An Examination of the Historiography of American War Crimes in Vietnam

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The Vietnam War was and remains one of the most complex and polarizing episodes in recent American history. Numerous debates have been held about the causes and logic that led to American involvement, the reasons America lost the war, and the war’s place within the broader context of Cold War history and United States foreign policy. One of the darker aspects of the Vietnam War was how U.S. soldiers frequently used violence against non-combatants, with little opposition or even outright encouragement from their commanding officers. To be clear, violence against civilians and prisoners has been a part of nearly every conflict in human history, from the conquests of Alexander and Rome to more modern wars in the Middle East, Ukraine, and Southeast Asia. The U.S. military has an extensive history of war crimes against the Native Americans in the nineteenth century and against the Filipino people during the Philippine rebellion of the early 1900’s. In the aftermath of the Civil War, Henry Wirz became the only Confederate officer executed for war crimes for his treatment of Union captives at the Andersonville prison in Georgia. However, the debate over American atrocities in Vietnam is more prominent due to the relative recency of the conflict and the fact that it is the only war which America has definitively lost. As with other aspects of the Vietnam War, the subject of American war crimes is contentious and heated. Human Rights advocates have long desired to see an American reckoning with the conduct of American troops during the war. Meanwhile, those sympathetic to the U.S. military feel that reports of war crimes committed by U.S. forces have been exaggerated and that further discussion of the matter would stain the honor of the American military.

One of the earliest publications to cover the nature and scope of American abuses in Vietnam was Bertrand Russell’s 1967 book *War Crimes in Vietnam*. In this book, Russell provides sweeping historical context, examining the role of French colonialism and France’s various methods of coercion, as well as Japanese imperialism of the early twentieth century, leading up to World War II. He also discusses the role of French and American racism to explain the logic that lay behind some of both armies’ more brutal tactics and to explain why the French and American public generally tolerated (or chose to ignore) these abuses. Russell briefly covers the role of the American press, particularly the *New York Times*, in reporting and covering up various war crimes U.S. forces committed in Vietnam. The majority of the book covers the realities of chemical warfare, napalm bombing, concentration camps, and the treatment of Vietnamese detainees. The last few chapters include appeals to the U.S. public, American soldiers, and the international community to end the war in Vietnam.

Russell was an unapologetic critic of U.S. policy in Vietnam and imperialism throughout the world. He makes no attempt
to hide his own political leanings but is careful to remain transparent about his sources in order to counter the inevitable questions about the veracity of his claims. He sees the American war in Vietnam as part of a broader pattern of U.S. imperialism, whose ultimate goal is to secure near-total world domination. Russell’s book was written in the early 1960’s and published in 1967, as the war approached its height. Thus, his book includes nothing about the My Lai Massacre (since it had not yet happened), nor any commentary on the yet-to-be elected Nixon administration’s policies in Cambodia and Laos. Russell’s portrait of American involvement is painted in the context of the French imperialism that preceded it. For him, the U.S. war in Vietnam began almost as soon as the French withdrew and began escalating through the Eisenhower administration, though he reserves plenty of blame for the Kennedy and Johnson administrations as well. Perhaps Russell’s most inflammatory remark was his desire to see the U.S. lose the war in Vietnam and that the country be reunited. In the midst of the 1960’s, this was a deeply unpopular position. Prior to the Tet Offensive, the war had broad popular support. Even those who opposed it did not go so far as to say that they wished to see America lose the war, thus allowing the communist North Vietnamese to take over the country. Russell’s logic is that only a military defeat would curb the United States’ rampant imperialism and prevent future military interventions. Another particularly inflammatory remark was how he compared American aggression to that of the Nazis in World War II. Russell also argues that the South Vietnamese government was illegitimate, that the country was arbitrarily divided, and that the U.S. had no legal standing to intervene in Vietnam, to say nothing of the atrocities that American forces committed.

While American war crimes are the focus of Russell’s book, he is more interested in highlighting how they are an extension of U.S. imperialism, racism, and a host of other historical patterns, rather than focusing on the details of the atrocities themselves. For him, violence against civilians and prisoners is an inevitable aspect of any war of imperialist aggression. That the United States is the aggressor in Vietnam is a point he feels is obvious but, nevertheless, takes pains to drive home throughout the book. Russell’s account reflects the viewpoint of those who were adamantly opposed to the war from the very beginning, and his argument that the only solution to ending war crimes in Vietnam is for America to withdraw its forces entirely echoes the arguments of those who fought to see its end throughout the 1960’s and early 1970’s.

Russell’s book undoubtedly represents a radical viewpoint about the Vietnam War and a searingly critical view of American soldiers’ conduct during the war. The book Vietnam War Crimes, a collection of articles, essays, and book excerpts by various authors, offers more varied and contrasting viewpoints. The first article from 1978 by Guenter Lewy, a political science professor at the University of Massachusetts, argues that, while some American soldiers undoubtedly did commit war crimes, those were isolated cases and there was no pattern of systemic violence against civilians. Moreover, Lewy argues that much of international law fails to address questions about how American soldiers should conduct a counter-insurgency, where guerrillas use civilian shelters as cover and many civilians willingly render aid to those same guerrillas. He also blames North Vietnamese propaganda and the willingness of the U.S. army to allow journalists open access to the battlefields of South Vietnam for creating a slanted view of U.S. conduct during the war, because every mistake or incident of civilian casualties was scrutinized.

In contrast to Lewy’s article, Christopher Hitchens made
the case in 2001 that Henry Kissinger (the Secretary of State at the time) and Richard Nixon were directly responsible for the deaths of countless Vietnamese civilians and should be tried for war crimes. Hitchens discusses the famous “Christmas Bombing” of North Vietnam and how it was primarily undertaken to improve Nixon’s chances in his 1972 reelection campaign. Kissinger and others within the Nixon administration felt that only a “Total War” could defeat the Viet Cong and North Vietnamese Army. This sentiment manifested itself in Operation Speedy Express, the saturation bombing and artillery strikes, which killed thousands in the Mekong Delta region, as well as the bombing campaigns in Laos and Cambodia, which were intended to halt the flow of supplies to North Vietnam and the Viet Cong.⁴

Hitchens and Russell both focus on how American war crimes in Vietnam were an inevitable outgrowth of U.S. policy, though they focus on different policies. Russell critiques U.S. foreign policy and interventionism over the entire course of the 1950’s and 1960’s, while Hitchens is more interested in the specific policies of the Nixon administration and Henry Kissinger’s State Department, specifically the use of bombing and the expansion of the war into Laos and Cambodia. Lewy’s excerpt is more sympathetic to the U.S. military and offers virtually no commentary on the role of U.S. policy regarding war crimes. Hitchens and Russell see American war crimes as part of a broader issue with American foreign policy, while Lewy sees the issue through the lens of those involved in combat on the ground. In these competing viewpoints, ultimate responsibility for criminal misconduct within a warzone resides in two completely different worlds. For Hitchens and Russell, it is American military and political leaders who carry the burden of responsibility; for Lewy, it is the officers making individual decisions about when to call for artillery or airstrikes.

Any discussion of war crimes in Vietnam will inevitably turn to the massacre at the village of My Lai. On March 16, 1968, a company of American soldiers attacked the village of My Lai without provocation or warning. Estimates of the death toll vary, but the most widely accepted figure is that between four and five hundred Vietnamese civilians were killed. In their book, *Four Hours in My Lai*, Michael Bilton and Kevin Sim deconstruct the reasons why the massacre occurred and analyze its impact on Americans’ attitudes towards the war. They begin by providing an overview of the situation in Vietnam in 1968, detailing how the war had descended into a bloody quagmire, despite the near-limitless resources that the United States military poured into the conflict. The authors describe the complexities of counter-insurgency warfare and the growing frustration that led to the military’s
According to numerous witnesses, and his own admission, Calley had murdered more than one-hundred unarmed Vietnamese civilians, most of them women, children, and elderly people. However, despite the grotesque nature of his actions, Calley became something of a hero for much of the American public.

fateful decision to rely on a strategy of attrition, where killing as many enemies as possible was the ultimate goal. Bilton and Sim then turn their attention to Charlie Company itself, the unit responsible for the massacre at My Lai. They provide background on some of the soldiers from the company, as well as an overview of the training they received upon their enlistment in the army and their early experiences in Vietnam in the months prior to the massacre. Most of the men of Charlie Company were fairly average Americans who had joined for a variety of reasons: adventure and wanderlust, a desire to support their families, or a sense of duty and patriotism. The problems that led to My Lai began with their training. Soldiers were primarily trained to follow orders without question and to be suspicious of everyone who was not an American. “Charlie,” as the Viet Cong were often called, could be anywhere or anyone, and the only measure of progress against the insurgency was how many enemy soldiers were killed each month.

Like Russell and Hitchens, Bilton and Sim focus on how the army’s strategy of attrition and emphasis on “body counts” as a measure of progress created an atmosphere conducive to indiscriminate violence. They also discuss the reality of guerrilla warfare and Charlie Company’s steady demoralization, which led to increased distrust and even resentment towards the Vietnamese civilians they were supposed to be protecting. The authors describe a steady escalation of violent conduct amongst the men of Charlie Company as casualties mounted from snipers, mines, and various booby traps. Vietnamese prisoners were beaten, tortured, and executed, often with the encouragement of officers like Captain Ernest Medina. Sexual violence against Vietnamese women also became commonplace, with virtually no consequences for any of the men involved. The incident which most historians view as the precipitating event for the massacre at My Lai was the death of Sergeant George Cox, a well-liked officer. He died in yet another Viet Cong minefield, though there were rumors that the mines had been planted by the South Vietnamese Army. The company, already frustrated by months of mounting casualties with no significant progress against the local Viet Cong to show for it, became frenzied. They reportedly attacked multiple Vietnamese civilians on their way back to base and murdered a Vietnamese woman. These attacks occurred on March 14, 1968, just two days before the attack on My Lai. The death of Sergeant Cox, whom many of the men viewed as an “older brother” figure, was the spark that lit the proverbial powder keg. On the afternoon of March 15, just after Sergeant Cox’s funeral, the men of Charlie Company were told they would attack My Lai the following day. Bilton and Sim detail the various accounts of the discussion surrounding the operation
and the nature of the orders that the men received. Two sentences in particular stand out:

Here, outside Medina's command post, occurred the inevitable conjuncture of policy and psychology—the time and the place when America's wall-eyed strategy in Vietnam coalesced with the unappeasable bloodlust of 'a normal cross section of American youth assigned to any rifle company.' A machine out of control joined with men out of control.

While most of the authors we have examined have focused on either the culpability of American policy regarding war crimes (Russell and Hitchens) or the responsibility of individual military officers (Lewy), thus far, only Bilton and Sim's book has examined how the military's careless strategy and the growing fear and anger of a particular infantry unit converged to cause one of the most horrific incidents in the Vietnam War, if not all of American history.

The remainder of Bilton and Sim's book covers the immediate aftermath of the My Lai massacre, from the perspective of Charlie Company and the survivors from the village. Bilton and Sims also detail the efforts to cover up the massacre and how journalists and army investigators subsequently investigated the soldiers who took part in the massacre and the officers who helped hide the truth. The authors also take care to show the broader impact the massacre had on the United States, South Vietnam, and the world. My Lai was one of many events, like the Tet Offensive and the Pentagon Papers, which helped to further turn public opinion against the war effort. The massacre caused immense damage to the world’s perception of the U.S. and the war in Vietnam and helped turn the popular support of the Vietnamese people even further in the direction of the Viet Cong and the North Vietnamese.

One of the most high-profile episodes in the aftermath of the My Lai Massacre was the trial of Lieutenant William Calley, who had led the first platoon of Charlie Company in the initial sweep through My Lai. According to numerous witnesses, and his own admission, Calley had murdered more than one hundred unarmed Vietnamese civilians, most of them women, children, and elderly people. However, despite the grotesque nature of his actions, Calley became something of a hero for much of the American public. An excerpt from Michael R. Belknap's book The Vietnam War on Trial: The My Lai Massacre and the Court Martial of Lt. Calley details how American public opinion swung overwhelmingly in Calley's favor. Over the course of Calley's trial, thousands of people sent letters to President Nixon, urging him to pardon Calley for murders which he had already confessed to and for which his primary defense was that he was only following orders. Numerous public opinion polls showed that people overwhelmingly thought that Calley should be freed and that his actions were either exaggerated or were common
practice. Even elected congressmen came to Calley’s defense, as well as state governors like George Wallace of Alabama, Jimmy Carter of Georgia and John Bell Williams of Mississippi. Veterans’ groups and sympathetic civilians led protests in support of a confessed mass murderer. Calley even received fan mail, tens of thousands of letters, while his trial was ongoing. Interestingly, support for Calley cut across ideological divides. Those who supported the war felt that Calley was being punished for doing his job as a soldier: killing the enemy, even if that “enemy” consisted of unarmed women and children. Those who opposed the war felt that Calley was being made a scapegoat and that the entire United States Armed Forces should be put on trial, not merely for My Lai, but for the entirety of the Vietnam War. \[10\]

Bilton and Sim’s *Four Hours in My Lai* also details the outpouring of popular support for Calley. The book details how people drove with “Free Calley” stickers on the back of their cars, draft boards across the country resigned in protest, and sympathetic newspapers ran pieces supporting Calley and urging either President Nixon or the military to show clemency. A small band from Alabama, which called itself “Company C,” even wrote a short song in support of Calley: *My Name is William Calley, I’m a soldier of this land, I’ve vowed to do my duty and to gain the upper hand, But they’ve made me out a villain, they have stamped me with a brand, As we go marching on*... \[11\] Bilton and Sim generally agree with Belknap’s analysis, that those who supported the war felt that Calley’s trial was an attack on the military, and those who opposed it felt that Calley was merely a scapegoat for a crime, and a war, for which others higher up the chain of command bore far greater responsibility. In a way, both viewpoints reflected growing frustration across the ideological spectrum with the war. Many of Calley’s supporters on the right argued that it was unfair to punish an American soldier for war crimes when the Viet Cong and North Vietnamese Army (NVA) systematically tortured and executed American soldiers. They also felt that the trial was part of a broader pattern where the upper echelons of the U.S. military and government handicapped U.S. soldiers from doing what was needed to win the war. Those on the left felt that Calley and the men of Charlie Company were decent American kids who had been drafted into an illegal war and transformed by the military into ruthless killers, a sentiment echoed by the mother of Paul Meadlo: “They come along and took him to the service. He fought for his country and look what they done to him—made a murderer out of him, to start with.” \[12\] Paul Meadlo was one of the soldiers of Charlie Company who assisted Lieutenant Calley in the mass executions that took place at My Lai. He would later testify at Calley’s trial and give an infamous interview on CBS where he described the graphic details of what had occurred at My Lai. \[13\]

The public was also outraged with the army’s mishandling of the My Lai case. Because it had taken over a year after the massacre for the American people to learn about it, many concluded that there had been a coverup. Lieutenant General William R. Peers vindicated this sentiment with the publication of his infamous Peers Report. He found that several high-ranking
U.S. military officers knew that civilians had been murdered in My Lai and chose not to investigate. None of the officers accused of covering up the massacre were officially convicted, and, in fact, few were even indicted or brought to trial. However, several were quietly disciplined by the army in the form of demotions and rescinded medals, lending credence to the argument that the army's top priority was protecting its image, rather than bringing the perpetrators and enablers to justice. Major William George Eckhardt was the main prosecutor of the My Lai cases. He ultimately failed to convict Captain Ernest Medina, who ordered and planned Charlie Company's assault on My Lai, as well as two other officers involved in the massacre. An article written by Eckhardt titled “My Lai: An American Tragedy,” published over thirty years later, defends the army's handling of the My Lai investigation. Eckhardt acknowledges that his and other prosecutors’ records against the My Lai defendants were rather poor, and that the House Armed Services Committee crippled the prosecution by blocking testimony it had received during Lieutenant General Peers’ investigation. However, he makes two crucial arguments in favor of the army's handling of the case. First, he defends the army's decision to try the defendants under military law in a military court-martial, stating that it had no impact on the trials, even though several of the cases were dismissed or acquitted in the face of overwhelming evidence. Secondly, he argues that the military publicly awarding the Soldiers’ Medal to Hugh Thompson and his crew in 1998 gave American soldiers a positive example of how to act in a situation like My Lai. Warrant Officer Hugh Thompson Jr. and his helicopter crew courageously landed between Lieutenant Calley’s platoon and a group of villagers at My Lai. Thompson arranged for the villagers’ evacuation by helicopter, and his crew later rescued another survivor and brought her to a nearby hospital. He was also the first to report what had happened at My Lai and would testify against several of the defendants in their trials.

There are several problems with Eckhardt’s analysis. Hugh Thompson and his crew members, Larry Colburn and Glenn Andreotta, absolutely deserve to be lauded for having the courage to rescue innocent civilians from their own comrades, report what they had seen to their superiors, and testify before congress and numerous military tribunals during the court-martials of the perpetrators. However, it goes without saying that honoring three soldiers who did the right thing cannot balance out the failure to convict all but one of the perpetrators and those involved in the coverup. Thompson reported what he saw and testified before congress and the nation because he knew that those responsible had to be held accountable. Eckhardt utterly ignores the issue of how senior military officers like Major General Samuel W. Koster, Lieutenant Colonel Frank Barker, and Colonel Oran K. Henderson failed to investigate Thompson’s allegations. Furthermore, Bilton and Sim detail the efforts made by Medina, Barker, Henderson, and others to cover up what
had happened, including creating fictional reports and even awards for successfully engaging the enemy.\textsuperscript{18} While Eckhardt is correct that Hugh Thompson and his crew acted courageously and should serve as an inspiration to any soldier in the U.S. military, the fact remains that there were a great many more people involved in My Lai who failed to act as courageously as Thompson and his crew did.

While Eckhardt’s focus on the heroics of Thompson and his crew represents a typical deflection away from the misconduct of many by highlighting the bravery of a few, his argument that the decision to try the defendants in military courts did not affect the outcome of their trials is far more specious. According to Bilton and Sim, several prominent American lawyers, including Daniel Patrick Moynihan who was counsel to President Nixon, argued that a special presidential commission should perform its own investigation and that the trials should be conducted before an international war crimes tribunal under the Geneva Conventions. As the authors explain, Nixon’s reason for refusing them was both simple and obvious:

What this held out for the White House was the awful spectre of a huge war crimes trial -- a Nuremberg-style hearing with two sets of defendants. The mass murderers of Charlie Company would be on trial but so clearly would the American government’s military policies in South Vietnam. Kissinger was particularly worried about the effect the My Lai revelations would have on America’s ability to fight the war. As Moynihan had said, it was America that was being judged.\textsuperscript{16}

An investigation by a presidential commission and a trial in the Hague would have removed the U.S. military from the process, ensuring they could not sit in judgment of themselves. The Nixon administration, leaders in congress, and the heads of the armed forces knew that it was more than Charlie Company who was on trial. Thus, to protect its own reputation, the army constructed a narrative in which Lieutenant Calley bore singular blame for what happened at My Lai, and the officers involved in covering up the massacre, as well as the soldiers who carried it out under Calley’s orders, were all acquitted. The Nixon Administration, fearful of the negative publicity that the trials could generate, was more than willing to allow the army to handle them as an “in house” affair.

While Eckhardt’s desire to defend the institution that he had dedicated most of his life to is understandable, it is also a betrayal of fellow officers such as William Peers, who, after compiling his report, demanded that senior officers involved in the coverup be prosecuted alongside those who had taken part in the massacre. Like Eckhardt, Peers had dedicated most of his life to the military and initially disbelieved the allegations made against Charlie Company. However, after his investigation, Peers concluded that bringing charges against all involved was more than simply the right thing to do; it was also necessary for the military and the nation to come to grips with what had happened. Furthermore, he concluded that justice would ultimately be better for the overall conduct and discipline of the army in the future, regardless of the damage inflicted on the army’s reputation in the short-term. Despite his admirable but ultimately futile attempts to convict Medina and two other officers involved in My Lai, Eckhardt failed to see how the institution he served had stacked the deck against him and all but ensured that everyone but Lieutenant Calley would escape punishment.

In the decades after the Vietnam War ended, My Lai and the various other atrocities U.S. soldiers committed remained a difficult topic for American citizens and scholars to confront.
In December of 1994, Tulane University held a conference attended by scholars, authors, journalists, and even some of those who were present at My Lai. The conference held various panels and discussions, presenting multiple viewpoints in an attempt to come to a deeper understanding of how and why the My Lai Massacre occurred. The transcripts and recordings of these discussions were edited into a book by David L. Anderson titled *Facing My Lai*. The book provides background and context on what occurred, much like *Four Hours in My Lai*, while also covering various topics related to the massacre: the evolution of the media's coverage of My Lai, depictions of the massacre in literature, different historical approaches to war crimes and atrocities, the role of the Geneva Conventions in regards to My Lai, and the impact on the U.S. military.

The first transcript from *Facing My Lai* is from psychiatrist Robert Jay Lifton and is based on his discussions with Vietnam veterans, including a veteran of My Lai. His argument is similar to that made by Bilton and Sim: that any ordinary person, under the right combination of circumstances, would be capable of committing actions similar to those taken by the men of Charlie Company. Lifton discusses the impact of brutalization, racism, the strategy of attrition that emphasized “body-counts,” and other factors discussed by previous authors. He refers to this combination of factors that can drive normal people to commit appalling crimes as the “atrocity producing situation.” Like Bilton, Sim, and Russell, he argues that the Vietnam War was itself an atrocity producing situation, which made events like My Lai more probable, if not inevitable.

In regards to our modern understanding of My Lai, the central theme that Lifton focuses on is the idea of witness. The first form of witness relates to responsibility, resistance, and radical opposition. Many of the soldiers Lifton spoke with who had committed atrocities accepted responsibility for their actions, despite acknowledging they were operating under conditions that made such behavior more acceptable within their units. Many of the soldiers who refused to engage in such behavior had already decided that they were opposed to the war, likely because many had heard testimony from Vietnam veterans about the reality of the conflict.

Vietnam was perhaps the first war in American history where the soldiers fighting it played an active role in opposing it and eventually bringing it to an end. Lifton also confronts the issue of false witness. According to Lifton:

> False witness really is a way of ignoring the deepest testimony of Vietnam veterans and seeking to take from Vietnam lessons of more destructiveness...

> It is the Rambo idea of refighting the Vietnam War and winning it this time, or of insisting that we should have used whatever technological weaponry necessary to win that war in an absolute way.

Lifton argues that this line of thinking led to the First Gulf War under the Bush administration. In fact, one could argue that much of the aggressive foreign policy developed by the Reagan and Bush administrations and targeted at places like Grenada, Nicaragua, El Salvador, and Iraq was a form of redemption for the defeat in Vietnam. Finally, Lifton discusses the idea of “historical memory.” Our collective witness and willingness to confront the realities of My Lai, and of conflict in general, can allow us “to reject our hubris and accept our own limitations.”

One of the main reasons that American war crimes are so difficult for us to confront is that they are a direct challenge to our sense of American exceptionalism. In Wounded Knee, Nisour Square, and especially My Lai, we are forced to bear witness to the fact that we are as susceptible to acting with
barbarity and inhumanity as the people of any other nation. Despite the vast differences of the books and articles covered in this essay, they each carry a common message: to come to terms with events like My Lai and other war crimes in Vietnam requires a profound degree of humility and a nuanced understanding of the nature of war and the human condition.

ENDNOTES

6. Four Hours in My Lai, 47-72.
7. Four Hours in My Lai, 72-86.
9. Four Hours in My Lai, 98.
11. Four Hours in My Lai, 339-341.
12. Four Hours in My Lai, 263.
16. Four Hours in My Lai, 320-1.