

the Americans and the South Vietnamese troops during the Vietnam War. They were mostly guerrillas who cooperated with the North Vietnamese Army.

**Vietminh**—The League for the Independence of Vietnam. A Communist-led coalition of Vietnamese independence groups founded by Ho Chi Minh in 1941.

#### **Laws, Cases, and Legal Terms**

**cross-examination**—In a trial, an examination of a witness by the attorney for the opposing party. Under cross-examination, Calley conceded that the witnesses in his trial had no reason to lie.

**Uniform Code of Military Justice** — A U.S. legal code that applies to all U.S. military personnel throughout the world. It went into effect in 1951 and established identical systems of courts-martial for all branches of the military service. Article 118 describes the offense of murder.

#### **Things to Think About**

- One of the justifications for American involvement in Vietnam was the belief in an international Communist conspiracy controlled by Moscow. Whether or not that belief was accurate, why do you think it had such force in the 1960s? How do you think the experience of World War II influenced strategic thinking in U.S. policy makers?
- One of those interviewed in the film said that Calley should not have been tried “by the very people who gave him that order.” Do you think that view has merit, or did Calley initiate the massacre of civilians on his own without being “ordered” to do so? Do you think Calley should have been tried elsewhere, or was it the Army who had the right, and even the duty, to carry out the investigation?
- Why do you think that, after Calley’s conviction, people on both the far left and the far right protested? Would their points of view have been the same? In what way might Calley have been seen as a “scapegoat”? What argument can be made that higher-ranking officers should also have been convicted? If so, how far up the military hierarchy should responsibility go?
- The documentary clearly illustrates the particular stress suffered by the U.S. soldiers in Vietnam, who were fighting a difficult, unpopular war. While not excusing Calley’s actions, does this knowledge make them somehow more understandable? Or does attributing Calley’s deed to stress do a disservice to the vast number of American soldiers who served in Vietnam without participating in or, even condoning, such actions?

#### **Internet Resources**

<http://www.law.umkc.edu/faculty/projects/FTrials/ftrials.htm> — From the Law School of the University of Missouri at Kansas City, a site on “Famous Trials,” which includes an excellent survey of the Calley Court-martial.

<http://www.pbs.org/wgbh/amex/vietnam/trenches/mylai.html> — A page on My Lai from a valuable site called “Vietnam Online.”

[http://news6.thdo.bbc.co.uk/hi/english/special\\_report/1998/03/98/mylai/newsid\\_64000/64344.stm](http://news6.thdo.bbc.co.uk/hi/english/special_report/1998/03/98/mylai/newsid_64000/64344.stm) — A “Special Report” on My Lai from the British Broadcasting Corporation (BBC).

<http://www.lbjlib.utexas.edu/shwv/doc/myldoc01.htm> — From the University of Texas, a series of primary sources on My Lai.

<http://www.courttv.com/greatesttrials/mylai/background.html> — A

rich site on My Lai from Court TV. Contains interviews, letters, and videos.

<http://www.vietnam.ttu.edu/> — The Vietnam Project at Texas Tech University houses the Vietnam Center, the Virtual Vietnam Archive, the Vietnam Archive, and the Oral History Project.

#### **Other Resources**

*For students:*

**Anderson, Christopher J.** *Grunts: U.S. Infantry in Vietnam.* Chelsea House, 1999.

**Denenberg, Barry.** *Voices from Vietnam.* Scholastic, 1997.

**Galt, Margot Fortunato.** *Stop This War! American Protest of the Conflict in Vietnam.* Lerner, 2000.

**Isserman, Maurice.** *The Vietnam War.* Facts on File, 1992.

**Kent, Deborah.** *The Vietnam War: “What Are We Fighting For?”* Enslow, 1994.

**Wright, David.** *Causes and Consequences of the Vietnam War.* Raintree Steck-Vaughn, 1995.

*For adults:*

**Anderson, David L.** *Facing My Lai, Moving Beyond the Massacre.* University Press of Kansas, 1998.

**Angers, Trent.** *The Forgotten Hero of My Lai: The Hugh Thompson Story.* Acadian House, 1999.

**Bilton, Michael and Sim, Kevin.** *4 Hours in My Lai.* Viking, 1992.

**Goldstein, Joseph.** *The My Lai Massacre and its Cover-up.* Free Press, 1976.

**Hammer, Richard.** *The Court-Martial of Lt. Calley.* Coward, 1971.

**Hersh, Seymour.** *My Lai 4: A Report on the Massacre and Its Aftermath.* Random House, 1970.

**Karnow, Stanley.** *Vietnam: A History.* Penguin, 1997.

**Olson, James Stuart, and Roberts, Randy.** *My Lai: A Brief History With Documents (Bedford Series in History and Culture).* Bedford Books, 1999.

**Peers, William.** *The My Lai Inquiry.* Norton, 1979.

**Sack, John.** *Lieutenant Calley: His Own Story.* (Viking, 1971).

*A TV movie directed by Stanley Kramer entitled Judgement: The Court-martial of Lt William Calley aired in 1975. A video called “A My Lai Oral History,” with comments by several of those involved was produced as part of an oral history conference at Tulane University.*

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## LANDMARK WAR CRIMES TRIALS

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## THE COURT-MARTIAL OF LIEUTENANT CALLEY

The Vietnam War was fought not only in Asia, but also in America. Anger and bitterness pervaded the country, which found itself divided between those who saw the war as a brave stand against Communism and those who considered it a mistake. And one of the biggest shocks was the realization that American soldiers, and not just distant enemies, might be capable of war crimes. The court-martial of a young platoon leader accused of murdering Vietnamese civilians brought a confused nation face to face with this devastating fact.



# Timeline

## The Ordeal of Vietnam

By the late 1950s, the United States was deep into what was known as the "Cold War" -- the term given to the rivalry following World War II between the United States and its allies and a bloc of Communist countries headed by the Soviet Union. The two superpowers competed economically and ideologically and sought to extend their sway over neutral countries. During this same period, the great European empires began to break up. Dozens of colonies sought independence, and the leaders and populations of these "emerging countries" were often torn between the capitalist and Communist systems in determining the best way to ensure the prosperity of their nations.

One of the major arenas of the Cold War was the area called French Indochina, which had been part of the French Empire since the 1880s. The region, which today includes Vietnam, Laos, and Cambodia, was overrun by the Japanese in 1940, and a year later the Vietnamese Communist revolutionary leader Ho Chi Minh established the League for the Independence of Vietnam, or Vietminh. This organization was originally committed to ousting the Japanese and was, as such, an ally of the United States. With Japan's defeat, France intended to resume its colonial rule, and with its hostility toward the Soviet Union growing, the United States no longer looked kindly on the prospect of a Communist leader taking over in Vietnam.

The French, however, were defeated by the Vietminh in 1954, and as part of the peace settlement, Vietnam was divided into separate nations -- North Vietnam (Communist) and South Vietnam (allied with the United States). The Communists on both sides determined that the nation should be one again. When they began to attack the forces of the South, the stage was set for the involvement of the United States, which saw Vietnam as the place to draw the line against the ominous Communist advance in Asia that had begun when the Communists took over in China in 1949.

By 1968, some 40,000 young Americans were being drafted every month to meet the military's war needs, and by the beginning of 1969, 30,000 Americans had died in the conflict. Americans began to question whether the war was worth fighting or could even be won. Demonstrators took to the streets and passions ran high. The U.S. soldiers in Vietnam (whose average age was only 19) were frustrated by the difficulty of engaging an elusive foe and by their perceptions that they were not being supported by many people at home. It was against this background of division and anger that the incident at My Lai took place.

## Important People

**Barker, Frank** -- Brigade commander who initiated Task Force Barker; he is killed in combat several months after My Lai.

**Calley, William Laws, Jr.** -- The most well-known of the U.S. soldiers tried for the massacre at My Lai. Originally sentenced to life at hard labor, he is paroled after serving three-and-a-half years.

**Daniel, Aubrey** -- Head of the Calley prosecution team.

**Eckhardt, William** -- One of the prosecutors at the My Lai court-martial.

**Haerberle, Ron** -- Army photographer who takes pictures of the aftermath of the My Lai massacre.

## Events of the My Lai Incident and Calley Court-martial

**July 1996** -- William Laws Calley, Jr. joins the Army.

**November 27, 1967** -- the men of Charlie Company arrive in Da Nang, Vietnam.

**February 25, 1968** -- Charlie Company becomes trapped in a minefield. Three soldiers are killed and twelve are wounded.

**March 15, 1968** -- Capt. Ernest Medina tells his men that they have been chosen to lead Task Force Barker, named after Brigade Commander Lt. Col. Frank Barker.

**March 16, 1968** -- The massacre at My Lai.

**March 29, 1969** -- Ron Lee Ridenhour sends a letter describing the My Lai incident.

**September 6, 1969** -- Calley is charged.

**November 13, 1969** -- An article by journalist Seymour Hersh describing the My Lai incident is published in 30 newspapers. Three weeks later, color photographs appear in Life Magazine.

**November 24, 1969** -- Gen. William Westmoreland assigns Lt. Gen. William R. Peers to investigate the My Lai incident.

**March 17, 1970** -- The Peers Report is released.

**November 17, 1970** -- The trial of William Calley begins.

**December 10, 1970** -- The defense begins its case.

**March 16, 1971** -- The Calley case is handed over to the military jury.

**March 29, 1971** -- Calley is found guilty.

**March 31, 1971** -- Calley is sentenced to life imprisonment.

**August 20, 1971** -- Calley's prison sentence is reduced to 20 years.

**September 10, 1975** -- Calley is paroled.

## Other Events

**1941** -- Ho Chi Minh founds the Vietminh (See Vocabulary).

**September 2, 1945** -- The Vietminh proclaims the Democratic Republic of Vietnam and sets up a provisional government.

**May 7, 1954** -- The French, Vietnam's colonial rulers, are defeated at the Battle of Dien Bien Phu.

**July 1954** -- The Geneva Conference divides Vietnam at about the 17th parallel.

**1955** -- Ngo Dinh Diem becomes president of South Vietnam.

**November 1, 1963** -- Ngo Dinh Diem is overthrown by a military coup.

**August 7, 1964** -- The U.S. Congress adopts the Gulf of Tonkin Resolution, which gives President Johnson broad powers to conduct the war in Vietnam.

**1965** -- The United States sends combat troops to Vietnam and begins regular bombing of the North.

**September 1967** -- Nguyen Van Thieu is elected South Vietnam's president.

**January 30, 1968** -- North Vietnam and the Viet Cong launch what is known as the Tet Offensive. Although the Communists sustain heavy casualties, the operation is widely seen in the United States as a sign that the war cannot be won.

**September 2, 1969** -- Ho Chi Minh dies of a heart attack.

**January 27, 1973** -- A Vietnamese peace treaty is signed in Paris.

**April 1973** -- The last U.S. troops leave Vietnam.

**April 30, 1975** -- South Vietnam's capital, Saigon, falls to the Communists.

**July 2, 1976** -- North and South Vietnam are reunited as the Socialist Republic of Vietnam.

**Henderson, Oran K.** -- Commanding officer of the 11th Infantry Brigade; He was charged in the My Lai massacre. Acquitted in 1971.

**Ho Chi Minh** -- Vietnamese Communist revolutionary leader; president of the Democratic Republic of Vietnam (North Vietnam) during the Vietnam War.

**Johnson, Lyndon** -- U.S. president under whom the Vietnam War reaches its peak in the mid-1960s.

**Kay, Richard** -- Assistant to George Latimer in the Calley defense.

**Kennedy, John F.** -- U.S. president who begins the American involvement in Vietnam by sending 12,000 "military advisors."

**Kennedy, Reid** -- Judge at the Calley trial.

**Koster, Samuel W.** -- Brigade commander; one of those charged in the My Lai massacre.

**Kotouc, Eugene** -- Intelligence Office captain; one of those charged in the My Lai massacre.

**Latimer, George** -- Calley's defense attorney; his performance is widely considered inadequate.

**Meadlo, Paul** -- Key prosecution witness in the Calley trial. Before the trial, he describes the events in a CBS television interview.

**Medina, Ernest** -- Commanding officer of Charlie Company; one of those charged in the My Lai massacre. Acquitted.

**Nixon, Richard** -- Johnson's successor as U.S. president. He is in office when a peace treaty is signed but resigns less than a year before South Vietnam falls to the Communists.

**Partin, John Patrick** -- Assistant to the Calley prosecution team.

**Peers, William R.** -- U. S. general appointed to conduct an investigation into the My Lai incident and its cover-up.

**Raby, Kenneth** -- Military lawyer assigned to the Calley defense.

**Ridenhour, Ron** -- U.S. soldier who initiates the My Lai investigation by sending a letter to President Nixon, several Congressmen, and the Department of the Army.

**Thompson, Hugh** -- Helicopter pilot and witness to the My Lai massacre

**Westmoreland, William** -- Commander of the U.S. forces in Vietnam from 1964 to 1968, after which he became Chairman of the Joint Chiefs of Staff.

**Young, George H.** -- Assistant division commander; one of those charged in the My Lai massacre.

## Vocabulary

**body count** -- A statistic tracked by the U.S. military to count the number of enemy soldiers killed. In the absence of regular combat fronts, it served as the only way to measure the progress of the war.

**domino theory** -- A widely held idea, first explained by U.S. President Dwight Eisenhower in the 1950s, that said that if South Vietnam fell, the Communists would overrun the rest of Southeast Asia.

**guerrilla warfare** -- Military operations conducted in enemy territory by irregular troops who generally avoid pitched battles in favor of hit-and-run tactics while relying on local inhabitants for support. The enemy's use of guerrilla tactics greatly frustrated U.S. troops in the Vietnam War.

**Viet Cong** -- The name, originally derisive, given to the South Vietnamese Communists (and their supporters) who fought against