immoral and illegal war (in addition to our numerous other pork barrel giveaways to ensure political reelection) and doesn't have any money, its a buyer's market for those with the dough!!

Posted by: **Nic Smith** August 3, 2007 1:29:23 PM [Respond ^](#)

When this country decided to replace private sector mass transit with public roads after WW II it was not only an environmental disaster, but an economic one as well. Thank God for Harley Staggers D-WV) and his deregulation bills which saved private sector freight railroading. We have a reasonably secure private freight system which can sustain itself. The best thing which could happen would be the privatization of Interstate Highways. Among a variety of virtues, perhaps the most significant would be the private operators' ability to charge truckers for road damage, whereas now the motoring public subsidizes the big rigs.

Posted by: **Law Jeppson** August 3, 2007 1:29:33 PM [Respond ^](#)

My God to get groceries or a shirt for my back, I will have to pay toll to get to town...How many State Bridge Inspectors in MN lost their jobs so Pawlentie's cronies could hire on as Private contractors to inspect the Bridges? Privatization really costs.

Posted by: **Larry** August 3, 2007 1:42:15 PM [Respond ^](#)

At this time our Governor and the legislature in Pennsylvania is considering putting a toll on our Interstate 80. The republican representative (Phil English) is trying to stop the proposed toll by introducing a bill to put any money generated by such tolls into a government program to "help workers whose jobs were moved overseas." Phil English has never tried to help the workers, so I suspect he is in favor of the type of lease MOTHER JONES is talking about. The choice is to add the tolls or lease to foreigners.

Posted by: **Robert Dufford** August 3, 2007 2:20:41 PM [Respond ^](#)

I loved the article but, unfortunately, it may amount to nothing more than preaching to the converted. Uncorrupted lawmakers and the thinking public need to find ways to convince the Wal-Mart Millions what's at stake if they continue to so stubbornly avoid paying up front the true cost of what they are consuming. Big government and high taxes are bad where they do not serve the public interest; but the greedy politicians have clearly demonstrated over the past quarter century how the alternatives can be so much worse!

Posted by: **Dana Cardiel** August 3, 2007 5:00:28 PM [Respond ^](#)

Law Jeppson voices a popular misconception: "The best thing which could happen would be the privatization of Interstate Highways. Among a variety of virtues, perhaps the most significant would be the private operators' ability to charge truckers for road damage, whereas now the motoring public subsidizes the big rigs." Hey Lew! How do you think all those low priced consumer goods get to where you pick them up for the lowest possible price? It's the big rigs that are subsidizing YOU. Share the road, and the infrastructural cost, or watch your prices rise and rise!

Posted by: **Dana Cardiel** August 3, 2007 5:10:54 PM [Respond ^](#)

What we are seeing, is the privatization of the Commons [water - waste - schools - roads - bridges - utilities etc]. The people have been left totally outside the 'process', except for bearing the costs. Besides tolls, citizens will bear the cost of higher prices for food/people that are trucked to market. The highway in Indiana, was not Governor Daniel's to SELL! This is [was] an asset paid for by the goods. All this back room wheeling and dealing [by the high rollers], if you'll note, never makes the major media. The corporate owned media, keeps these deals [protests] local - least there be a popular uprising. Gone are the days of the muckrakers or a literate society for that matter. How informed are the public on the NAFTA Superhighway, the North American Union or our new money the Amero [reported on BBC News]? Most alarming, is that those on the election circuit, [boring everyone to tears] and the professional politicians, in Foggy Bottom aren't informing their constituents. They're too busy holding slumber parties, or spending nauseating hours drolling over Hillary's cleavage! As for "getting what we deserve" what would William (first comment) suggest. what with DIEBOLD doing the voting and mass protests not being televised? 10 million people, world wide said 'NO' to war, and here we are - five years later, and we can't secure the road to the airport from Baghdad! Try writing to your Congressman about your concern over our highways etc; being sold off to foreign interests, and most likely you'll get back a detailed FORM letter as to why Gay Marriages are the ruination of families. The corporate robber barons - bankers - politicians and shills, are building themselves a Global Plantation - with a race to the bottom in wages. Millions of economic refugees (failed NAFTA) are entering our country, unchallenged, to hurry the plan along. Long gone, are the company towns (Detroit looks like Chernobyl) with their own local uniqueness. If you can keep the populous ripping and tearing at one another (Mexican and U.S. Citizens) nobody will notice the 'FOR SALE' sign on our nation's resources and infrastructure; whose marketing it; and whose profiting? Perfect. I suspect Yellowstone should soon be on the auction block (other national forests). If we weren't engaged in FOREVER WAR with the few profiting mightily, at a cost of \$200,000 per minute, I imagine we could maintain our bridges? With all this money BORROWED, and the interest on this DEBT, approximately \$48 million per hour - there goes any chance of those potholes being filled or programs being funded for the states. The Highway Trust Fund, will be (so much for the attentiveness of Congress busy giving themselves YEARLY raises) out of money in 2009 - thus, with this disaster in Minnesota (through negligence) the drum beat will grow louder for PRIVATIZATION a 'win - win' situation for the money men and 'lose -lose' for citizens. Heck, most people are unaware of this taking place in their own communities [privatizing the people's assets] let alone what's ado in Indiana - Pennsylvania - New Jersey etc. Well, one good thing, with all these plans for a NAFTA highway, (foreign owned) four football fields wide [Texans have been demonstrating - not on the news], cutting through farms, ranches etc; its heartening to see that the Supreme Court, phew, took care of the messiness of 'eminent domain'. Now if we could just find that \$2.3 Trillion, that former Defense Secretary Donald Rumsfeld, announced on Sept 10 -2001, couldn't be accounted for - we could build NEW bridges instead of patching them! JM

Posted by: **Jude Moriarty - NH** August 3, 2007 5:48:42 PM [Respond ^](#)

OUTRAGE! these robber barons are scum who think the world is theirs for the taking! this is what starts revolutions. the thieves never seem to realize it until it's too late! the fourth box may be opening soon....

Posted by: **liam** August 3, 2007 6:08:54 PM [Respond](#) ^

Privatization=Pirate-ization The selling or "leasing" off of public assets to private interests at bargain-basement rates, and giving the private firms the right to impose very high toll-rates is the usual stuff of legend -- the legend of how this country is mis-managed into ever mounting piles of debt and mismanagement. Observers need to pay attention to what has happened in areas where water-utilities have been privatized. While "Be-Careful-What-You-Wish" has an excellent point about this privatization scenario discouraging auto use, his pro-nuclear stance should include the usual reality checks of heavy government subsidizes, checkered safety records, and no place to put spent fuel (and if Yucca Mountain is ever approved, it has more fault lines through it than anywhere else in this country). It is heartening that there are those perceptive enough to see that this give-away of public assets to private firms is anything but libertarian, and that REASON FOUNDATION's libertarian claims to a "free market" philosophy is rather silly.

Posted by: **L. C.** August 3, 2007 6:09:54 PM [Respond](#) ^

Looks like feudalism is coming back. We are the serfs. Multinational corporations and banks are trying and succeeding in taking control of the arteries that keep America running. How does anyone with a lick of sense believe that private for profit can be in the best interest of the "toll payers". I am so tired of the fear mongering about having government run services. If government jobs pay decent wages, is that a crime? Bring back the work programs of the Depression era. I still enjoy the beauty of their efforts in parks all over the country. I'm sure the billions going to the debacle of "Iraq" could have gone a long way in repairing our infrastructure and paid good wages to Americans. Well now, maybe there would be no bidding and Haliburton et.all. would get the work and screw it all up at our expense. Is there any hope of politicians seeing themselves as serving their constituents instead of the lobbyists. Oh, I rant and ramble, there is so much that needs doing and the masses seems not to heed the dangers coming.

Posted by: **sally** August 3, 2007 7:52:22 PM [Respond](#) ^

okay, so if they want it this way, okay. let's make a list of these roads. let's drive on these roads, and when we get to the end, tell the toll collector that since this is a private debt, we are not paying, and it's too bad, if they want to take us to civil court to collect the few dollars, to go right ahead. let's make this a _bad_ investment for them.

Posted by: **mind** August 3, 2007 11:48:34 PM [Respond](#) ^

Sadly, leftists have only themselves to blame for the urge to privatize. We wouldn't be here if they hadn't turned our public infrastructure into a huge special-interest hell. Everyone - the contractors, the unions, the lefty politicians - makes out like bandits except the poor working tax-payer who is forced to drive increasingly expensive, poor public infrastructure to his job as tax serf. It's surprising there isn't more privatizing. If you really believe in public-run services then maybe once, just once, you should care about giving the consumer cost-effectiveness instead of endless pay-offs to public-check-recipients.

Posted by: **Eric** August 4, 2007 6:30:57 AM [Respond](#) ^

\$3.8 billion over 75 years, yielding \$11 billion is an annual rate of return of 1.43%. *Not* "a nice return on Cintra's investment." They must have other numbers or uses in mind. On the face of it Indiana is just taking a bunch of off-shore sucker's money.

Posted by: **Paul Smedberg** August 4, 2007 1:59:45 PM [Respond](#) ^

This sucks. You and I could never raise the same money these people did and ever expect to do the same thing that this people did, though fortunately, we'd never want to. There's capitalism, then there's legally sanctioned financial plutocracy.

Posted by: **Dan Reale** August 4, 2007 2:55:39 PM [Respond](#) ^

lets just hope that privatization of roads brings in enough public funds to re-institute a usable mass transit rail system. just maybe we'll get lucky enough that prices will rise on subsidized Walmart goods and local companies might actually pop up to manufacture goods instead of giving all our money to China. however public property should at least be bought by US companies/citizens so when private roads are rendered useless we don't have to buy the land back from foreign investors.

Posted by: **barnaby** August 5, 2007 10:10:07 AM [Respond](#) ^

I don't suppose it occured to anyone that these are not our assets to sell? Not with this generation, when so god damned many have sold themselves.

Posted by: **Rick Davis** August 5, 2007 10:12:30 AM [Respond](#) ^

A Modest Proposal 1)Repeal the Federal gas tax 2)Make the entire Interstate highway network a toll road 3) Contract with Dubai Ports World to operate it

Posted by: **Randolph Resor** August 5, 2007 11:42:34 AM [Respond](#) ^

The German Motorways (Autobahns) are the best roads in the world, and thousands of miles of 'no speed limit' quality. These roads are not toll roads or any other private enterprise operated roads. Why are these government roads the best in the world? Is there something to learn from German Road Engineering? and road safety, considering that these roads are far safer than the US Interstates.

Posted by: **Arne** August 5, 2007 1:04:39 PM [Respond](#) ^

I loved the article but, unfortunately, it may amount to nothing more than preaching to the converted. Uncorrupted lawmakers and the thinking public need to find ways to convince the Wal-Mart Millions what's at stake if they continue to so stubbornly avoid paying up front the true cost of what they are consuming. Big government and high taxes are bad where they do not serve the public interest; but the greedy politicians have clearly demonstrated over the past quarter century how the alternatives can be so much worse!

Posted by: **Dana Cardiel** August 5, 2007 8:21:16 PM [Respond](#) ^

I see a slippery slope here. We have already burdened future generations with the Iraq bill; do we now want to possibly give away one of our major infrastructures to foreign interests.

Posted by: **Robert J. Agen** August 6, 2007 7:40:28 PM [Respond](#) ^

Once roads are privatized, toll-operators are free to gouge consumers and they won't be able to say a thing about it. You can't complain your politicians -- sorry that road is private for the next 100 years. In France privatization has led to sky-high prices for driving on expressways. It costs an outrageous \$60 to drive from Paris to Cannes, a distance similar to crossing about 2/3 of Texas. Some people out there say sky-high road prices are a good thing because it will reduce congestion. How? Are people going to stop driving and not go to work? <http://www.beyond.fr/travel/autoroutes.html>

Posted by: **Peter Piper** August 7, 2007 3:13:52 AM [Respond](#) ^

Now we have free highways, built over many years by taxpaying citizens who thought the highways belonged to all of us. Why is charging people to drive those roads a better deal? Why do mayors, senators, members of Congress think they have the power to make such a change without the vote of the people? They do not own those assets, the taxpayers do. Who gets paid off in these deals besides the brokers who arrange them?? Has everyone gone mad?

Posted by: **Pat Zimmerman** August 16, 2007 2:43:32 PM [Respond](#) ^

Having been born in 1956 to a father who jogged the halls of power, often while I stood by as a casual observer, I have personally witnessed some of the worst of primal human nature in people. The difference in the 60's and now can be summarized simply. Government has always been comprised of many people with awesome ability to lie and make the most sane people believe them. In the past, though, there were enough people of character to impede the progress of those with nefarious plans. Now it seems that we are governed by only people of dark character, and the door is closed to those with any semblance of good in them. We are quickly reaching the point of no return as a people, if those of reason and noble intent cannot regain the reins.

Posted by: **Denver Stewart Jr.** August 20, 2007 10:06:51 AM [Respond](#) ^

when do you call for the professional help for the mentally ill person? public means "owned by all", and there is no room for personal interests being served. again, where are the people who look to public service as a noble thing?

Posted by: **denver stewart jr.** August 20, 2007 10:37:25 AM [Respond](#) ^

At the core of this and most of the more serious problems our country faces begins and ends with lobbyists. We spoke of the evils of having persons effectively buying influence for the entirety of my formal education in this country. We know that their entire purpose is to ply our representatives with money, to curry favor. My question now is, with all we know, why are people still permitted to 'lobby' our politicians? We know that most people will succumb to greed, so why do we continue to allow it? We must be truly insane. To know how to alleviate perhaps the greatest problem with our method of governance and not take the simple step to remedy it? It begs the question of who is in charge of the assylum? And not one can say he or her is any better than those, nor any more righteous than those who are permitted to perpetrate these things, because it seems we are all fools to believe anything a politician will promise.

Posted by: **Denver Stewart Jr.** August 20, 2007 11:07:05 AM [Respond](#) ^

What is your source for the \$11 billion that Indiana could have possibly received? A reputable accounting firm in Indianapolis came up with \$1.9 billion.

Posted by: **Jenny** August 22, 2007 1:15:20 PM [Respond](#) ^

When will we wake up and keep american money in america.first nafta, now sellig off our highways.whats next leasing our political jobs out to foreign countries. You know that would never happen. Or could it happen?

Posted by: **mike maher** September 14, 2007 1:18:08 PM [Respond](#) ^

thanks for posting this, i heard about it on globalgrind.com and came here for more info. GG's site has a list of 25 stories that are under the radar, like the one, that we need to know about. check them out

Posted by: **HipHopHustler** October 31, 2007 3:07:09 PM [Respond](#) ^

There had been some reports that states "if the states, and federal, governments pay back and keep out of the Hiway Trust Fund" there would be enough funds to maintain and grow the national hiway system. This of course means that the politcos are responsible to the people who elected them, not to the money.

Posted by: **martin Bria** November 25, 2007 6:31:27 AM [Respond](#) ^

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 EMAIL TO A FRIEND

Vulture Fund Threat To Third World

How Corporations Continue To Rape The Worlds Poor

Vulture funds - as defined by the International Monetary Fund and Gordon Brown amongst others - are companies which buy up the debt of poor nations cheaply when it is about to be written off and then sue for the full value of the debt plus interest - which might be ten times what they paid for it.

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Vulture fund threat to third world

Meirion Jones BBC Newsnight

On Thursday 15 February a high court judge in London will rule whether a vulture fund can extract more than \$40m from Zambia for a debt which it bought for less than \$4m.

There are concerns that such funds are wiping out the benefits which international debt relief was supposed to bring to poor countries.

Martin Kalunga-Banda, Zambian presidential adviser and a consultant to Oxfam told Newsnight, "That \$40m is equal to the value of all the debt relief we received last year."

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Mockery

Caroline Pearce from the Jubilee Debt campaign told Newsnight it makes a mockery of all the work done by governments to write off the debts of the poorest.

"Profiteering doesn't get any more cynical than this. Zambia has been planning to spend the money released from debt cancellation on much-needed nurses, teachers and infrastructure: this is what debt cancellation is intended for not to line the pockets of businessmen based in rich countries."

Debt Advisory International (DAI) manages a number of vulture funds which buy up the debts of highly indebted poor countries cheaply and then sue for the original value of the debt plus interest. Zambia - where the average wage is just over a dollar a day - is one of the highly indebted poor countries which the world's governments agreed needed debt relief.

Tractors

In 1979 the Romanian government lent Zambia money to buy Romanian tractors. Zambia was unable to keep up the payments and in 1999 Romania and Zambia negotiated to liquidate the debt for \$3m.

Before the deal could be finalised one of DAI's vulture funds stepped in and bought the debt from Romania for less than \$4m. They are now suing the Zambian government for the original debt plus interest which they calculate at over \$40m and they expect to win.

Like the other vulture funds DAI refuse to do interviews but reporter Greg Palast caught up with the company founder Michael Sheehan outside his home in Virginia.

Greg Palast: "I just want to ask you Mr Sheehan - why are you squeezing the poor nation of Zambia for \$40 million - doesn't that make you a vulture? Michael Sheehan: "No comment I'm in litigation. It's not my debt." Greg Palast: Aren't you just profiteering from the work of good people who are trying to save lives by cutting the debt of these poor nations? Michael Sheehan: Well there was a proposal for investment. That's all I can talk about right now.

Five years ago Gordon Brown told the United Nations that the vulture funds were perverse and immoral: "We particularly condemn the perversity where Vulture Funds purchase debt at a reduced price and make a profit from suing the debtor country to recover the full amount owed - a morally outrageous outcome". But the vulture funds are still operating.

'We don't do interviews'

The London case is just one of many which are running around the world.

Newsnight went to New York to try to interview Paul Singer - the reclusive billionaire who virtually invented vulture funds.

In 1996 his company they paid \$11m for some discounted Peruvian debt and then threatened to bankrupt the country unless they paid \$58m. They got their \$58m.

Now they're suing Congo Brazzaville for \$400m for a debt they bought for \$10m.

We didn't get our interview. His spokesman told us, "We have nothing to hide; we just don't do interviews".

US courts

The vulture funds raise most of their money through legal actions in US courts. Those actions against foreign governments can be stayed by the word of the US President and that is where lobbying and political influence becomes important.

Debt Advisory International are very generous to their lobbyists in Washington. They have been paying \$240,000 a year to the lobby firm Greenberg Traurig - although recently they jumped ship to another firm after Greenberg Traurig's top lobbyist was put in jail.

Paul Singer has more direct political connections. He was the biggest donor to George Bush and the Republican cause in New York City - giving \$1.7m since Bush started his first presidential campaign.

Rudi Guiliani is the favourite to be the next Republican presidential candidate and a leaked memo from his campaign shows that Paul Singer has pledged to raise \$15m for Guiliani's campaign.

Tactics

The vulture funds have teams of lawyers combing the world for assets which can be seized to settle their claims. There have also been claims of dubious tactics.

Back in Britain the Zambian case has seen much legal discussion about allegations of bribery. The Zambian legal team - led by William Blair QC - Tony Blair's brother, has argued that a \$2m bribe was offered to the former Zambian President to make it easier for the vulture funds to claim their money.

They showed the court an email disclosed in the Zambia case saying that a payment to the "President's favourite charity" had allowed them to do a more favourable deal.

When we caught up with Michael Sheehan outside his house in Virginia he told us it was not a bribe but a charitable donation.

He told us, "We offered to donate debt to a low income housing initiative which was a charitable initiative which did

end up building several thousand houses" before adding "you're contorting the facts, you're on my property and I would ask you to step off".

The Jubilee Debt Campaign told Newsnight that they are calling on Gordon Brown to turn his moral outrage about vulture funds into action if he becomes Prime Minister and change the law to make the Zambian case the last to appear in a British court.

Meirion Jones produced Greg Palast's investigation into Vulture Funds

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