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TUESDAY, AUGUST 09, 2005

Who's In Charge Of Military? The Privates Or The Generals?

by Michael in New York on [8/09/2005 03:42:00 PM](#)

Each individual soldier is responsible for their own actions. "I was just following orders" ended as a reasonable excuse sometime around the Nuremberg trials. But the soldiers in Abu Ghraib and Guantanamo Bay are surely getting a raw deal anyway. Some clearly reveled in abusive treatment. But story after story is making clear that many of them were following orders, asking repeatedly for guidelines on what was acceptable and what was safe, many got the run-around from superiors who wanted the prisoners roughed up but didn't want to get their hands dirty, etc. Here's the latest roundup from the NYT:

In the first interview granted by any of the accused soldiers, a former guard charged with maiming and assault said that **he and other reservist military policemen were specifically instructed at Bagram how to deliver the type of blows that killed the two detainees, and that the strikes were commonly used** when prisoners resisted being hooded or shackled.

"I just don't understand how, if we were given training to do this, you can say that we were wrong and should have known better," said the soldier, Pvt. Willie V. Brand, 26, of Cincinnati, a father of four who volunteered for tours in Afghanistan and Kosovo....

In recommending the dismissal of an involuntary manslaughter charge that Army prosecutors initially sought against Private Brand, the investigating officer who oversaw his pretrial inquiry, Col. Stephen B. Pence, wrote that there was "no evidence that the accused knew or should have known" that the knee strikes could mortally injure a detainee, or that the blows "would be anything other than temporarily disabling...."

In interviews, other former interrogators said **she and the staff sergeant who was her deputy had for months been seeking clarification from their superiors** about the interrogation methods they could use.

"They asked many, many times," said one former Bagram interrogator who agreed to speak only on condition of anonymity because of the continuing investigation. "The lack of guidance was a source of frustration for them. My own feeling is that it was never given because nobody wanted to put themselves on the line."

I don't mean to summarily excuse the actions of any soldiers. But isn't it increasingly clear how higher-ups have let them dangle for practices the people in charge knew about, encouraged but can now use plausible denial to keep themselves out of prison?



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