



Figure 1: Photo of Konstantin Makovsky, the Bulgarian Martyress, depicting the rape of Bulgarians by Ottoman Troops during the Russo-Turkish War. National Arts Museum of the Republic of Belarus

One Patrol – Two Tales

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Accounts of the brutalities of war are not modern phenomena. The reasons for the criminal conduct by soldiers during wars vary and have been the subject of considerable debate. Two opposing views have developed about the motivation behind alleged atrocities perpetrated by the United States military during the American War in Vietnam (1965 – 1975). Either U.S. military protocol allowed and encouraged soldiers to commit war crimes, or these incidents were unplanned, and occurred due to random circumstances, timing or location. However, a third, middle-ground alternative needs to be explored: that the casual disregard during military operations among the American troops for Vietnamese civilian lives and for the rules of engagement led to the atrocities.

Nick Turse, a journalist, and Gary Kulik, a Vietnam veteran, take opposing views on the motives for an incident involving Marines of Bravo Company, First Battalion, First Platoon on October 21, 1967 at Trieu Ai, a hamlet just south of the demilitarized zone in central Vietnam. Turse, the author of *Kill Anything That Moves*, argues that wartime atrocities such as murder, rape, and torture were “no aberration,” but rather were “inevitable outcomes of deliberate policies, dictated at the highest levels of the military.”¹ According to Turse, the entire United States military, from the top generals to the lowest privates, embodied an ideology based on strict orders to kill anyone and destroying

¹ Nick Turse, *Kill Anything That Moves: The Real American War in Vietnam* (New York: Metropolitan, 2013), 6.

anything that stood in the way of total U.S. victory.² Kulik relishes debunking myths and exaggerations of American war crimes in Vietnam and tries to expose the falsehoods surrounding those events. He writes that “war crimes happen one at a time; the context, the triggers, the often contradictory details matter” and if one wants to “build a case for the pervasiveness of American war crimes in Vietnam, we have to build it case by case.”³ Kulik argues that war crimes were a series of isolated incidents seemingly disconnected by nuanced details and context.⁴ Turse and Kulik disagree on whether the Marines who participated in Operation Medina, a search and destroy mission, entered Trieu Ai with the premeditated purpose of killing numerous civilians and burning their dwellings or if their actions were unplanned.

The Viet Cong (VC) became active in Quang Tri province and specifically the Trieu Ai (Ai Tu) area “around October 1964,” according to information in interrogation reports of captured VC guerillas. The information stated that two platoons of VC guerillas, consisting of “approximately 30” and “approximately 36” respectively, had “secondary locations among people's houses.”⁵ Among the main objectives for these platoons were to “strengthen and improve village guerilla units,” “set up combat villages,” and “expand bases of operation into the delta.”⁶ Given these objectives, it is clear that expanding and strengthening VC forces within the hamlets and villages of Quang Tri was vital to the survival of the Viet Cong in the area. If in October 1964, Trieu Ai was being used as a secondary location for VC guerillas, then it should come as no surprise that by October 1967 the area would be swarming with Viet Cong ready to attack

²Turse, *Kill Anything That Moves*, 6.

³Peter Zinoman and Gary Kulik, “Misinterpreting Atrocities: Kill Anything That Moves and the Continuing Distortions of the War in Vietnam,” *Cross-Currents* 12 (2014): 165.

⁴Zinoman and Kulik, “Misinterpreting Atrocities,” 165.

⁵“Interrogation Report,” March 15th, 1966,” *Virtual Vietnam Archive*, Texas Tech University, Accessed November 7, 2015. <http://www.virtual.vietnam.ttu.edu/>.

⁶“Interrogation Report,” March 15th, 1966, *Virtual Vietnam Archive*, Texas Tech University

American forces. Indeed, there are numerous reports and consistent evidence indicating near-constant VC activity in and around Trieu Ai up until the day of the massacre by Bravo Company on October 21, 1967.

The intelligence reports indicated that not only did the Viet Cong maintain a constant and significant presence within the vicinity of Trieu Ai, but they also wielded great influence over it and the neighboring hamlets. According to one report, “almost all of the people in this area were sympathetic to the VC. All of the villages had secret tunnels for shelter and concealing of weapons. It is estimated that by April 1967 the Viet Cong had a base with the strength of approximately 100 men at Ai Tu.”⁷

The VC acted freely because the local authority was so weak.⁸ However, it would be hard to blame the local authorities for not getting involved with local affairs and politics in the area given that the VC were very active in disrupting local governance. In May, there was a VC campaign to “assassinate or kidnap hamlet chiefs and their cadres and to force the people not to participate in the hamlet council elections.” Additionally, “attempts were to be made to kill or capture candidates for the elections.”⁹ In the countryside of South Vietnam, the tension surrounding the elections was quite palpable. Villagers and peasants reported they needed “better protection from both their own government's troops and the Viet Cong.”¹⁰ In fact, in Trieu Ai and countless other villages, there was “always the threat of Viet Cong sabotage and at least some danger in being too visibly enthusiastic about the elections.” Villagers living in any area

⁷ “Translation Report of Unidentified Viet Cong Company,” April 25th, 1967. *Virtual Vietnam Archive*, Texas Tech University, Accessed November 8, 2015. <http://www.virtual.vietnam.ttu.edu/>.

⁸ “Report on Two Unidentified VC Platoons Operating on Highway #1,” January 18th, 1967. *Virtual Vietnam Archive*, Texas Tech University, Accessed November 8, 2015. <http://www.virtual.vietnam.ttu.edu/>

⁹ “Translation Report of Unidentified Viet Cong Company,” April 25th, 1967.

¹⁰ Bui Diem with David Chanoff, *In the Jaws of History* (Bloomington: Indian University Press, 1987), 205.

under Communist control as Trieu Ai would “of course, be prevented from voting.”¹¹ Since Trieu Ai was clearly under VC control, the inhabitants of the hamlet would have to align themselves with the Viet Cong or face reprisals. Any American or Army of the Republic of Viet Nam (ARVN) forces sent to the area would have to contend with merciless VC and North Vietnamese Army (NVA) guerrillas in addition to the villagers themselves.

Given the oppressive control of the area by the Viet Cong, it is no surprise that the residents of Trieu Ai and its surrounding hamlets would have numerous dealings with the VC and NVA. Proselytizing efforts by the Viet Cong gained the loyalty of nearly every villager and the villagers provided free labor to the VC cause. The area in and around Trieu Ai was expected to be extremely dangerous to any invading U.S. forces. Bravo Company, first battalion, first platoon, would begin patrolling the area as part of Operation Medina only four months after the VC had taken complete control of Trieu Ai.

Prior to the commencement of Operation Medina, the situation in South Vietnam had been deteriorating exponentially. By September, 1967, the “VC/NVA situation had degenerated appreciably, throughout the RNV.”¹² According to the Command History of 1967, “operations through the fall and summer,” were “uniformly unsuccessful.” The overall campaign through Quang Tri province, in which Bravo Company participated, had “failed and had cost thousands of lives” due to “sustained enemy attacks in the areas of the DMZ.”¹³ Moreover, the specific area that Bravo Company was to patrol had seen “continued indications of enemy buildup.” Operation Medina was launched “to counter this threat” and even preempt a “planned attack on Quang Tri.” The Command History states that the search and destroy operation was to last

¹¹ *Ibid.*

¹² “1967 Command History Part 1,” *Virtual Vietnam Archive*, Texas Tech University, Accessed November 12, 2015. <http://www.virtual.vietnam.ttu.edu/>.

¹³ *Ibid.*

“during the period of 11-23 October,” but the operations log only gives an account of what occurred up until the twenty-first. The following two days, including the night the massacre allegedly occurred, are not logged.¹⁴

Operation Medina was a search and destroy mission “into enemy base area 101” estimated to last between fourteen and twenty-one days in Quang Tri province. “We had just come off a big operation,” Terry Whitmore who served with Bravo Company recalls; “we would only have one night’s sleep, instead of the usual three or so after a big operation, and then move out again... even the Captain was pissed off.”¹⁵ A beleaguered Bravo Company trudged into the jungle and was met with resistance nearly every day of the operation. The only reason they had been selected in the first place was because “Bravo was the only company with enough men left to move out on short notice.”¹⁶

On October 12th, 1967, Bravo Company “commenced search and destroy operations in Eastern Quang Tri province with significant contact” from VC guerrillas. They had received a “heavy volume of small arms fire,” and one marine was killed while twelve were wounded.¹⁷ On this operation there was significant contact from the enemy on the very first day. The following day on October 13th, Bravo Company was met with “light contact,” but Company C, also on patrol, suffered seven KIAs and thirty-four wounded in action. Bravo was met with “moderate contact” on the 14th, but they suffered losses on the following day. Though it is documented that they were met with “light contact,” casualties suffered while “[engaging] an enemy force” were two marines killed in action and five wounded in action.¹⁸ It should be noted; however, that “two NVA were

¹⁴ *Ibid.*

¹⁵ Terry Whitmore, *Memphis Nam Sweden: The Story of a Black Deserter* (Garden City, NY: Doubleday and Company Inc., 1971), 59-60.

¹⁶ Whitmore, *Memphis Nam Sweden: The Story of a Black Deserter*, 60.

¹⁷ “Operation Medina [OP FILE],” October 11th, 1967. Virtual Vietnam Archive, Texas Tech University, Accessed November 12, 2015, <http://www.virtual.Vietnam.ttu.edu/>.

¹⁸ *Ibid.*

KIA (conf) and one NVA was KIA (prob)." Bravo Company "continued search and destroy operations in Eastern Quang Tri province with moderate contact" on October 15, 1967. "Moderate contact" can be seen as somewhat of a misnomer because Bravo Company suffered two wounded "when a mine detonated" the following day. This is compounded by the fact that two more marines were wounded and evacuated during the seven additional "unrelated contacts with the enemy" on the 16th of October.¹⁹

Bravo Company was in constant contact with the enemy and sustained losses for five straight days after only having rested for one night before the operation began. The soldiers were physically and mentally tired while endlessly trudging on a failed mission through one of the most dangerous provinces in South Vietnam. Their morale must have been quite low at this point. Their anxiety, and the tension of the atmosphere, was unrelenting until October 17th, 1967, when Bravo Company experienced their only day of "negative contact" prior to the end of their operation. However, the following day was their most intense. The Company became engaged in "significant contact" with the enemy resulting in one marine killed and nine marines wounded in action and evacuated. On October 19th, two days before the alleged massacre, Bravo Company was again met with "significant contact" when it "encountered small arms fire and grenades from an unknown size enemy force" who wounded four marines.²⁰ Bravo Company received "light contact" on the 20th. On October 21st, 1967, the day of the alleged massacre, Bravo Company received "light contact" at 12:10 pm amounting to "small arms and automatic weapons fire" wherein one marine was wounded and evacuated.²¹

Bravo Company ceased patrolling at 6:00pm October 21st, 1967 and "dug

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ *Ibid.*

in for the night.”²² That night “sometime between 2145 and 2200, the Company received orders to move out to locate a Viet Cong (VC) or a NVA mortar position.” Bravo Company's intent was not to infiltrate and destroy a village and its residents at random, but to carry out a credible order to “intercept an enemy rocket and mortar team” that could have posed a serious threat to the company.²³ After they had patrolled all day and were finally at rest for the night, the members of Bravo Company were frustrated, tired, and on edge during this sudden assignment.

Kulik and Turse agree on a few of the events leading up to the alleged massacre on the night of October 21st. While approaching the outskirts of Trieu Ai, Lance Corporal Ronald B. Pearson triggered a booby trap and was killed.²⁴ A medical evacuation was called in at 2:00am on the 22nd. Shortly after Pearson's death, Robert Maynard, the company commander, held a briefing with Lieutenant John Bailey and Sergeant Don Allen who would lead two patrols through Trieu Ai.²⁵ Kulik's and Turse's accounts of what was said at this briefing and what occurred thereafter in the hamlet differ greatly.

Turse's account of that October night is presented as a stampede of soldiers killing civilians indiscriminately throughout the hamlet of Trieu Ai. Members of Bravo Company were “unwilling to distinguish a civilian bomb shelter from an enemy fighting position.”²⁶ Turse describes the events as “unfolding rapidly and chaotically,” as the Marines threw grenades into bunkers full of women and children, killing with impunity. According to Turse, all of these acts were precipitated by Lieutenant Bailey's comments at the briefing,

²² Gary Kulik, *War Stories: False Atrocity Tales, Swift Boaters, and Winter Soldier- What Really Happened in Vietnam* (Washington, DC: Potomac Books Inc., 2009), 205.

²³ *Ibid.*

²⁴ *Ibid.*, 206.

²⁵ *Ibid.*

²⁶ Turse, *Kill Anything That Moves*, 34.

which were tantamount to endorsing the killing of anything and everything in the village, and then burning it down for good measure. Turse argues that Bravo Company was ordered to slaughter anyone who got in the way of completely destroying the village. Turse asserts that the marines “simply tossed” grenades into bunkers without prior warning thereby forcing whomever was inside to come out, excusing the fact that many of them had been killed already. This practice is a clear violation of the rules of engagement. Kulik disputes this assertion outright.

Lacking specifics and context, Turse claims that Lance Corporal Rudolph Diener “grabbed a woman in her fifties and marched her toward a deserted field,” whereupon Diener shot her several times in the back. Even if the villagers survived the grenades thrown into their bunker, they faced an even greater danger outside. As villagers rushed out of their hiding place that had just been blasted, the “order to shoot” would be given. According to Turse, “the first several men opened up, some with automatic fire, some with semi-automatic fire.” Two victims fell and were subsequently shot again when it had been observed they were still moving.²⁷ Mr. Turse succinctly sums up the night in its entirety in five words: “horrible shrieking . . . ended by gunfire.”²⁸

Pham Thi Luyen, who was thirteen years old at the time, recalls hiding with her father, Phan Van Tuyen, and others in an underground bunker until they came out to face the Marines. Luyen said that she and her father, along with women and children from the bunker, were led to a river and forced to swim to the opposite bank. Everyone was forced to cross except her father who was prodded with a shotgun before being shot twice in cold blood. Luyen had crossed the river and did not witness her father being killed by the Marines. The only indication of her father’s death was her unanswered cries to her father from

²⁷ *Ibid.*, 35.

²⁸ *Ibid.*

across the river.²⁹ Furthermore, two marines who were on that particular patrol, Anderson and Kelly, did not witness a man being shot.³⁰ In all, Turse surmises that twelve villagers were killed that night in Trieu Ai.³¹

In Turse's view, Bravo Company barbarically charged through the village on orders from Maynard to kill anything that moved and destroy any habitable dwelling in their path, yet the same orders were not obeyed when they encountered a second bunker and let the villagers cross a river instead of killing them.

Turse portrays a savage image of Bravo Company as they entered Trieu Ai that night. They killed without mercy or reason in sick bloodlust. His lack of specific credible sources and details of the events lead to an absence of narrative coherence and weaken his argument. Turse never explains why the villagers in the second bunker were not killed immediately upon exiting. If the orders were to kill everyone in the village, why were they not followed? Turse visited the village of Trieu Ai nearly fifty years after the alleged massacre to interview surviving witnesses. The veracity and accuracy of witnesses' statements such a long time interval after the event occurred is something that should be scrutinized. For example, how could Pham Thi Luyen testify about how her father died when she did not see it? Turse uses only two sources to support his thesis about the alleged massacre at Trieu Ai, the interviews with witnesses nearly fifty years after the event and the transcript from Rudolph Diener's trial. Turse's analysis is compromised further in that no full transcript of the trial is available, only a summary.³² Though Turse claims that the transcript "paints a vivid picture," that assumption can be seen as dubious at best.³³

²⁹ *Ibid.*, 36.

³⁰ Zinoman and Kulik, "Misinterpreting Atrocities," 181.

³¹ Turse, *Kill Anything That Moves*, 35-37.

³² Zinoman and Kulik, "Misinterpreting Atrocities," 184.

³³ Turse, *Kill Anything That Moves*, 37.

Since Trieu Ai was considered an extremely hostile area under VC control, it had been established as a “free-fire zone.”³⁴ “Free-fire zone” is a bit of a misnomer, in that it supports Turse’s contention that no rules applied to marines and they were free to kill and burn anyone and anything as they saw fit. By the U.S. military’s definition, a free-fire zone is “an area where the American military could exercise its own judgment, without the need for prior approval by ARVN, to provide air or artillery support for troops on the ground.”³⁵ Exercising one’s own judgment in a free-fire zone, though, reflected a more prevalent attitude amongst troops that civilian lives were to be treated with nonchalance. The rules of engagement still were pertinent to a free-fire zone with further requirements demanding soldiers to “apply only that force necessary to accomplish their mission, giving due regard to the safety of their command and the importance of preventing injury to non-combatant populace.” If Turse’s account were taken as the absolute truth face, then the Marines of Bravo Company clearly violated the rules of engagement. Random killings of both humans and animals, along with the desecration of habitable dwellings, further violated the stipulation that “civilian dwellings will not be burned, nor will private property, including livestock, be destroyed except as an unavoidable consequence of combat action.”³⁶ These things did occur, but not as a result of orders from the top of the chain of command, as Turse argues. The choices to destroy civilian life and livelihood were made amongst soldiers in the field while on patrol.

It would be naïve to think that the rules of engagement could be followed uniformly in every encounter in enemy territory. Even the military recognizes that “the line between a violation of these rules and the mere exercise of

³⁴ Kulik, *War Stories: False Atrocity Tales, Swift Boaters, and Winter Soldier*, 228.

³⁵ *Ibid.*, 228.

³⁶ *Ibid.*

judgment or application can be a very thin one.”³⁷ According to Whitmore, “it happened every time we hit a village.”³⁸ Consistent brutality towards civilians is not what is being disputed, but rather the nature and conditions in which this atrocity came about are what need to be examined. Turse offers no plausible contextual explanation for what transpired in Trieu Ai. He argues only that senseless killings were ordered by a commanding officer but provides no reason why a portion of the orders was not even carried out.

Kulik offers a different and far more detailed account of what happened that night. At the aforementioned briefing, Bailey told his patrol that they were entering a hamlet that was “definitely VC” and that “any unusual or suspicious movement encountered would be considered VC.”³⁹ As the patrol, led by Allen, approached the first bunker, Private First-Class Edward Johnson recalls he “saw a light flickering” and heard “whispering.” Prior to throwing grenades into the first bunker, the occupants were ordered to come out (“Lai Dai”) thereby following the rules of engagement and ruling out premeditated murder. Turse overlooks this fact entirely. The patrol threw two grenades into the bunker at which point they heard “screams of agony” from within. The occupants of the bunker who “tried to run or crawl away” were ordered by Bailey to be shot. Witnesses to the aftermath all concur on three dead, but no consensus could be made as to how many women and children were amongst them.⁴⁰

Two marines on the patrol, Olaf Skibsrud and Ronald P. Toon, both recalled that Rudolph Diener had “separated” a woman from the escaping villagers and “shoved her in front of him” whereupon he shot her in the back three to six times with his M-16 at point-blank range.”⁴¹

³⁷ *Ibid.*, 229.

³⁸ Whitmore, *Memphis Nam Sweden: The Story of a Black Deserter*, 61.

³⁹ Kulik, *War Stories: False Atrocity Tales, Swift Boaters, and Winter Soldier*, 218-220.

⁴⁰ *Ibid.*, 218-220.

⁴¹ *Ibid.*, 211-212.

Upon reaching the second bunker, the patrol, this time led by Bailey, called to the occupants inside warning them to come out. Roughly ten villagers exited the second bunker, all of whom were either women or children except for one man. Upon their exit they were “sent ahead of the patrol and told to cross a nearby river.”⁴² All of the villagers crossed the river successfully except for the man who was held behind by the patrol. It is unclear what became of the man who stayed behind who was apparently Pham Thi Luyen's father. He had been shot at in an attempt to subdue him, but not to kill him. The man had apparently escaped in the scuffle or died of the wounds inflicted. Either way, no body was ever found.⁴³

The briefing that took place before Bravo Company entered Trieu Ai has been analyzed repeatedly and thoroughly. A preponderance of evidence and testimony from those who were there shows that someone said, but did not order, that everyone in the village was to be killed and all the bunkers were to be burned. There is no consensus on who said this, but it should be noted that this appears to be more of a suggestion than a direct order, for it is unknown if it came from the most senior officer at the briefing. Lance Corporal Harkins, who was on the patrol, recalled, “he never heard a direct order to that effect nor had he been present at the briefing.”⁴⁴ It is very significant that this suggestion to destroy everything and everyone in the village was kept secret by those at the briefing. If it had been a direct order from the commanding officer, then it would have been relayed to the entire patrol prior to entering the village. This attitude of disregard for civilian life was kept only to those leading the patrol.

Moreover, the phrase “let your conscience be your guide” has been the subject of much heated debate involving this incident as well. This phrase came

⁴² *Ibid.*, 220-222.

⁴³ *Ibid.*

⁴⁴ *Ibid.*, 211.

as a response to a question posed about what to do with any innocent women or children found in the village. Once again, there is no consensus on who said the phrase. What's so striking about this statement is that it was later used against Rudolph Diener in his court-martial for murdering the woman. We can see that, once again, "let your conscience be your guide" is not a direct order to kill. This phrase shows the casualness with which civilian life was dealt with by allowing the patrol to either engage in premeditated murder or to choose to abstain from it. The phrase "let your conscience be your guide" deflects responsibility from the commanding officers and onto the marines that patrolled Trieu Ai that night. What transpired in the village was left to the whims of the patrolling soldiers at that particular time. Since there was a severe lack of oversight on the killing of innocent civilians during patrols, Rudolph Diener took it upon himself to kill an innocent woman with impunity to avenge the death of his friend, Ronald Pearson. Pearson was the soldier who had been killed by a booby trap on the way to Trieu Ai that night. Pearson was "popular" among the Company and was close to Diener.⁴⁵ Diener's decision to shoot the woman was an emotional one and not ordered by anyone.

The momentous ethical decisions in regards to innocent human life was left up to each individual soldier even if it meant murdering a civilian in cold blood, as Rudolph Diener did. In fact, when those innocent civilians were murdered at the first bunker, it was reported that Bailey "wasn't proud of what happened, but was not going to order anyone not to say anything about it. Possibly he said something about not being ashamed about it."⁴⁶ The actions that transpired at the first bunker did not derive from direct orders to consciously murder anyone who was found alive. The deaths were a result of a nonchalant attitude towards human life that was exhibited among troops throughout the

⁴⁵ *Ibid.*, 206.

⁴⁶ *Ibid.*, 207.

Vietnam War. "We were not insane. We were not ignorant. We knew what we were doing," said Private First Class Reginald "Malik" Edwards who participated in the Cam Ne Massacre.⁴⁷ Edwards served in the ninth regiment and participated on a similar search and destroy mission to Operation Medina through Cam Ne, in which 150 civilian homes were burned in addition to leaving four villagers wounded and one ten year old boy dead. The massacre was subsequently broadcast on the CBS Evening News.⁴⁸ "I mean we were crazy, but it's built into the culture. It's like institutionalized insanity. When you're in combat, you can basically do what you want as long as you don't get caught. You can get away with murder."⁴⁹

Coming from another soldier who had also willingly and knowingly participated in a war crime, Edward's testimony is particularly jarring. Nonchalance toward civilian life was not just an isolated incident as Kulik claims. Rather, there was a consistent attitude that was exuded in each atrocity that occurred in Vietnam. Edwards went on to say that "the beautiful thing about the military is there's always somebody that can serve up as a scapegoat."⁵⁰ Rudolph Diener served as the scapegoat when word of what happened at Trieu Ai started circulating.

Terry Whitmore, who served with Bravo Company that night, speaks of how what happened at Trieu Ai was exposed. "After a day or so, one kid started to get soft. All this shit got next to him. He went crazy inside. Tearing him up. He spilled everything to the chaplain. Then the shit hit the fan."⁵¹ When Whitmore uses the word "soft" to describe the marine who told of the incident, it's

⁴⁷ Wallace Terry, *Bloods: An Oral History of the Vietnam War by Black Veterans* (New York: Ballantine, 1984), 10-15.

⁴⁸ Peter Bush, "What Really Happened at Cam Ne," *Vietnam Magazine*, June 12, 2006, accessed on December 10, 2015, <http://www.historynet.com/what-really-happened-at-cam-ne.htm>.

⁴⁹ Terry, *Bloods: An Oral History of the Vietnam War by Black Veterans*, 10-15.

⁵⁰ *Ibid.*

⁵¹ Whitmore, *Memphis Nam Sweden: The Story of a Black Deserter*, 65.

particularly telling because Whitmore implies that a “soft” marine exhibits the cowardly behavior of a wimpy, little tattletale. The “soft” marine “went crazy” thereby revealing the pattern of indiscriminate killings and other atrocities committed by soldiers because they did not respect Vietnamese lives and property. The abuses were a commonly practiced behavior exhibited consistently throughout the war. According to Whitmore, random war crimes were sane, and any deviation from acceptance of this was “insane” and “soft.”

Several civilians were killed that night in Trieu Ai, but only one was murdered. Neither the Johnson administration nor any top military officers empowered American soldiers in the field to kill civilians. The events at Trieu Ai on October 22, 1967 were not premeditated, but a result of particular and unique circumstances compounded by the general disregard toward civilian life exhibited regularly by American soldiers on patrols during the Vietnam War. War crimes and atrocities were the result of nonchalance towards human life among soldiers during combat as well as a lack of oversight towards random killing. Soldiers in Vietnam felt free to kill civilians with impunity without fear of repercussion. They decided these unwritten policies among themselves. The circumstances and context for each incident should be looked at individually, but also with the knowledge that a consistency is present.



Figure 2: Lt. Paul L. Sauer, *Three Vietnamese Children by Roadside, US Military Vehicles on Road.* My Chanh Village, Quang Tri Province, South Vietnam, 1970. Courtesy of the Vietnam Archive, Texas Tech University