

# US soldier pleads guilty to rape and murder in Iraq

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A US soldier charged with raping an Iraqi girl last March and helping kill her and three other members of her family pleaded guilty to the charges and agreed to testify against four other soldiers involved in the crimes. Spc. James Barker, 23, agreed to the plea in order to avoid the death penalty, according to his civilian lawyer, David Sheldon. He gave a detailed confession Wednesday before a court martial at Fort Campbell, Kentucky.

Three other soldiers also could face the death penalty in the case. Sgt. Paul Cortez, Pfc. Jesse Spielman and Pfc. Bryan Howard have been charged with capital murder and rape and face court martial at Fort Campbell. Former Pfc. Steven Green, 21, was discharged from the military two months after the murders. He has been arrested and faces 17 counts of rape, murder and obstruction of justice in federal district court in Paducah, Kentucky. Another soldier, Sgt. Anthony Yribe, is charged with dereliction of duty and making a false statement for allegedly failing to report the attack, although he did not participate in it.

The victim of the rape and murder was Abeer Qassim Hamza Janabi, described by local Iraqi officials in the town of Mahmudiya as 14 years old. Killed along with her were her father, Qassim Hamza Janabi, her mother, Fikhriya Taha Muhsen, and her five-year-old sister, Hadeel Qassim Hamza Janabi.

According to the accounts of this horrific crime provided by Army investigators, Steven Green shot to death the father, mother and younger sister while Cortez and Barker were raping the teenager. Green then raped the young girl again, shot her to death and set her body on fire. Spielman and Howard stood guard outside the home, then helped cover up the crime.

The crime was premeditated, with as much as a week of advance discussion among the soldiers, all members of the same squad in the 502nd Infantry Regiment of the 101st Airborne Division, an elite military formation. The unit was stationed in a region just south of Baghdad

which has been dubbed the “triangle of death” because of the exceptionally violent character of the combat between US occupation forces and Sunni insurgents. The area is of mixed Sunni and Shiite population.

Abeer Janabi had drawn the attention of the soldiers because she had to pass through one of their checkpoints regularly, and her home was only 650 feet from their post. She reportedly had told her mother that she was afraid and the Janabis had discussed sending her to a relative’s home for safety. One relative told the *Los Angeles Times* that the US squad had carried out several searches of the family home, allegedly looking for insurgents but actually targeting the young girl.

On the day of the rape and murders, the soldiers involved had been drinking heavily and discussed the assault, planning it out as they would any other operation. They dressed in black and wore masks. After the killings, they set the house on fire and attributed the attack to insurgents.

The American responsibility for the crime only came to light three months afterwards, when three other members of the same squad were kidnapped on June 16, tortured and executed by insurgents. A soldier in the same platoon but a different squad had questioned the circumstances of the killings and voiced his suspicions during a “combat stress debriefing” after the three US deaths.

At a two-day military hearing in Baghdad, August 7-8, there was graphic testimony about the crime. An Iraqi medic who arrived on the scene after the murders testified about the condition of the four bodies.

Abeer Janabi was found burned from the waist to the head, with a bullet under her left eye, and her clothes torn off. The mother was shot in the chest and abdomen, the five-year-old child shot in the face, both with an AK-47 that belonged to the family, a weapon used to conceal responsibility for the crime. The father, however, had been killed first, with a blast to the head at point-blank

range from a shotgun, a weapon used almost exclusively by American soldiers in Iraq. A shotgun shell found on the floor of the home first aroused suspicion about a US role in the killings.

An Army investigator, Special Agent Benjamin Bierce, described admissions by Barker and Cortez during interrogations in June, in which both men admitted raping the teenager, while Barker admitted pouring kerosene over the victim after Green had shot her. Both soldiers said Green had fired all the shots. Spielman, one of the lookouts, passed a lie detector test that he had not taken a direct part in either the rape or murder.

Defense attorneys for several of the soldiers argued at the hearing that combat stress in the volatile Mahmudiya area had contributed to the atrocity. All of the soldiers involved had seen comrades shot to death or killed by improvised explosive devices in the months leading up to the killings. The defense attorneys also placed the main responsibility on Steven Green, who was discharged last May 16 because of an unspecified “personality disorder.”

According to Andrew Tilghman, a reporter for the military newspaper *Stars and Stripes*, Green had made numerous statements about wanting to kill Iraqis during several encounters in Mahmudiya in the weeks before March 12. In an op-ed column in the *Washington Post* July 30, Tilghman recalled Green declaring, “I came over here because I wanted to kill people.”

Green went on to tell Tilghman, “The truth is, it wasn’t all I thought it was cracked up to be. I mean, I thought killing somebody would be this life-changing experience. And then I did it, and I was like, ‘All right, whatever’... I shot a guy who wouldn’t stop when we were out at a traffic checkpoint and it was like nothing. Over here, killing people is like squashing an ant. I mean, you kill somebody and it’s like ‘All right, let’s go get some pizza.’”

Even more remarkable is Tilghman’s reaction to these sociopathic comments: he decided not to include it in his account of daily combat experiences in Mahmudiya because Green’s sentiments were not particularly unusual: “This was not the first group I had run into that was full of young men who shared a dark sense of humor and were clearly desensitized to death. I thought this soldier was just one of the exceptions who wasn’t afraid to say what he really thought, a frank and reflective kid, a sort of Holden Caulfield in a war zone,” Tilghman wrote.

Green’s sentiments were reportedly echoed by Barker, who enlisted despite being raised as a Jehovah’s Witness. In a note posted on a friend’s MySpace.com page, Barker

wrote on May 29, “I miss you so much, all the fun times, i wish it could still be that easy, but hay now i get to shoot at people all day, lol” [shorthand for “laugh out loud].”

Tilghman’s account confirms that a factor in the atrocity was the demoralizing impact on US troops of the revelations concerning the Bush administration’s lies on weapons of mass destruction and the government’s propaganda about establishing “democracy” in Iraq and the wider Middle East. Green told him, “This war is different from all the ones that our fathers and grandfathers fought. Those wars were for something. This war is for nothing.”

The destructive impact of a brutal colonial war on the soldiers who take part in it can be seen in the unit linked to the Mahmudiya rape and murders. There were nine soldiers in the squad when it deployed to the Iraqi town. All nine are either dead or in custody. Their subsequent fates:

- \* Spec. David Babineau, shot to death in a guerrilla attack June 16
- \* Pfc. Kristian Menchaca, kidnapped by guerrillas in the same attack, castrated and executed
- \* Pfc. Thomas Tucker, kidnapped by guerrillas, castrated and beheaded
- \* Pfc. Jesse Spielman, charged with rape and murder
- \* Sgt. Paul Cortez, charged with rape and murder
- \* Spec. James Barker, pleaded guilty to rape and murder
- \* Pfc. Bryan Howard, charged with rape and murder
- \* Pfc. Steven Green, discharged early, now charged with rape and murder.
- \* Sgt. Anthony Uribe, charged with failing to report a murder.



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