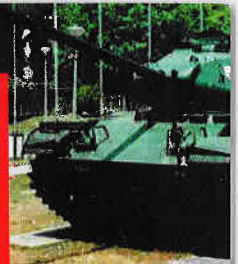


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James Brown in 1968, the same year he went to Vietnam to entertain GIs—some of them not overly welcoming.



JULIAN WASSERTIME & LIFE PICTURES/GETTY IMAGES

My Lai 40 Years Later

What Really Happened in Pinkville?

The Army lawyer who dissected the Calley trial testimony deconstructs the mythology that still swirls around the massacre and the man who unleashed it

By Merle F. Wilberding

THE SMALL HAMLET, part of the village of Song My in South Vietnam's Quang Ngai Province, was often referred to as "Pinkville" by the American soldiers because of its reddish-pink color on the topographic maps. However, because of the events that occurred there on March 16, 1968, the name of this typical hamlet, My Lai, would forever come to represent the worst of America's efforts in Vietnam. Some 40 years later, while the "who" and "what" of My Lai are little disputed, the "why" and "how" remain clouded and open to interpretation.

On March 16, 1968, a platoon led by 2nd Lt. William Laws Calley Jr. killed a large group—some say 20, some say 100, some say 500—of

unarmed old men, women and children in a horrific display of inhuman conduct that soon became known as the My Lai Massacre. It has now been 40 years since Calley led his 1st Platoon through the village of My Lai. Yet even today, the images of what happened there continue to signify a certain darkness in the human spirit that can be unleashed in wartime.

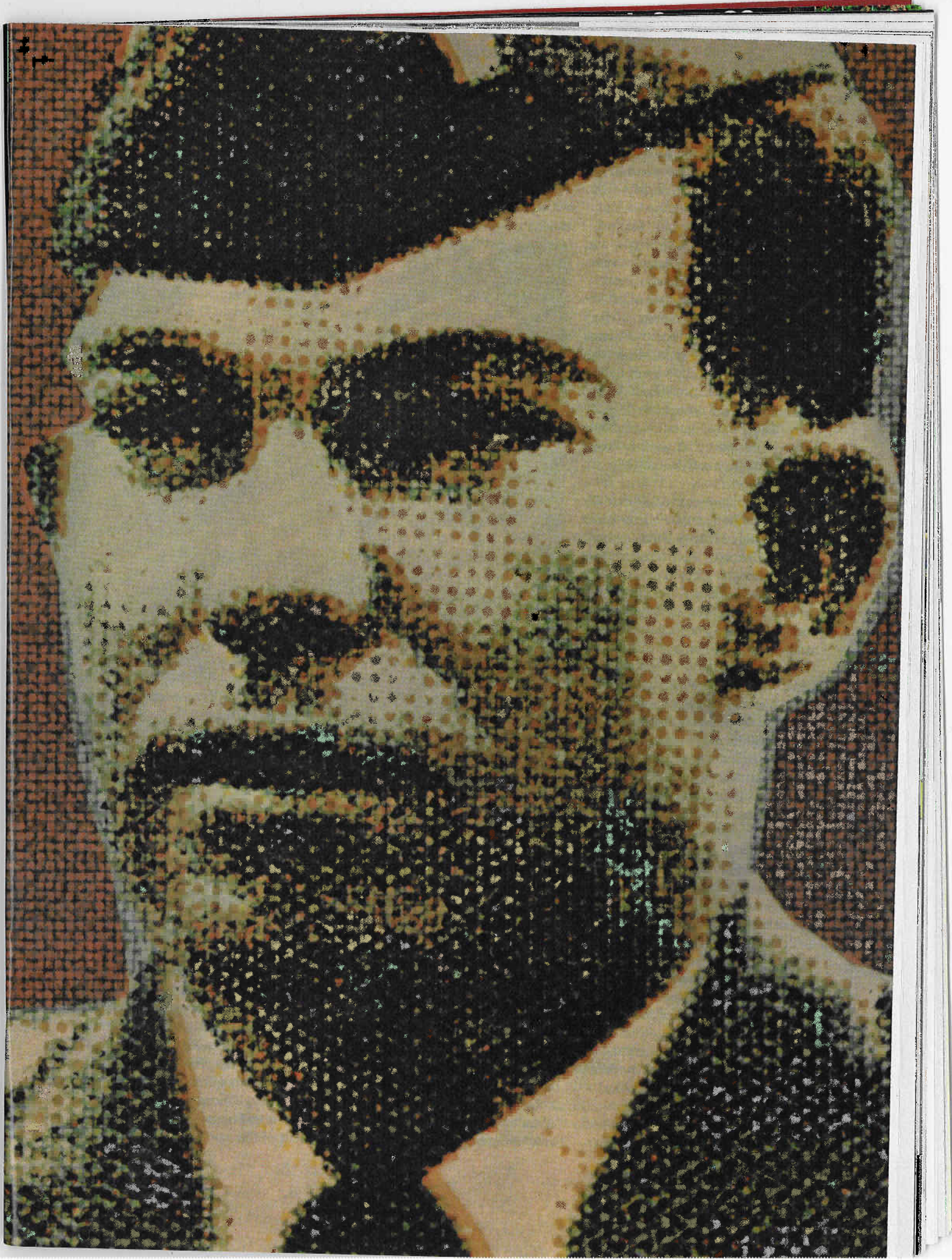
The year 1968 stood out for its tumult and violence in Vietnam and America. On April 3, 1968, I was studying at the University of Notre Dame, excited about Senator Robert F. Kennedy's upcoming campaign stop to speak and shake hands with students there.

The day after RFK's visit, Martin

Luther King would be assassinated. And only two months later, Bobby Kennedy himself was assassinated. The riots and violence that swept across American cities following King's assassination led into the student protests and riots that were building up against the Vietnam War, as political activism marched through the country and frequently descended into violence.

If 1968 was a frustrating and violent year within the United States, it was even more so in Vietnam, as the Tet Offensive marked what would become the turning point in the war. Begun on January 31, 1968, this massive offensive by the North Vietnamese and the Viet Cong generated the most widespread fighting

The My Lai massacre of March 16, 1968, did not come to wide public attention until the fall of 1969, when Lieutenant William L. Calley appeared on the cover of *Time* Magazine. Formal charges had been filed against him that September.



of the war, inflicting substantial casualties on the American and South Vietnamese ground forces and a stinging psychological shock to the American public. Even though it was a tactical disaster for the Communists, for most Americans and many of the country's leaders, hope for a military victory evaporated.

The trauma of the surprise Tet Offensive was the backdrop and perhaps the motivation for the events that transpired at My Lai in March 1968. The combat operation undertaken by Task Force Barker was designed to root out and destroy the Viet Cong 48th Battalion and any supporting units that were believed to be in the area surrounding My Lai.

On the morning of March 16, Charlie Company, consisting of three rifle platoons and one mortar platoon, was transported in two helicopter lifts from Landing Zone Dottie near Chu Lai to the western perimeter of the My Lai hamlet. Lieutenant Calley, 24 years old, was in command of the 1st Platoon. It arrived at about 0730 hours and, once in combat formation, started to sweep the village.

As the Americans entered the village, they did not encounter an armed enemy as expected. Instead, they saw unarmed, unresisting old men, women, children and babies, most of whom were eating breakfast and sitting in their huts. Initially, the personnel of Charlie Company followed the standard operating procedure of Task Force Barker and started to gather the villagers to detain and interrogate them to see if they were Viet Cong.

The My Lai villagers were herded into two groups, one ending up at a trail on the south side of the hamlet and the other held near an irrigation ditch on the east side. Private First Class Paul D. Meadlo, a member of Lieutenant Calley's platoon, was assigned the task of guarding the 20-40 people at the trail. Calley had approached Meadlo and told him to take care of this group, and Meadlo assured him that he would

When Calley returned a short time later, he yelled to Meadlo, "How come they're not dead? I want them dead," or some words to that effect. Whatever his exact language, the meaning of his words was crystal clear. To make sure his men understood, Calley put his M-16 on automatic and started firing into the group standing together at the trail.

Calley then ordered Meadlo and Pfc Dennis Conti to get on line and

zines of ammunition were fired into the group of people huddled together. Meadlo was crying, and started yelling at Pfc James J. Dursi, another 1st Platoon member. Calley ordered Dursi to start shooting, but Dursi refused. Calley also ordered Pfc Robert Maples, the platoon machine gunner, to fire his weapon, but Maples refused. Finally, Calley told Pfc Ronald D. Grzesik, another 1st Platoon member, to "finish them

'Entering the village, the Americans did not encounter an armed enemy as expected but unarmed old men, women and children'

fire at them. Meadlo initially followed this order and fired about three magazines of ammunition into the group. But, shaken by the images of his own acts, Meadlo turned to Conti and tried to give him his weapon, saying that he could not do it any more. Conti rejected the overture and testified later that he told Meadlo that he was "not going to do it. Let Lieutenant Calley do it." Conti added that he then saw only a few kids left standing. "Lieutenant Calley fired on them and killed them one by one."

Calley then took Meadlo to the other group of villagers that had been herded alongside the irrigation ditch on the east side of the village and told him, "We have another job to do." Calley and his platoon used their weapons to push the old men, women and children into the ditch. The villagers were crying and yelling as they knelt and squatted in the ditch.

Calley ordered, "Start firing!" and Meadlo and Calley began shooting into the ditch. About 10-15 maga-

off," but Grzesik refused.

It was about this time that Warrant Officer Hugh Thompson Jr., on an observation mission in the area, landed nearby in his light observation helicopter and confronted Calley. Undaunted, Calley returned to his platoon and scoffed at Thompson's criticisms, telling his men, "He don't like the way I'm running the show, but I'm the boss here."

After the killings at the ditch were over, Calley and his radio-telephone operator, Private Charles Sledge, walked to the north end of the ditch where they discovered a middle-aged Vietnamese man dressed in white robes, who appeared to be a priest. Calley asked the man several times whether he was a Viet Cong, and the man responded, "No Viet." Despite that denial, Calley struck the man in the mouth with the butt of his rifle. The man fell back and gestured for mercy. No mercy. Calley took his M-16 and at point-blank range blew half of the man's head away.

In a little while, Calley then came across a small Vietnamese child, about 2 years old. Calley grabbed the child by the arm and slung the infant a distance of four or five feet

During those intervening 20 months, anecdotes and rumors about My Lai slowly percolated throughout Vietnam as they passed from soldier to soldier, and from division to

to the Army Inspector General, who immediately launched an investigation. Enough of the stories were confirmed to have the matter referred to the convening authority at Fort Benning, Ga., which was requested to have its legal staff review the evidence to determine whether a court-martial should be convened. It did, and on September 5, 1969, formal charges were filed against Calley, and his release from active duty was put on indefinite hold.



RONALD S. HABERLE / TIME LIFE PICTURES / GETTY IMAGES

My Lai civilians, just seconds before they are shot down on the orders of Lieutenant William Calley.

into the ditch. He then aimed his M-16 at the child and fired. Even with a break for lunch at the perimeter of the hamlet, the sweep and destruction of the My Lai village and the majority of its inhabitants took just over four hours.

At the time in 1968, the events at My Lai came and went virtually without notice by almost everyone in Vietnam and in the United States. In fact it was not until December 5, 1969, that Lieutenant Calley appeared on the cover of *Time* magazine and the general public was introduced to My Lai and its horrifying images.

division. One of the soldiers who heard those stories and rumors was a combat infantryman named Ron Ridenour.

Ridenour brought the stories and rumors back to the United States with him. After he was discharged, he wrote a letter on March 29, 1969, to President Richard Nixon, the State Department, the Pentagon and numerous members of Congress. Ridenour's letter described how Charlie Company, 1st Battalion, 20th Infantry, had destroyed a village and massacred its inhabitants, including men, women and children.

That letter was forwarded by General William C. Westmoreland

The court-martial trial began on November 17, 1970. There was never any doubt that the prosecution, led by a young Captain Aubrey Daniel, was well prepared for this case. Daniel methodically and very effectively presented the avalanche of evidence that investigators had collected about My Lai, finishing the government's case with the dramatic testimony of Paul Meadlo, who recounted the horrific details in an almost emotionless manner. As I look back, perhaps Meadlo's lack of emotion reflected a numbness that had scarred over his memory of his own acts and the acts of others at My Lai.

Calley's civilian defense lawyer was George Latimer, a Salt Lake City lawyer who had previously served on the Utah Supreme Court and on the United States Court of Military Appeals. That background suggested a wealth of military law experience, but as the trial and appeal unfolded, it seemed to many that Latimer's best experience was behind him.

After hearing all the evidence, on March 29, 1971, the court-martial panel found Calley guilty of premeditated murder of no fewer than 20 people. Two days later, he was sentenced to confinement for life at the Disciplinary Barracks in Fort Leavenworth, Kan. After its review, the convening authority at Fort Benning reduced the period of confinement to 20 years.

Calley appealed his conviction and sentence to the Army Court of Military Review, where he was represented again by Latimer and

Captain J. Houston Gordon. I was assigned, along with Captains Bob Roth and Doug Deitchler and Lt. Col. Ron Holdaway, to represent the Army in his appeal. This extraordinary assignment included the tasks of writing the legal brief and presenting the oral argument before the military appellate courts.

Following my graduation from Notre Dame Law School and from the Judge Advocate General's School in Charlottesville, Va., I had been assigned to the Government Appellate Division in Washington, D.C. Ironically, I received my direct commission as a captain on September 5, 1969, the same day charges were formally filed against Lieutenant Calley.

The transcript for the court-martial trial filled a four-drawer file cabinet and represented a mountain of evidence from myriad sources. The assignment gave me a unique opportunity to consider the testimony and evidence in a more analytical manner, a luxury not often afforded trial counsel who may be engulfed in the dynamics of the trial—the testimony of the witnesses, the rulings of the military judge and the evidentiary issues. That was particularly important in this case because the trial started almost two years after the events, and, as in any event, different human beings will recall different details, especially in a highly chaotic event.

The assignment also gave me an opportunity to measure the facts in the trial transcript against the cloth of popular opinion and political rhetoric. There were and still are a number of popular theories about what happened at My Lai and whether anyone was or should be culpable—popular theories that often overwhelm the real facts. Access to the sworn testimony at trial and a review of the evidentiary exhibits gave me an extraordinary advantage in judging what was myth and what was reality.

As legal assignments go, the Calley appeal was a mammoth project, with many important legal issues set against a background of intense

national political and social attention. As the oral argument date drew near, the media focused its attention more brightly on the Calley case. Bob Schieffer was the Pentagon correspondent for CBS News at the time, and he was always extraordinarily respectful and objective in his questions and TV reports. There also was a continuing presence of Jack Taylor, investigative reporter from *The Daily Oklahoman*, who often seemed more interested in presenting Calley's defenses and championing his cause for his readership.

Calley's life sentence, which had been approved by the Army Court of Military Review and by the United States Court of Military Appeals on

arrest at Fort Benning until all of his appeals were exhausted. It was not until 1974 that he was transferred to Fort Leavenworth, where he served just over four months as a clerk-typist before being paroled by the Army.

When he was released, Calley moved to Columbus, Ga. In 1976 he married Penny Vick. Today, he manages the V.V. Vick jewelry store that he inherited from his father-in-law. To this day, he refuses all interview requests and pointedly declines to talk about My Lai or even Vietnam.

Looking back at My Lai 40 years later, I think about five enduring observations and lessons about the case and its impact on war



While estimates of the number of My Lai civilians massacred on March 16, 1968, range as high as 500, Lieutenant Calley was found guilty of premeditated murder of no fewer than 20 people.

March 31, 1971, was later reduced. In 1974 Secretary of the Army Howard Callaway shortened the period of confinement to 10 years.

As it turned out, Calley served very little time. Immediately upon his conviction, he was put in the stockade at Fort Benning, but three days later, President Richard M. Nixon intervened and put him under house

and military justice:

—The evidence at trial was conclusive beyond a reasonable doubt that Lieutenant Calley deserved to be court-martialed and punished for his actions at My Lai.

—The sworn testimony always seemed to be overwhelmed by a popular perception—perhaps media-driven—that Calley was a victim who

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