



## The Haditha Massacre

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### **The Haditha Massacre**

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truthout | Perspective

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***They ranged from little babies to adult males and females. I'll never be able to get that out of my head. I can still smell the blood. This left something in my head and heart.***

*- Observations of Lance Cpl. Roel Ryan Briones after the Haditha Massacre*

On November 19, 2005, Marines from Kilo Company, 3rd Battalion, 1st Marine Regiment, 1st Marine Division based at Camp Pendleton allegedly killed 24 unarmed civilians in Haditha, Iraq, in a three to five hour rampage. One victim was a 76-year-old amputee in a wheelchair holding a Koran. A mother and child bent over as if in prayer were also among the fallen. "I pretended that I was dead when my brother's body fell on me, and he was bleeding like a faucet," said Safa Younis Salim, a 13-year-old girl who survived by faking her death.

Other victims included girls and boys ages 14, 10, 5, 4, 3 and 1. The Washington Post reported, "Most of the shots ... were fired at such close range that they went through the bodies of the family members and plowed into walls or the floor, doctors at Haditha's hospital said."

The executions of 24 unarmed civilians were conducted in apparent retaliation for the death of Lance Cpl. Miguel Terrazas when a small Marine convoy hit a roadside bomb earlier that day.

A statement issued by a US Marine Corps spokesman the next day claimed: "A US Marine and 15 civilians were killed yesterday from the blast of a roadside bomb in Haditha. Immediately following the bombing, gunmen attacked the convoy with small-arms fire. Iraqi army soldiers and Marines returned fire, killing eight insurgents and wounding another."

A subsequent Marine version of the events said the victims were killed inadvertently in a running gun battle with insurgents.

Both of these stories were false and the Marines knew it. They were blatant attempts to cover up the atrocity, disguised as "collateral damage."

The Marine Corps paid \$38,000 in compensation to relatives of the victims, according to a report in the Denver Post. These types of payments are made only to compensate for accidental deaths inflicted by US troops. This was a relatively large amount, indicating the Marines knew something was not right during that operation, according to Mike Coffman, the Colorado state treasurer who served in Iraq recently as a Marine reservist.

Congressman John Murtha, D-Pa., a former Marine, was briefed on the Haditha investigation by Marine Corps Commandant Michael Hagee. Murtha said Sunday, "The reports I have from the highest level: No firing at all. No interaction. No military action at all in this particular incident. It was an explosive device, which killed a Marine. From then on, it was purely shooting people."

The Haditha massacre did not become public until Time Magazine ran a story about it in March of this year. Time had turned over the results of its investigation, including a videotape, to the US military in January. Only then did the military launch an investigation.

These Marines "suffered a total breakdown in morality and leadership, with tragic results," a US official told the Los Angeles Times.

"Marines over-reacted because of the pressure on them, and they killed innocent civilians in cold blood," Murtha said.

Murtha's statement both indicts and exonerates the Marines of the crime of murder.

Murder is the unlawful killing of a human being with malice aforethought. Premeditation and deliberation - cold-blooded planning - are required for

first degree murder. Complete self-defense can be demonstrated by an honest and reasonable belief in the need to defend oneself against death or great bodily injury. The Marines might be able to show that, in the wake of the killing of their buddy Terrazas by an improvised explosive device, they acted in an honest belief that they might be killed in this hostile area. But the belief that unarmed civilians inside their homes posed a deadly threat to the Marines would be unreasonable. An honest but unreasonable belief in the need to defend constitutes imperfect self-defense, which negates the malice required for murder, and reduces murder to manslaughter.

An honest but *unreasonable* belief in the need to defend constitutes imperfect self-defense, which negates the malice required for murder, and reduces murder to manslaughter.

Many of our troops suffer from post traumatic stress disorder, or PTSD. Lance Cpl. Roel Ryan Briones, a Marine in Kilo Company, did not participate in the Haditha massacre. TJ Terrazas was his best friend. Briones, who was 20 years old at the time, saw Terrazas after he was killed. "He had a giant hole in his chin. His eyes were rolled back up in his skull," Briones said of his buddy.

"A lot of people were mad," Briones said. "Everyone had just a [terrible] feeling about what had happened to TJ."

After the massacre, Briones was ordered to take photographs of the victims and help carry their bodies out of their homes. He is still haunted by what he had to do that day. Briones picked up a young girl who was shot in the head. "I held her out like this," he said, extending his arms, "but her head was bobbing up and down and the insides fell on my legs."

"I used to be one of those Marines who said that post-traumatic stress is a bunch of bull," said Briones, who has gotten into serious trouble since he returned home. "But all this stuff that keeps going through my head is eating me up. I need immediate help."

A key quote from a Marine officer could be used to show premeditation - and thus malice - in support of a possible murder charge against the shooters. An article in yesterday's San Diego Union-Tribune which is reprinted from the New York Times News Service, cites a report by "one Marine officer" that "inspectors suspected at least part of the motive for the killings was to send a message to local residents that they would 'pay a price' for failing to warn the Marines about insurgent activity in the area."

Curiously, that paragraph is missing from the same story in both the print and online editions of yesterday's New York Times. For some reason, the Times had second thoughts about that paragraph, and removed it, after the copy had been sent to other papers over the wire.

Regardless of how those who may ultimately be charged with murder fare in court, a more significant question is whether George W. Bush, Dick Cheney and Donald Rumsfeld will be charged with war crimes on a theory of command responsibility.

Willful killing is considered a war crime under the US War Crimes Act. People who commit war crimes can be punished by life in prison, or even the death penalty if the victim dies. Under the doctrine of command responsibility, a commander can be held liable if he knew or should have known his inferiors were committing war crimes and he failed to stop or prevent it.

Bush, Cheney and Rumsfeld are knowingly prosecuting a war of aggression in Iraq. Under the United Nations Charter, a country cannot invade another country unless it is acting in self-defense or it has permission from the Security Council. Iraq had invaded no country for 11 years before "Operation Iraqi Freedom," and the council never authorized the invasion.

A war that violates the UN Charter is a war of aggression.

Under the Nuremberg Tribunal, aggressive war is the supreme international crime.

Hagee flew from Washington to Iraq last week to brief US forces on the Geneva Conventions, the international laws of armed conflict and the US military's own rules of engagement. He is reportedly telling the troops they should use deadly force "only when justified, proportional and, most importantly, lawful." This creates a strong inference that our leaders had not adequately briefed our troops on how to behave in this war.

This, combined with the evidence that US forces are committing torture based on policies from the highest levels of government, as well as reports of war crimes committed in places such as Fallujah, served to put Bush, Cheney and Rumsfeld on notice that Marines would likely commit war crimes in places such as Haditha. Our highest leaders thus should have known this would happen, and they should be prosecuted under the War Crimes Act.

Murtha told ABC there was "no question" the US military tried to "cover up" the Haditha incident, which Murtha called "worse than Abu Ghraib." Murtha's high-level briefings indicated, "There was an investigation right afterward, but then it was stifled," he said.

"Who covered it up, why did they cover it up, why did they wait so long?" Murtha asked on "This Week" on ABC. "We don't know how far it goes. It goes right up the chain of command."

Murtha said the decision to pay compensation to families of the victims is strong evidence that officers up the chain of command knew what had happened in Haditha. "That doesn't happen at the lowest level. That happens at the highest level before they make a decision to make payments to the families."

Haditha is likely the tip of the iceberg in Bush's illegal war of aggression in Iraq.

"We have a Haditha every day," declared Muhanned Jasim, an Iraqi merchant. "Were [those killed in Haditha] the first ... Iraqis to be killed for no reason?" asked pharmacist Ghasan Jayih. "We're used to being killed. It's normal now to hear 25 Iraqis are killed in one day."

"We have a Fallujah and Karbala every day," Jasim added, referring to the 2004 slaughter by US forces in Fallujah and bombings by resistance fighters in the Shiite city of Karbala.

In Fallujah, US soldiers opened fire on houses, and US helicopters fired on and killed women, old men and young children, according to Associated Press photographer Bilal Hussein.

"What we're seeing more of now, and these incidents will increase monthly, is the end result of fuzzy, imprecise national direction combined with situational ethics at the highest levels of this government," said retired Air Force Col. Mike Turner, a former planner at the Joint Chiefs of Staff.

Senator John Warner, R-Va., head of the Armed Services Committee, pledged to hold hearings on the Haditha killings at the conclusion of the military investigation. "I'll do exactly what we did with Abu Ghraib," he told ABC News.

Warner's pledge provides little solace to those who seek justice. Congress has yet to hold our leaders to account for the torture by US forces at Abu Ghraib prison. Only a few low-ranking soldiers have been prosecuted. The Bush administration has swept the scandal under the rug.

During the Vietnam War, the US military spoke of winning the hearts and minds of the Vietnamese people. But in 1968, US soldiers massacred about 400 unarmed elderly men, women and children in the small village of My Lai. A cover-up ensued, and it wasn't until Seymour Hersh broke the story that it became public.

"America in the view of many Iraqis has no credibility. We do not believe what they say is correct," said Sheik Sattar al-Aasaaf, a tribal leader in Anbar province, which includes Haditha. "US troops are very well-trained and when they shoot, it isn't random but due to an order to kill Iraqis. People say they are the killers."

Graffiti on one of the Haditha victims' houses reads, "Democracy assassinated the family that was here."

So much for winning the hearts and minds of the Iraqi people.

We must pull our troops out of Iraq immediately, and insist that our leaders be held to account for the war crimes committed there.

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