The My Lai Case

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This 1971 NBC News special report recaps the military trial that convicts U.S. Army Lieutenant William Calley of premeditated murder during what has become known as the My Lai massacre. The massacre by U.S. Army soldiers from Charlie Company of more than 300 unarmed Vietnamese civilians took place on March 16, 1968, but it would not become public knowledge until late 1969. Several of the soldiers and Army photographer describe what they saw during and after the massacre. This is the full and unedited version of the story. It may not be suitable for younger viewers.

Keywords

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FRANK McGEE, anchor:

This is an aerial view of My Lai, South Vietnam. In 1968 it was controlled by the Viet Cong. On March 16th of that year, American soldiers were ordered into My Lai to search and destroy. This is what happened.

NBC NEWS ANNOUNCER: NBC News presents a special program about the My Lai case and the verdict against Lieutenant Calley. Here is Frank McGee.

MCGEE: A United States Military court-martial formally established today there was a massacre of civilians at My Lai. It convicted Lieutenant William Calley, one of the American soldiers who was there, of premeditated murder in the death of 22 South Vietnamese. NBC News correspondent Robert Goralski is at Fort Benning, Georgia, where the verdict was handed down.

ROBERT GORALSKI reporting:

The jury found Lieutenant Calley guilty of three acts of premeditated murder, and assault with intent to commit murder on the fourth charge. The Army had originally charged Lieutenant Calley with four acts of premeditated murder. The Army said originally that Lieutenant Calley killed at least 102 My Lai villagers,
the jury decided he killed at least twenty two. Because premeditated murder carries a mandatory life in prison or execution sentence, the jury will now start deliberating on what that sentence will be. Tonight, Lieutenant Calley is spending his first night in a military stockade, about four blocks away from this law building where he was judged.

McGEE: After the verdict was announced, Lieutenant Calley’s defense lawyer George Latimer said Calley was crushed by the decision, and said for himself, he felt it was tragic.

GEORGE LATIMER (Lt. Calley’s Defense Attorney): Well I feel that way because of the fact that this boy’s the product of a system, a system that drug him up by the roots, took him out of his own community, put him into the Army, taught him to kill, sent him overseas to kill, gave him mechanical weapons to kill, got him over there and ordered him to kill, and the very same department of government that does that comes back, they appoint the judge, they appoint the court, they appoint the prosecutors, and they appoint everybody in the military system until such times it gets beyond the court of military review. Now I say that’s one department of government that brings him in, brings about the results, and then tries him—the same department of government tries him. I’ve always contended he should have been tried by a jury and not by a military court.

Unidentified Reporter #1: Sir, what does this do in the army and a soldier’s duty to obey orders?

Anything?

LATIMER: I certainly think so. That’s why I said I think it was a horrendous decision for the United States Army.

Unidentified Reporter #1: What do you mean by that? What does it do to the soldiers?

LATIMER: Well you wait-- you look at the letters that you receive from fathers and mothers and say “If they’re going to train our boys, ship ‘em overseas, take ‘em overseas, teach ‘em to kill, and then try them for killing, you’re not gonna get our boys!”

McGEE: A few minutes later, Lieutenant Calley emerged from the court, escorted by Military Police, on his way to the post stockade. Calley was unsmiling and had nothing to say.

The killings at My Lai occurred on March 16th, 1968. But it was not until March 29th, 1969 that they came to light. A man named Ronald Lee Ridenhour wrote letters to the White House and a select group of senators and congressmen describing what had happened at My Lai. Ridenhour said in the letters that he had served in Vietnam with members of Charlie Company of the 11th Brigade, and he related that they had told him about the massacre. He named names. He said that his conscience forced him to report the incident.

RONALD RIDENHOUR: Specifically they told me that they had seen individuals-- individual soldiers and some of the officers going through the village, and as they swept through the village, if there were people standing by the side of the trail through the village or in the village, that they just gunned them down-- that they shot them-- they saw these people shot with no provocation.

Reporter #2: Did they maintain that they were carrying out orders or that it was a spontaneous reaction on their part?

RIDENHOUR: Apparently, from what they said and from what they told me, it was a planned operation. And that two of the companies-- two of the three companies in the task force-- cordoned off the village
and their company moved through and wiped it out.

Reporter #2: Personally, what decision making process did you go through before you decided to take your action?

RIDENHOUR: Well, I don’t know. I guess I just wrestled with my own conscience to try to decide what action to take. I felt that I had to take some action, I had to do something. I couldn’t just-- just rest with this knowledge for the rest of my life. That I couldn’t-- I couldn’t live with myself if I did. So I decided I had to do something and after considering it for some length of time, I decided that was the best way to handle it-- was to write a letter and send copies of the letter to several individuals in positions of power.

McGEE: The American public did not hear about the Ridenhour letters until shortly after Lieutenant Calley was charged, six months after the letters were sent. When the specifics of the charges became known, reporters around the country began tracking down and interviewing the veterans of My Lai. Some told of personally participating in the action, others told of their reaction to what had happened.

Sgt. MICHAEL BERNHARDT: Prior to the operation, the C.O.’s order was to destroy the village and its inhabitants.

Unidentified Reporter #3: Did you think the people in the village were Viet Cong?

BERNHARDT: Some of the people in the village-- you say “people in the village”-- weren’t old enough to walk yet. I don’t see how they could be Viet Cong.

Reporter #3: What was the reaction of the men in the company to this killing?

BERNHARDT: Generally, the greater number, the men in the company treated it as though it were a victory.

Reporter #3: How do you mean “they treated it as though it were a victory”?

BERNHARDT: They had no qualms about it at all. It was…kicks.

Reporter #3: Was this standard practice for your company?

BERNHARDT: No it wasn’t. This wasn’t an ordinary thing.

Reporter #3: Was this an isolated incident?

BERNHARDT: This was an isolated incident.

MICHAEL TERRY: After the funeral, the company commander, Captain Medina, got up and he talked to the men for a while and couple of-- it was quite an emotion-filled scene-- a couple of the guys were crying and one guy asked the captain when they’d get a chance to fight. And he said we had a mission coming up where we’d go into this area, Pinkville, where we’d been in several times before, we’d go into there the next day and they’d have their chance then. And we’d tried to push into Pinkville a couple times before, but we never could make it. Another company lost quite a few guys out there. One guy tried to pin the captain down. He left the impression that they could shoot just about anything they saw out there that was moving.

Reporter #4: Mike, what did you see in the village when you got in there?

TERRY: 1st Platoon marched through and I guess they just shot most of the people that they saw. A lot of the people evacuated the areas, they just ran along the trails and tried to get out as fast as they could. And they shot quite a few that they saw, I imagine. In one group specifically they had rounded up about twenty, maybe thirty people, and most of them were women and children, there might have been a few old
men in the group. But they’d rounded them up just right over the ditch bank and shot them all with a
machine gun and left them in the ditch.
I had a friend that told me about this one instant with this Lieutenant Calley, and he ordered one man, I
believe his name was Torres, to shoot these-- he was a machine gunner-- and he ordered him to shoot the
people, and he shot about half of them and he wouldn’t do it anymore. So Calley grabbed the machine gun
and shot the rest of them.
VARNADO SIMPSON: Well, that afternoon we got briefed, like we was going into the village, by our
company commander Captain Medina, there we was-- when we leave out the village, there shouldn’t be
anything standing-- villagers, women, children, babies, pigs, chickens, anything. And we set out out that
morning about 9 or 9:30, and our platoon was the second platoon to go in and we were on the left flank of
the village. And as we proceeded through there, we had orders to search and destroy everything. As we
came up on the huts, well we searched the huts, searched all around the area and everything, if there was
anything in there, we was to destroy it and everything. And as I came up on it, there was a woman, a man,
and a child running away from it, toward the hut, so I told them to stop in their language and everything
and they didn’t. And I had orders to shoot them down and I did this, this is what I did-- I shot the lady and
the little boy.
Reporter #4: About how old was the little boy?
SIMPSON: Oh, about two years old.
CHARLES WEST: Because I felt we were under orders to do this, and that actually everyone thought that
we would meet heavy resistance as we went into Pinkville.
Reporter #4: Did some Americans kill wounded civilians deliberately?
WEST: Yes, but in the sense that I think that most of the G.I.s, they’d seen that these people were
wounded, they was wounded up pretty bad, even with medical attention at that time, in most instances we
didn’t feel that these people would survive, so in most cases the G.I. did put the people-- in a way they
thought they were doing the people a favor by relieving them of their pain and the status they were in at
that time.
Reporter #4: Did anyone taking part in this attack say, “No, I won’t have any part of it”?
WEST: Yes, there were circumstances where G.I.s-- they were standing up and they had peoples on the
trail and off to the side of the trail and in front of hooches and they were not killing the peoples and like,
maybe some individuals asking about what were they were doing with the peoples and some G.I.s said
“Well, I don’t care what they do with them, I’m not going to kill them.”
McGEE: The men you have just seen were never changed with taking part in the massacre at My Lai. One
of those who was charged, Staff Sargent David Mitchell, denied there had been a massacre. He was court
marshaled and found innocent. After he was charged but before he was tried, Mitchell gave his version of
the events at My Lai.
S/Sgt. DAVID MITCHELL: Anything is possible-- not saying that a massacre took place, I made a
statement that I didn’t see one and that anything could have happened. I don’t know where I heard from,
but I once heard that sometimes innocent people get in the way and they are hurt. I can recall no such case
where I in particular encountered any innocent civilian being killed.
McGEE: My Lai lies along South Vietnam’s coast, about 150 miles south of the Demilitarized Zone, the village of Song My in northern Quang Ngai Province. My Lai came under Viet Cong control in 1964, there was little fighting in the area until a helicopter assault was mounted on the village that faithful day of March 16th, 1968. One of those on the assault was Ronald L. Haeberle, an Army photographer. He took black and white pictures during the massacre and turned them into the Army. These pictures have never shown up. But Haeberle also took photographs—color photographs—for his own use. Photos which Life Magazine later bought and published. NBC News correspondent George Page talked to Haeberle about the massacre.

RONALD HAEBERLE: We first arrived—were put down by helicopter, and we were on the outside of the village and the group I was attached with went to the outside and we could hear shots being fired inside the village. And we were moving toward a hill, which was about, I’d say 75 yards away, and we moved on toward the hill and there were people walking in the background, and the G.I.s were firing at these people with grenade launchers, machine guns, M-16s, and also killing the animals that were with these people. On the way back were these two small children, one was a little boy, be about 6 or 7, and a younger one, maybe about 4 or 5. Well the G.I.s fired at these two small children, hitting the small child first, and it looked like, to me, he was hit by a tracer, and you could see the tracer actually that was burning in his flesh. And the older boy fell over on top to protect him, and just the look on their face was astounding. This is a picture of an old man, we found him in a hut. And we brought him out to question him, he kept losing his pants, he was very old and very shaky. And then I presumed I shot him just before he was about to be shot.

Reporter #5: I believe there’s been one published report that the members of Company C had lost quite a few of their men and that they just went berserk in this case. Do you think that might be true?

HAEBERLE: They could have gone berserk once they started with this killing. It seemed to be done more businesslike, like they were just a machine. There was very little facial expressions on some of the men. For example, this one instance, I was about to take a picture of this small child, he was shot through the arm and shot through the leg. And I started moving back so I could focus on him. What I didn’t notice was a G.I. kneeling right down beside me, and he fired three shots into this small child. It was like the first shot knocked him back, second shot lifted him off the ground, third shot put him down. It was a stroboscopic effect. It was something I couldn’t believe. And he just stood up, walked away, no emotion on his face whatsoever.

They were about ready to shoot these people and I just yelled, “Hold it.” And the G.I.s moved back and I shot this picture of ‘em. And the mother trying to protect the daughter, the G.I.s kicked her, pushed her around, pushed her down on the ground, more or less trying to—more or less beating her up. And finally that’s the final shot right there, just before these people were shot, I just turned and started to walk away and out of the corner of my eye, I saw these bodies dropping over.

Reporter #5: Why did you not take a picture of these people actually being shot?

HAEBERLE: It was a little too horrible.

Reporter #5: Do you have a theory about why the G.I.s did this?

HAEBERLE: Yes, that area is considered Viet Cong country, it’s a Viet Cong stronghold. And they
consider these people sympathizers, Viet Cong sympathizers. And I can see where a lot of G.I.s become hard to this because some of their own-- our own men have been killed in this area because of booby traps.

Reporter #5: What’s this next picture?

HAEBERLE: This is a picture of some bodies that I stumbled across on the outskirts of the village. They were believed to have been machine gunned.

Reporter #5: Ron, how many civilians did you actually see shot?

HAEBERLE: I believe to be about a hundred. General count. No specific count.

Reporter #5: And you didn’t take any pictures of-- actual pictures of the Americans shooting these people, why was that?

HAEBERLE: That’s very debatable. I shot two or three rolls of black and white on Army equipment to turn into our public information office, but, yet I do not know what happened to these pictures.

McGEE: Captain Ernest Medina, Lieutenant Calley’s company commander also faces murder charges in connection with the massacre at My Lai. Medina was the commander of Company C and Calley claimed that the captain made the order to kill every living thing in the village. At the request of the jury, Medina testified at Calley’s court-martial, but denied having ever ordered the killing of civilians. He did admit trying to cover up the massacre after he realized it had occurred. Earlier, during an Army Board of Inquiry into the massacre, Medina denied giving any order to kill civilians and said that he had not seen any mass slayings in the village.

Capt. ERNEST MEDINA: I did not see any civilians shot at My Lai.

Reporter #6: Did you see any civilians that had been shot there? The pictures I’m referring to that have been published?

MEDINA: I did see some bodies of women and children that had been killed in My Lai. My after-action report that I submitted to the Task Force Tactical Operations Center was that there had been twenty to twenty-eight civilians killed. And I’ll further state that I did not order any massacre at My Lai 4.

McGEE: As we said earlier, today’s verdict established that there was definitely a massacre at My Lai. It happened three years ago, and what of My Lai today? NBC News correspondent Tom Streithorst recently visited the hamlet, and there he talked to some of the survivors. He also found out how the American Army in the field has reacted to disclosure of what happened.

STREITHORST: My Lai 4 was completely demolished, the people relocated. Now, some of them have returned to live in a nearby hamlet with a different name. Song My, where My Lai 4 was located, is now officially listed as pacified, but it’s ranked in the lowest category of pacified villages. You still hear firing, there are mines and booby traps reported, it’s not advised for outsiders to remain here at night. Now, cows graze on the ruins of Viet Cong bunkers. The little boy in the American baseball cap, Nguyen Vinh Dah, 10, herds cows for a living. He was doing the same thing here when the American helicopters arrived. He led us to the bunker where he and his sister, now 13, had hidden.

He pointed out the ditch, which figured so prominently, in the testimony of the Calley trial. He said that his grandmother, mother, and father were among those herded into the ditch. He pointed to three mounds, marked simply with three pieces of wood, and said, “They are their graves.” This little girl, playing with
the remnants of a mortar round, is another survivor. But she didn’t want to talk about it, not even to give her name. Tho Di Pho said she ran when she heard the helicopters land, and that running saved her life. She lost her husband and six other members of her family in the My Lai 4 incident.

The government authorities weren’t too happy about our coming here. The United States Americal Division refused to accompany us. As one South Vietnamese civilian said, “My Lai is like a piece of filth. Nobody wants to touch it.” Tom Streithorst, NBC News, in the remains of My Lai 4.

MCgee: Twelve officers and men of the United States Army were formally charged with taking part in the My Lai killings. Of these, one, Lieutenant Calley, has been found guilty. Two have been acquitted. Two, including Captain Medina, have still to stand trial. The charges against the other seven were dismissed for insufficient evidence. In addition, 22 former servicemen were investigated and would or could have been charged had they not been out of military jurisdiction. The Department of Justice has no present plans to prosecute anyone who has left the Army for the incidence at My Lai, but it did not rule out the possibility of such action in the future. Twelve more officers, ranging in rank from Captain to Major General, were charged with covering up the massacre. Of these, charges against eleven were dismissed, again for lack of evidence. And one officer, Colonel Oran Henderson, still faces trial. So as of now, Lieutenant Calley is the only man who stands convicted of committing any crime at My Lai. The trial was agony for Calley, the Army, and the American people. Let’s go back now to Fort Benning and Robert Goralski.

Goralski: It was easily the most celebrated and most publicized military trial of modern time. It was also the longest military trial of all time. It all started here last November 12th when the jury selection process began. According to military law the men who would try Lieutenant Kelly had to be superior to him in rank. The jury eventually selected consisted of one colonel, three majors, and two captains. One of the captains during the trial was promoted to major. The first of the witnesses was heard from on November 17th, the first of more than 100 witnesses who sat in this chair and told about what they knew about events that happened at My Lai Four on March 16th, 1968. There were more than 100 witnesses, some of them called by the Army, some of them called by the defense and some of them called by the jurors themselves.

Many of those who testified referred to an aerial photograph of My Lai Four, the village of this amoeba-shaped form in the center of the photo. They told of Charlie Company making their assault in the morning about 7:30--coming into this area, a landing zone just west of the village. And then Charlie Company on a search and destroy mission sweeping through it. LT. Kelly was specifically charged with four counts of murder.

The Army accused him of killing not less than 30 unarmed, unrezzing, Vietnamese villagers at the intersection of two trails just south of the village. The jury today found him guilty of killing at least one person at the trail intersection. The Army had accused LT. Calley of killing not less than 70, again unarmed, unrezzing, men, women, and children at an irrigation ditch just east of the village. The jury today found him guilty of killing not less than 20 persons at the irrigation ditch. The Army had charged LT Calley with two other crimes, two other acts of murder. One, killing a man who was dressed in white robes. He could have been a monk or a priest. They said that they killed this man somewhere near the
irrigation ditch. The jury today found Lt. Kelly guilty of killing that man with premeditation. The Army had accused Lt. Kelly of also killing a small child, about two years old. One of the witnesses told of Lt. Kelly picking up the child by its arms and throwing it into a ditch and killing the child. The jury today found LT Kelly guilty of assault with attempt to commit murder on that child.

On December 10th, the defense started presenting its case. Many of the witnesses talked about the orders given the men of Charlie Company the night before the assault. Some told of getting orders to kill everything in the village, to get rid of everything walking, crawling or growing--to destroy it completely. Lt. Kelly took the stand on his own behalf. He denied killing the child, or the man, or shooting at the north-south trail. However, he did admit firing into the ditch, didn’t remember who was in the ditch. His mind is a blank on that now, he said.

But finally on March 16th, exactly three years after the incident took place, the jury was given its decision--its given its orders to go ahead. Instructions, 42 pages of them were given the jurors by the presiding judge, Colonel Reid Kennedy. What the jurors basically had to answer were these questions. Were people killed at My Lai, were they killed by Lt. Calley, or did he order people to be killed at My Lai? What was his state of mind that day? And whatever orders were given, would a reasonable man have carried them out?

And then this afternoon at exactly 4:32, Lt. Calley stood here flanked by his defense attorneys and heard the president of the jury colonel Clifford Ford, read the verdict. Guilty of premeditated murder on three counts, assault with attempt to commit murder on another count. Lt. Calley was ashen when the verdict was announced. He had expected, he told friends privately, to be convicted of manslaughter. He had hoped to be acquitted. He was afraid of what prison life would be. He asked his friends if anybody knew anything about life in a military stockade. Did the guards attack you? Could you be attacked by homosexuals? He said he was worried about life in military prison. He said if acquitted, he planned to go back to college, perhaps to major in oceanography and ironically to live many years of his life, he said, in Asia. He liked their philosophy--he liked the Asians he said. But now, since he’s been found guilty, he can look forward to many years in jail or perhaps execution--death by hanging, at Fort Leavenworth, Kansas to which he will soon be transferred.

Lt. Calley also knows that his name will forever be identified with My Lai and My Lai will forever be identified with American involvement in Vietnam.

MCGHEE: The defense says it will appeal the Calley conviction as high up as possible and there are several avenues of appeal available. Here is NBC News legal correspondent, Carl Stern, who is himself an attorney.

CARL STERN reporting:
The Calley case will be around for a while even after the penalty phase is completed. The appeal should take about two years or maybe twice as long. Calley would be confined unless an exception is made since there is no bail in the military. First, the commander of Fort Benning who convened the court-martial will review the record. He can throw out the verdict, all of it or part of it, or lessen the punishment. Second, Calley has the right to appeal to the court of military review in Virginia which must be satisfied as guilt was proven by sufficient evidence beyond a reasonable doubt. They can reduce the crime or penalty or
order a new trial or partial trial.
The court of military appeals is the highest military court staffed by civilian judges appointed by the president. Calley’s lawyer, George Latimer is a former judge of the court. They could refuse to hear the case unless the death penalty is imposed. It can do just about anything the Supreme Court can do and more. If it wishes, it can throw out the conviction or modify it. Theoretically that’s the end of the line. There is no direct appeal to the Supreme Court but Calley can get there indirectly, arguing his military trial was unfair. He can also ask the president for pardon or clemency.
All told, he’ll have at least two and maybe five or more chances to appeal. However, his basic argument that he was only following orders is not a new question. The Supreme Court first rejected that argument in a case involving an army captain in the Mexican-American War in 1851. Carl Stern, NBC News Washington.
MCGEE: War is bestial and over the millennia few rules have been set to limit its savagery. Underlying some of these is the belief that the killing should be done only by men who have chosen or been chosen to do it, and armed for that purpose. That women and children and other men not so chosen or armed, should be spared. It is for violating this that Lt. Calley now stands convicted of premeditated murder. The crime of which he is convicted and others are charged is easily understood given the harrowing circumstances under which they fought. But, it cannot be excused.
And there is this, which cannot be denied. America did not have to be defeated and have its conquerors bring the crimes of its army to light. Those were revealed by members of its own army. The American Army placed one of its own on trial and convicted him, free of any pressure goaded only by its own sense of right and wrong. America was diminished by what happened at My Lai and it may be difficult to believe at this painful moment that America has been enlarged by what happened today at Fort Benning, Georgia, but that is likely to be the judgment of history. Frank McGee, NBC News. Good evening.