
The My Lai Massacre

A Military Crime of Obedience

Herbert Kelman and V. Lee Hamilton

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March 16, 1968, was a busy day in U.S. history. Stateside, Robert F. Kennedy announced his presidential candidacy, challenging a sitting president from his own party—in part out of opposition to an undeclared and disastrous war. In Vietnam, the war continued. In many ways, March 16 may have been a typical day in that war. We will probably never know. But we do know that on that day a typical company went on a mission—which may or may not have been typical—to a village called Son (or Song) My. Most of what is remembered from that mission occurred in the subhamlet known to Americans as My Lai 4.

The My Lai massacre was investigated and charges were brought in 1969 and 1970. Trials and disciplinary actions lasted into 1971. Entire books have been written about the army's year-long cover-up of the massacre (for example, Hersh, 1972), and the cover-up was a major focus of the army's own investigation of the incident. Our central concern here is the massacre itself—a crime of obedience—and public reactions to such crimes, rather than the lengths to which many went to deny the event. Therefore this account concentrates on one day: March 16, 1968.

Many verbal testimonials to the horrors that occurred at My Lai were available. More unusual was the fact that an army photographer, Ronald Haeberle, was assigned the task of documenting the anticipated military engagement at My Lai—and documented a massacre instead. Later, as the story of the massacre emerged, his photographs were widely distributed and seared the public conscience. What might have been dismissed as

unreal or exaggerated was depicted in photographs of demonstrable authenticity. The dominant image appeared on the cover of *Life*: piles of bodies jumbled together in a ditch along a trail—the dead all apparently unarmed. All were Oriental, and all appeared to be children, women, or old men. Clearly there had been a mass execution, one whose image would not quickly fade.

So many bodies (over twenty in the cover photo alone) are hard to imagine as the handiwork of one killer. These were not. They were the product of what we call a crime of obedience. Crimes of obedience begin with orders. But orders are often vague and rarely survive with any clarity the transition from one authority down a chain of subordinates to the ultimate actors. The operation at Son My was no exception.

"Charlie" Company, Company C, under Lt. Col. Frank Barker's command, arrived in Vietnam in December 1967. As the army's investigative unit, directed by Lt. Gen. William R. Peers, characterized the personnel, they "contained no significant deviation from the average" for the time. Seymour S. Hersh (1970) described the "average" more explicitly: "Most of the men in Charlie Company had volunteered for the draft; only a few had gone to college for even one year. Nearly half were black, with a few Mexican-Americans. Most were eighteen to twenty-two years old. The favorite reading matter of Charlie Company, like that of other line infantry units in Vietnam, was comic books" (p. 18). The action at My Lai, like that throughout Vietnam, was fought by a cross-section of those Americans who

either believed in the war or lacked the social resources to avoid participating in it. Charlie Company was indeed average for that time, that place, and that war.

Two key figures in Charlie Company were more unusual. The company's commander, Capt. Ernest Medina, was an upwardly mobile Mexican-American who wanted to make the army his career, although he feared that he might never advance beyond captain because of his lack of formal education. His eagerness had earned him a nickname among his men: "Mad Dog Medina." One of his admirers was the platoon leader Second Lt. William L. Calley, Jr., an undistinguished, five-foot-three-inch junior-college dropout who had failed four of the seven courses in which he had enrolled his first year. Many viewed him as one of those "instant officers" made possible only by the army's then-desperate need for manpower. Whatever the cause, he was an insecure leader whose frequent claim was "I'm the boss." His nickname among some of the troops was "Surfside 5½," a reference to the swashbuckling heroes of a popular television show, "Surfside 6."

The Son My operation was planned by Lieutenant Colonel Barker and his staff as a search-and-destroy mission with the objective of rooting out the Forty-eighth Viet Cong Battalion from their base area of Son My village. Apparently no written orders were ever issued. Barker's superior, Col. Oran Henderson, arrived at the staging point the day before. Among the issues he reviewed with the assembled officers were some of the weaknesses of prior operations by their units, including their failure to be appropriately aggressive in pursuit of the enemy. Later briefings by Lieutenant Colonel Barker and his staff asserted that no one except Viet Cong was expected to be in the village after 7 A.M. on the following day. The "innocent" would all be at the market. Those present at the briefings gave conflicting accounts of Barker's exact orders, but he conveyed at least a strong suggestion that the Son My area was to be obliterated. As the army's inquiry reported: "While there is some conflict

in the testimony as to whether LTC Barker ordered the destruction of houses, dwellings, livestock, and other foodstuffs in the Song My area, the preponderance of the evidence indicates that such destruction was implied, if not specifically directed, by his orders of 15 March" (Peers Report, in Goldstein et al., 1976, p. 94).

Evidence that Barker ordered the killing of civilians is even more murky. What does seem clear, however, is that—having asserted that civilians would be away at the market—he did not specify what was to be done with any who might nevertheless be found on the scene. The Peers Report therefore considered it "reasonable to conclude that LTC Barker's minimal or nonexistent instructions concerning the handling of noncombatants created the potential for grave misunderstandings as to his intentions and for interpretation of his orders as authority to fire, without restriction, on all persons found in target area" (Goldstein et al., 1976, p. 95). Since Barker was killed in action in June 1968, his own formal version of the truth was never available.

Charlie Company's Captain Medina was briefed for the operation by Barker and his staff. He then transmitted the already vague orders to his own men. Charlie Company was spoiling for a fight, having been totally frustrated during its months in Vietnam—first by waiting for battles that never came, then by incompetent forays led by inexperienced commanders, and finally by mines and booby traps. In fact, the emotion-laden funeral of a sergeant killed by a booby trap was held on March 15, the day before My Lai. Captain Medina gave the orders for the next day's action at the close of that funeral. Many were in a mood for revenge.

It is again unclear what was ordered. Although all participants were alive by the time of the trials for the massacre, they were either on trial or probably felt under threat of trial. Memories are often flawed and self-serving at such times. It is apparent that Medina relayed to the men at least some of Barker's general message—to expect Viet Cong resistance, to burn, and to kill livestock. It is not clear that he

ordered the slaughter of the inhabitants, but some of the men who heard him thought he had. One of those who claimed to have heard such orders was Lt. William Calley.

As March 16 dawned, much was expected of the operation by those who had set it into motion. Therefore a full complement of "brass" was present in helicopters overhead, including Barker, Colonel Henderson, and their superior, Major General Koster (who went on to become commandant of West Point before the story of My Lai broke). On the ground, the troops were to carry with them one reporter and one photographer to immortalize the anticipated battle.

The action for Company C began at 7:30 as their first wave of helicopters touched down near the subhamlet of My Lai 4. By 7:47 all of Company C was present and set to fight. But instead of the Viet Cong Forty-eighth Battalion, My Lai was filled with the old men, women, and children who were supposed to have gone to market. By this time, in their version of the war, and with whatever orders they thought they had heard, the men from Company C were nevertheless ready to find Viet Cong everywhere. By nightfall, the official tally was 128 VC killed and three weapons captured, although later, unofficial body counts ran as high as 500. The operation at Son My was over. And by nightfall, as Hersh reported: "the Viet Cong were back in My Lai 4, helping the survivors bury the dead. It took five days. Most of the funeral speeches were made by the Communist guerrillas. Nguyen Bat was not a Communist at the time of the massacre, but the incident changed his mind. 'After the shooting,' he said, 'all the villagers became Communists'" (1970, p. 74). To this day, the memory of the massacre is kept alive by markers and plaques designating the spots where groups of villagers were killed, by a large statue, and by the My Lai Museum, established in 1975 (Williams, 1985).

But what could have happened to leave American troops reporting a victory over Viet Cong when in fact they had killed hundreds of noncombatants? It is not hard to explain the report of victory; that is the essence of a cover-up. It is harder to understand how the killings

came to be committed in the first place, making a cover-up necessary.

Mass Executions and the Defense of Superior Orders

Some of the atrocities on March 16, 1968, were evidently unofficial, spontaneous acts: rapes, tortures, killings. For example, Hersh (1970) describes Charlie Company's Second Platoon as entering "My Lai 4 with guns blazing" (p. 50); more graphically, Lieutenant "Brooks and his men in the second platoon to the north had begun to systematically ransack the hamlet and slaughter the people, kill the livestock, and destroy the crops. Men poured rifle and machine-gun fire into huts without knowing—or seemingly caring—who was inside" (pp. 49–50).

Some atrocities toward the end of the action were part of an almost casual "mopping-up," much of which was the responsibility of Lieutenant LaCross's Third Platoon of Charlie Company. The Peers Report states: "The entire 3rd Platoon then began moving into the western edge of My Lai (4), for the mop-up operation. . . . The squad . . . began to burn the houses in the southwestern portion of the hamlet" (Goldstein et al., 1976, p. 133). They became mingled with other platoons during a series of rapes and killings of survivors for which it was impossible to fix responsibility. Certainly to a Vietnamese all GIs would by this point look alike: "Nineteen-year-old Nguyen Thi Ngoc Tuyet watched a baby trying to open her slain mother's blouse to nurse. A soldier shot the infant while it was struggling with the blouse, and then slashed it with his bayonet." Tuyet also said she saw another baby hacked to death by GIs wielding their bayonets. "Le Tong, a twenty-eight-year-old rice farmer, reported seeing one woman raped after GIs killed her children. Nguyen Khoa, a thirty-seven-year-old peasant, told of a thirteen-year-old girl who was raped before being killed. GIs then attacked Khoa's wife, tearing off her clothes. Before they could rape her, however, Khoa said, their six-year-old son, riddled with

bullets, fell and saturated her with blood. The GIs left her alone" (Hersh, 1970, p. 72). All of Company C was implicated in a pattern of death and destruction throughout the hamlet, much of which seemingly lacked rhyme or reason.

But a substantial amount of the killing was organized and traceable to one authority: the First Platoon's Lt. William Calley. Calley was originally charged with 109 killings, almost all of them mass executions at the trail and other locations. He stood trial for 102 of these killings, was convicted of 22 in 1971, and at first received a life sentence. Though others—both superior and subordinate to Calley—were brought to trial, he was the only one convicted for the My Lai crimes. Thus, the only actions of My Lai for which anyone was ever convicted were mass executions, ordered and committed. We suspect that there are commonsense reasons why this one type of killing was singled out. In the midst of rapidly moving events with people running about, an execution of stationary targets is literally a still life that stands out and whose participants are clearly visible. It can be proven that specific people committed specific deeds. An execution, in contrast to the shooting of someone on the run, is also more likely to meet the legal definition of an act resulting from intent—with malice aforethought. Moreover, American military law specifically forbids the killing of unarmed civilians or military prisoners, as does the Geneva Convention between nations. Thus common sense, legal standards, and explicit doctrine all made such actions the likeliest target for prosecution.

When Lieutenant Calley was charged under military law it was for violation of the Uniform Code of Military Justice (UCMJ) Article 118 (murder). This article is similar to civilian codes in that it provides for conviction if an accused:

without justification or excuse, unlawfully kills a human being, when he—

1. has a premeditated design to kill;
2. intends to kill or inflict great bodily harm;

3. is engaged in an act which is inherently dangerous to others and evinces a wanton disregard of human life; or
4. is engaged in the perpetration or attempted perpetration of burglary, sodomy, rape, robbery, or aggravated arson. (Goldstein et al., 1976, p. 507)

For a soldier, one legal justification for killing is warfare; but warfare is subject to many legal limits and restrictions, including, of course, the inadmissibility of killing unarmed noncombatants or prisoners whom one has disarmed. The pictures of the trail victims at My Lai certainly portrayed one or the other of these. Such an action would be illegal under military law; ordering another to commit such an action would be illegal; and following such an order would be illegal.

But following an order may provide a second and pivotal justification for an act that would be murder when committed by a civilian. American military law assumes that the subordinate is inclined to follow orders, as that is the normal obligation of the role. Hence, legally, obedient subordinates are protected from unreasonable expectations regarding their capacity to evaluate those orders:

An order requiring the performance of a military duty may be inferred to be legal. An act performed manifestly beyond the scope of authority, or pursuant to an order that a man of ordinary sense and understanding would know to be illegal, or in a wanton manner in the discharge of a lawful duty, is not excusable. (Par. 216, Subpar. d, Manual for Courts Martial, United States, 1969 Rev.)

Thus what *may* be excusable is the good-faith carrying out of an order, as long as that order appears to the ordinary soldier to be a legal one. In military law, invoking superior orders moves the question from one of the action's consequences—the body count—to one of evaluating the actor's motives and good sense.

In sum, if anyone is to be brought to justice for a massacre, common sense and legal codes decree that the most appropriate targets

are those who make themselves executioners. This is the kind of target the government selected in prosecuting Lieutenant Calley with the greatest fervor. And in a military context, the most promising way in which one can redefine one's undeniable deeds into acceptability is to invoke superior orders. This is what Calley did in attempting to avoid conviction. Since the core legal issues involved points of mass execution—the ditches and trail where America's image of My Lai was formed—we review these events in greater detail.

The day's quiet beginning has already been noted. Troops landed and swept unopposed into the village. The three weapons eventually reported as the haul from the operation were picked up from three apparent Viet Cong who fled the village when the troops arrived and were pursued and killed by helicopter gunships. Obviously the Viet Cong did frequent the area. But it appears that by about 8:00 A.M. no one who met the troops was aggressive, and no one was armed. By the laws of war Charlie Company had no argument with such people.

As they moved into the village, the soldiers began to gather its inhabitants together. Shortly after 8:00 A.M. Lieutenant Calley told Pfc. Paul Meadlo that "you know what to do with" a group of villagers Meadlo was guarding. Estimates of the numbers in the group ranged as high as eighty women, children, and old men, and Meadlo's own estimate under oath was thirty to fifty people. As Meadlo later testified, Calley returned after ten or fifteen minutes: "He [Calley] said, 'How come they're not dead?' I said, 'I didn't know we were supposed to kill them.' He said, 'I want them dead.' He backed off twenty or thirty feet and started shooting into the people—the Viet Cong—shooting automatic. He was beside me. He burned four or five magazines. I burned off a few, about three. I helped shoot 'em" (Hammer, 1971, p. 155). Meadlo himself and others testified that Meadlo cried as he fired; others reported him later to be sobbing and "all broke up." It would appear that to Lieutenant Calley's subordinates something was unusual, and stressful, in these orders.

At the trial, the first specification in the murder charge against Calley was for this incident; he was accused of premeditated murder of "an unknown number, not less than 30, Oriental human beings, males and females of various ages, whose names are unknown, occupants of the village of My Lai 4, by means of shooting them with a rifle" (Goldstein et al., 1976, p. 497).

Among the helicopters flying reconnaissance above Son My was that of CWO Hugh Thompson. By 9:00 or soon after, Thompson had noticed some horrifying events from his perch. As he spotted wounded civilians, he sent down smoke markers so that soldiers on the ground could treat them. They killed them instead. He reported to headquarters, trying to persuade someone to stop what was going on. Barker, hearing the message, called down to Captain Medina. Medina, in turn, later claimed to have told Calley that it was "enough for today." But it was not yet enough.

At Calley's orders, his men began gathering the remaining villagers—roughly seventy-five individuals, mostly women and children—and herding them toward a drainage ditch. Accompanied by three or four enlisted men, Lieutenant Calley executed several batches of civilians who had been gathered into ditches. Some of the details of the process were entered into testimony in such accounts as Pfc. Dennis Conti's: "A lot of them, the people, were trying to get up and mostly they was just screaming and pretty bad shot up. . . . I seen a woman tried to get up. I seen Lieutenant Calley fire. He hit the side of her head and blew it off" (Hammer, 1971, p. 125).

Testimony by other soldiers presented the shooting's aftermath. Specialist Four Charles Hall, asked by Prosecutor Aubrey Daniel how he knew the people in the ditch were dead, said: "There was blood coming from them. They were just scattered all over the ground in the ditch, some in piles and some scattered out 20, 25 meters perhaps up the ditch. . . . They were very old people, very young children, and mothers. . . . There was blood all over them" (Goldstein et al., 1976, pp. 501–502). And Pfc.

Gregory Olsen corroborated the general picture of the victims: "They were—the majority were women and children, some babies. I distinctly remember one middle-aged Vietnamese male dressed in white right at my feet as I crossed. None of the bodies were mangled in any way. There was blood. Some appeared to be dead, others followed me with their eyes as I walked across the ditch" (Goldstein et al., 1976, p. 502).

The second specification in the murder charge stated that Calley did "with premeditation, murder an unknown number of Oriental human beings, not less than seventy, males and females of various ages, whose names are unknown, occupants of the village of My Lai 4, by means of shooting them with a rifle" (Goldstein et al., 1976, p. 497). Calley was also charged with and tried for shootings of individuals (an old man and a child); these charges were clearly supplemental to the main issue at trial—the mass killings and how they came about.

It is noteworthy that during these executions more than one enlisted man avoided carrying out Calley's orders, and more than one, by sworn oath, directly refused to obey them. For example, Pfc. James Joseph Dursi testified, when asked if he fired when Lieutenant Calley ordered him to: "No I just stood there. Meadlo turned to me after a couple of minutes and said 'Shoot! Why don't you shoot! Why don't you fire!' He was crying and yelling. I said, 'I can't! I won't!' And the people were screaming and crying and yelling. They kept firing for a couple of minutes, mostly automatic and semi-automatic" (Hammer, 1971, p. 143). . . .

Disobedience of Lieutenant Calley's own orders to kill represented a serious legal and moral threat to a defense based on superior orders, such as Calley was attempting. This defense had to assert that the orders seemed reasonable enough to carry out; that they appeared to be legal orders. Even if the orders in question were not legal, the defense had to assert that an ordinary individual could not and should not be expected to see the distinction. In short, if what happened was "business as usual," even though it might be bad business, then the defendant stood a chance of

acquittal. But under direct command from "Surfside 5½," some ordinary enlisted men managed to refuse, to avoid, or at least to stop doing what they were ordered to do. As "reasonable men" of "ordinary sense and understanding," they had apparently found something awry that morning; and it would have been hard for an officer to plead successfully that he was more ordinary than his men in his capacity to evaluate the reasonableness of orders.

Even those who obeyed Calley's orders showed great stress. For example, Meadlo eventually began to argue and cry directly in front of Calley. Pfc. Herbert Carter shot himself in the foot, possibly because he could no longer take what he was doing. We were not destined to hear a sworn version of the incident, since neither side at the Calley trial called him to testify.

The most unusual instance of resistance to authority came from the skies. CWO Hugh Thompson, who had protested the apparent carnage of civilians, was Calley's inferior in rank but was not in his line of command. He was also watching the ditch from his helicopter and noticed some people moving after the first round of slaughter—chiefly children who had been shielded by their mothers' bodies. Landing to rescue the wounded, he also found some villagers hiding in a nearby bunker. Protecting the Vietnamese with his own body, Thompson ordered his men to train their guns on the Americans and to open fire if the Americans fired on the Vietnamese. He then radioed for additional rescue helicopters and stood between the Vietnamese and the Americans under Calley's command until the Vietnamese could be evacuated. He later returned to the ditch to unearth a child buried, unharmed, beneath layers of bodies. In October 1969, Thompson was awarded the Distinguished Flying Cross for heroism at My Lai, specifically (albeit inaccurately) for the rescue of children hiding in a bunker "between Viet Cong forces and advancing friendly forces" and for the rescue of a wounded child "caught in the intense crossfire" (Hersh, 1970, p. 119). Four months earlier, at the Pentagon, Thompson had identified Calley as having been at the ditch.

By about 10:00 A.M., the massacre was winding down. The remaining actions consisted largely of isolated rapes and killings, "clean-up" shootings of the wounded, and the destruction of the village by fire. We have already seen some examples of these more indiscriminate and possibly less premeditated acts. By the 11:00 A.M. lunch break, when the exhausted men of Company C were relaxing, two young girls wandered back from a hiding place only to be invited to share lunch. This surrealist touch illustrates the extent to which the soldiers' action had become dissociated from its meaning. An hour earlier, some of these men were making sure that not even a child would escape the executioner's bullet. But now the job was done and it was time for lunch—and in this new context it seemed only natural to ask the children who had managed to escape execution to join them. The massacre had ended. It remained only for the Viet Cong to reap the political rewards among the survivors in hiding.

The army command in the area knew that something had gone wrong. Direct commanders, including Lieutenant Colonel Barker, had firsthand reports, such as Thompson's complaints. Others had such odd bits of evidence as the claim of 128 Viet Cong dead with a booty of only three weapons. But the cover-up of My Lai began at once. The operation was reported as a victory over a stronghold of the Viet Cong Forty-eighth. . . .

William Calley was not the only man tried for the event at My Lai. The actions of over thirty soldiers and civilians were scrutinized by investigators; over half of these had to face charges or disciplinary action of some sort. Targets of investigation included Captain Medina, who was tried, and various higher-ups, including General Koster. But Lieutenant Calley was the only person convicted, the only person to serve time.

The core of Lieutenant Calley's defense was superior orders. What this meant to him—in contrast to what it meant to the judge and jury—can be gleaned from his responses to a series of questions from his defense attorney,

George Latimer, in which Calley sketched out his understanding of the laws of war and the actions that constitute doing one's duty within those laws:

Latimer: Did you receive any training which had to do with the obedience to orders?

Calley: Yes, sir.

Latimer: . . . what were you informed [were] the principles involved in that field?

Calley: That all orders were to be assumed legal, that the soldier's job was to carry out any order given him to the best of his ability.

Latimer: . . . what might occur if you disobeyed an order by a senior officer?

Calley: You could be court-martialed for refusing an order and refusing an order in the face of the enemy, you could be sent to death, sir.

Latimer: [I am asking] whether you were required in any way, shape or form to make a determination of the legality or illegality of an order?

Calley: No, sir. I was never told that I had the choice, sir.

Latimer: If you had a doubt about the order, what were you supposed to do?

Calley: . . . I was supposed to carry the order out and then come back and make my complaint. (Hammer, 1971, pp. 240–241)

Lieutenant Calley steadfastly maintained that his actions within My Lai had constituted, in his mind, carrying out orders from Captain Medina. Both his own actions and the orders he gave to others (such as the instruction to Meadlo to "waste 'em") were entirely in response to superior orders. He denied any intent to kill individuals and any but the most passing awareness of distinctions among the individuals: "I was ordered to go in there and destroy the enemy. That was my job on that day. That was the mission I was given. I did not sit down and think in terms of men, women,

and children. They were all classified the same, and that was the classification that we dealt with: not as enemy soldiers." When Latimer asked if in his own opinion Calley had acted "rightly and according to your understanding of war directions and orders," Calley replied, "That then and I still do that I acted as I was directed, and I carried out the orders that I was given, and I do not feel wrong in doing so, sir" (Hammer, 1971, p. 257).

His court-martial did not accept Calley's defense of superior orders and clearly did not share his interpretation of his duty. The jury evidently reasoned that, even if there had been orders to destroy everything in sight and to "wipe the Vietnamese," any reasonable person would have realized that such orders were illegal and should have refused to carry them out. The defense of superior orders under such conditions is inadmissible under international and military law. The U.S. Army's *Law of Land Warfare* (Dept. of the Army, 1956), for example, states that "the fact that the law of war has been violated pursuant to an order of a superior authority, whether military or civil, does not deprive the act in question of its character of a war crime, nor does it constitute a defense in the trial of an accused individual, unless he did not know and could not reasonably have been expected to know that the act was unlawful" and that "members of the armed forces are bound to obey only lawful orders" (in Falk et al., 1971, pp. 71–72).

The disagreement between Calley and the court-martial seems to have revolved around the definition of the responsibilities of a subordinate to obey, on the one hand, and to evaluate, on the other. This tension . . . can best be captured via the charge to the jury in the Calley court-martial, made by the trial judge, Col. Reid Kennedy. The forty-one pages of the charge include the following:

Both combatants captured by and non-combatants detained by the opposing force . . . have the right to be treated as prisoners. . . . Summary execution of detainees or prisoners is forbidden by law. . . . I therefore instruct you

. . . that if unresisting human beings were killed at My Lai (4) while within the effective custody and control of our military forces, their deaths cannot be considered justified. . . . Thus if you find that Lieutenant Calley received an order directing him to kill unresisting Vietnamese within his control or within the control of his troops, *that order would be an illegal order.*

A determination that an order is illegal does not, of itself, assign criminal responsibility to the person following the order for acts done in compliance with it. Soldiers are taught to follow orders, and special attention is given to obedience of orders on the battlefield. Military effectiveness depends on obedience to orders. On the other hand, the obedience of a soldier is not the obedience of an automaton. A soldier is a reasoning agent, obliged to respond, not as a machine, but as a person. The law takes these factors into account in assessing criminal responsibility for acts done in compliance with illegal orders.

The acts of a subordinate done in compliance with an unlawful order given him by his superior are excused and impose no criminal liability upon him unless the superior's order is one which a man of *ordinary sense and understanding* would, under the circumstances, know to be unlawful, or if the order in question is actually known to the accused to be unlawful. (Goldstein et al., 1976, pp. 525–526; emphasis added)

By this definition, subordinates take part in a balancing act, one tipped toward obedience but tempered by "ordinary sense and understanding."

A jury of combat veterans proceeded to convict William Calley of the premeditated murder of no less than twenty-two human beings. (The army, realizing some unfortunate connotations in referring to the victims as "Oriental human beings," eventually referred to them as "human beings.") Regarding the first specification in the murder charge, the bodies on the trail, [Calley] was convicted of premeditated murder of not less than one

person. (Medical testimony had been able to pinpoint only one person whose wounds as revealed in Haerberle's photos were sure to be immediately fatal.) Regarding the second specification, the bodies in the ditch, Calley was convicted of the premeditated murder of not less than twenty human beings. Regarding additional specifications that he had killed an old man and a child, Calley was convicted of premeditated murder in the first case and of assault with intent to commit murder in the second.

Lieutenant Calley was initially sentenced to life imprisonment. That sentence was reduced: first to twenty years, eventually to ten (the latter by Secretary of Defense Callaway in 1974). Calley served three years before being released on bond. The time was spent under house arrest in his apartment, where he was able to receive visits from his girlfriend. He was granted parole on September 10, 1975.

Sanctioned Massacres

The slaughter at My Lai is an instance of a class of violent acts that can be described as sanctioned massacres (Kelman, 1973): acts of indiscriminate, ruthless, and often systematic mass violence, carried out by military or paramilitary personnel while engaged in officially sanctioned campaigns, the victims of which are defenseless and unresisting civilians, including old men, women, and children. Sanctioned massacres have occurred throughout history. Within American history, My Lai had its precursors in the Philippine war around the turn of the century (Schirmer, 1971) and in the massacres of American Indians. Elsewhere in the world, one recalls the Nazis' "final solution" for European Jews, the massacres and deportations of Armenians by Turks, the liquidation of the kulaks and the great purges in the Soviet Union, and more recently the massacres in Indonesia and Bangladesh, in Biafra and Burundi, in South Africa and Mozambique, in Cambodia and Afghanistan, in Syria and Lebanon. . . .

The occurrence of sanctioned massacres cannot be adequately explained by the existence of psychological forces—whether these be characterological dispositions to engage in murderous violence or profound hostility against the target—so powerful that they must find expression in violent acts unhampered by moral restraints. Instead, the major instigators for this class of violence derive from the policy process. The question that really calls for psychological analysis is why so many people are willing to formulate, participate in, and condone policies that call for the mass killings of defenseless civilians. Thus it is more instructive to look not at the motives for violence but at the conditions under which the usual moral inhibitions against violence become weakened. Three social processes that tend to create such conditions can be identified: authorization, routinization, and dehumanization. Through authorization, the situation becomes so defined that the individual is absolved of the responsibility to make personal moral choices. Through routinization, the action becomes so organized that there is no opportunity for raising moral questions. Through dehumanization, the actors' attitudes toward the target and toward themselves become so structured that it is neither necessary nor possible for them to view the relationship in moral terms.

Authorization

Sanctioned massacres by definition occur in the context of an authority situation, a situation in which, at least for many of the participants, the moral principles that generally govern human relationships do not apply. Thus, when acts of violence are explicitly ordered, implicitly encouraged, tacitly approved, or at least permitted by legitimate authorities, people's readiness to commit or condone them is enhanced. That such acts are authorized seems to carry automatic justification for them. Behaviorally, authorization obviates the necessity of making judgments or choices. Not only do normal moral principles become

...obedient, but—particularly when the command is explicitly ordered—a different kind of obedience: linked to the duty to obey superior orders, even to take over.

In an authority situation, individuals characteristically feel obligated to obey the orders of the authorities, whether or not these correspond with their personal preferences. They see themselves as having no choice as long as they accept the legitimacy of the orders and of the authorities who give them. Individuals differ considerably in the degree to which—and the conditions under which—they are prepared to challenge the legitimacy of an order on the grounds that the order itself is illegal, or that those giving it have overstepped their authority, or that it stems from a policy that violates fundamental societal values. Regardless of such individual differences, however, the basic structure of a situation of legitimate authority requires subordinates to respond in terms of their role obligations rather than their personal preferences; they can openly disobey only by challenging the legitimacy of the authority. Often people obey without question even though the behavior they engage in may entail great personal sacrifice or great harm to others.

An important corollary of the basic structure of the authority situation is that actors often do not see themselves as personally responsible for the consequences of their actions. Again, there are individual differences, depending on actors' capacity and readiness to evaluate the legitimacy of orders received. Insofar as they see themselves as having had no choice in their actions, however, they do not feel personally responsible for them. They were not personal agents, but merely extensions of the authority. Thus, when their actions cause harm to others, they can feel relatively free of guilt. A similar mechanism operates when a person engages in antisocial behavior that was not ordered by the authorities but was tacitly encouraged and approved by them—even if only by making it clear that such behavior will not be punished. In this situation, behavior that was formerly illegitimate is legitimized by the authorities' acquiescence.

In the My Lai massacre, it is likely that the structure of the authority situation contributed to the massive violence in both ways—that is, by conveying the message that acts of violence against Vietnamese villagers were *required*, as well as the message that such acts, even if not ordered, were *permitted* by the authorities in charge. The actions at My Lai represented, at least in some respects, responses to explicit or implicit orders. Lieutenant Calley indicated, by orders and by example, that he wanted large numbers of villagers killed. Whether Calley himself had been ordered by his superiors to “waste” the whole area, as he claimed, remains a matter of controversy. Even if we assume, however, that he was not explicitly ordered to wipe out the village, he had reason to believe that such actions were expected by his superior officers. Indeed, the very nature of the war conveyed this expectation. The principal measure of military success was the “body count”—the number of enemy soldiers killed—and any Vietnamese killed by the U.S. military was commonly defined as a “Viet Cong.” Thus, it was not totally bizarre for Calley to believe that what he was doing at My Lai was to increase his body count, as any good officer was expected to do.

Even to the extent that the actions at My Lai occurred spontaneously, without reference to superior orders, those committing them had reason to assume that such actions might be tacitly approved of by the military authorities. Not only had they failed to punish such acts in most cases, but the very strategies and tactics that the authorities consistently devised were based on the proposition that the civilian population of South Vietnam—whether “hostile” or “friendly”—was expendable. Such policies as search-and-destroy missions, the establishment of free-shooting zones, the use of antipersonnel weapons, the bombing of entire villages if they were suspected of harboring guerrillas, the forced migration of masses of the rural population, and the defoliation of vast forest areas helped legitimize acts of massive violence of the kind occurring at My Lai.

Some of the actions at My Lai suggest an orientation to authority based on unquestioning

obedience to superior orders, no matter how destructive the actions these orders call for. Such obedience is specifically fostered in the course of military training and reinforced by the structure of the military authority situation. It also reflects, however, an ideological orientation that may be more widespread in the general population. . . .

Routinization

Authorization processes create a situation in which people become involved in an action without considering its implications and without really making a decision. Once they have taken the initial step, they are in a new psychological and social situation in which the pressures to continue are powerful. As Lewin (1947) has pointed out, many forces that might originally have kept people out of a situation reverse direction once they have made a commitment (once they have gone through the “gate region”) and now serve to keep them in the situation. For example, concern about the criminal nature of an action, which might originally have inhibited a person from becoming involved, may now lead to deeper involvement in efforts to justify the action and to avoid negative consequences.

Despite these forces, however, given the nature of the actions involved in sanctioned massacres, one might still expect moral scruples to intervene; but the likelihood of moral resistance is greatly reduced by transforming the action into routine, mechanical, highly programmed operations. Routinization fulfills two functions. First, it reduces the necessity of making decisions, thus minimizing the occasions in which moral questions may arise. Second, it makes it easier to avoid the implications of the action, since the actor focuses on the details of the job rather than on its meaning. The latter effect is more readily achieved among those who participate in sanctioned massacres from a distance—from their desks or even from the cockpits of their bombers.

Routinization operates both at the level of the individual actor and at the organizational

level. Individual job performance is broken down into a series of discrete steps, most of them carried out in automatic, regularized fashion. It becomes easy to forget the nature of the product that emerges from this process. When Lieutenant Calley said of My Lai that it was “no great deal,” he probably implied that it was all in a day’s work. Organizationally, the task is divided among different offices, each of which has responsibility for a small portion of it. This arrangement diffuses responsibility and limits the amount and scope of decision making that is necessary. There is no expectation that the moral implications will be considered at any of these points, nor is there any opportunity to do so. The organizational processes also help further legitimize the actions of each participant. By proceeding in routine fashion—processing papers, exchanging memos, diligently carrying out their assigned tasks—the different units mutually reinforce each other in the view that what is going on must be perfectly normal, correct, and legitimate. The shared illusion that they are engaged in a legitimate enterprise helps the participants assimilate their activities to other purposes, such as the efficiency of their performance, the productivity of their unit, or the cohesiveness of their group (see Janis, 1972).

Normalization of atrocities is more difficult to the extent that there are constant reminders of the true meaning of the enterprise. Bureaucratic inventiveness in the use of language helps to cover up such meaning. For example, the SS had a set of *Sprachregelungen*, or “language rules,” to govern descriptions of their extermination program. As Arendt (1964) points out, the term *language rule* in itself was “a code name; it meant what in ordinary language would be called a lie” (p. 85). The code names for killing and liquidation were “final solution,” “evacuation,” and “special treatment.” The war in Indochina produced its own set of euphemisms, such as “protective reaction,” “pacification,” and “forced-draft urbanization and modernization.” The use of euphemisms allows participants in sanctioned massacres to differentiate their actions from

without killing and destruction and thus to losing their true meaning.

Dehumanization

Dehumanization processes override standard moral considerations; routinization processes remove the likelihood that such considerations will still the inhibitions against murdering one's fellow human beings are generally so strong that the victims must also be stripped of their human status if they are to be subjected to systematic killing. Insofar as they are dehumanized, the usual principles of morality no longer apply to them.

Sanctioned massacres become possible to the extent that the victims are deprived in the perpetrators' eyes of the two qualities essential to being perceived as fully human and included in the moral compact that governs human relationships: *identity*—standing as independent, distinctive individuals, capable of making choices and entitled to live their own lives—and *community*—fellow membership in an interconnected network of individuals who care for each other and respect each other's individuality and rights (Kelman, 1973; see also Bakan, 1966, for a related distinction between "agency" and "communion"). Thus, when a group of people is defined entirely in terms of a category to which they belong, and when this category is excluded from the human family, moral restraints against killing them are more readily overcome.

Dehumanization of the enemy is a common phenomenon in any war situation. Sanctioned massacres, however, presuppose a more extreme degree of dehumanization, insofar as the killing is not in direct response to the target's threats or provocations. It is not what they have done that marks such victims for death but who they are—the category to which they happen to belong. They are the victims of policies that regard their systematic destruction as a desirable end or an acceptable means. Such extreme dehumanization becomes possible when the target group can readily be

identified as a separate category of people who have historically been stigmatized and excluded by the victimizers; often the victims belong to a distinct racial, religious, ethnic, or political group regarded as inferior or sinister. The traditions, the habits, the images, and the vocabularies for dehumanizing such groups are already well established and can be drawn upon when the groups are selected for massacre. Labels help deprive the victims of identity and community, as in the epithet "gooks" that was commonly used to refer to Vietnamese and other Indochinese peoples.

The dynamics of the massacre process itself further increase the participants' tendency to dehumanize their victims. Those who participate as part of the bureaucratic apparatus increasingly come to see their victims as bodies to be counted and entered into their reports, as faceless figures that will determine their productivity rates and promotions. Those who participate in the massacre directly—in the field, as it were—are reinforced in their perception of the victims as less than human by observing their very victimization. The only way they can justify what is being done to these people—both by others and by themselves—and the only way they can extract some degree of meaning out of the absurd events in which they find themselves participating (see Lifton, 1971, 1973) is by coming to believe that the victims are subhuman and deserve to be rooted out. And thus the process of dehumanization feeds on itself.

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THINKING ABOUT THE READING

According to Kelman and Hamilton, social processes can create conditions under which usual restraints against violence are weakened. What social processes were in evidence during the My Lai massacre? The incident they describe provides us with an uncomfortable picture of human nature. Do you think most people would have reacted the way the soldiers at My Lai did? Are we all potential massacrers? Does the phenomenon of obedience to authority go beyond the tightly structured environment of the military? Can you think of incidents in your own life when you’ve done something—perhaps harmed or humiliated another person—because of the powerful influence of others? How might Kelman and Hamilton explain the actions of the individuals who carried out the hijackings and attacks of September 11, 2001, or of the American soldiers who abused Iraqi prisoners in their custody?