

We don't do body counts
**A study of the Pentagon and the
Controversy of Civilian Casualties in
Modern Warfare**

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History

In September of 2005 seven thousand U.S. and Iraqi soldiers massed around the northern Iraqi town of Tall' Afar. To the chagrin of an already battered and thinly stretched military, the town, which is nestled along the porous Syrian border, had become a stronghold of the insurgency. Predicted to be this year's Fallujah and believed to be the present haven of al-Qaeda kingpin Abu Mousab al-Zarqawi, Tall' Afar awaited a smash mouth assault from coalition forces, who would be assisted by hundreds of Bradleys, battle tanks, and artillery pieces. AC-130 Spectre gunships, F-16 fighter jets, and attack helicopters circled in the sweltering sky, anticipating calls from ground forces already skirmishing with insurgents in buildings and medieval alleyways laced with booby traps and roadside bombs. Before the decisive assault, Iraqi soldiers and the Green Berets attached to their units began "draining the pond," evacuating trapped civilians and keeping a wary eye for insurgents attempting to slip out disguised as women or holding children's hands. However, the two-day grace for civilians to evacuate became a four-day standstill, momentum lost to concerns in Baghdad and Washington over civilian casualties and other unknown political considerations. When fighting finally resumed many of the insurgents had vanished along with most of their dead. "The insurgency is like a cell-phone system," a high ranking U.S. officer told *Time*, "You shut down one node, another somewhere else comes online to replace it." ¹

This illustration provides more than a glimpse into the gritty, inch by inch street fights in Iraq; it is a window into the complex nature of modern asymmetrical warfare. It now appears as though World War II

¹ Michael Ware, "Chasing the Ghosts," *Time*, September 26, 2005.

era set-piece battles and carpet bombing have been retired to the history books. In contrast, today's conflicts resemble guerilla warfare in an information age. At a press conference during the campaign in Afghanistan, Secretary of Defense Donald Rumsfeld commented on the impact that this type of warfare has on civilian casualties, "The national security environment in the world has changed. We are dealing with a different margin for error. We are dealing with different penalties that will result from our decisions. Whichever decision we make, the penalties will be notably different than they were in the last century."²

In this national security environment the same information component used to target insurgents in Tall'Afar is the same technology that instantaneously broadcasts the battle across the globe. Consequently, a decisive feature of information age warfare is the power of public opinion, and especially the influence of civilian casualties on this dynamic.³ For example, the military can tactically win in Tall'Afar, but if civilian casualties mount –transmitted by instant graphic journalism – it may lose the battle in the media; thus eroding public support, undermining political objectives, and perhaps ultimately losing the war. Such a situation suggests that in asymmetrical wars political and military strategy cannot be separated, thereby adding another twist to the assertion by 19th century Prussian military theorist, Carl von Clausewitz, that, "War is politics by other means."

Against this backdrop General Tommy Franks' terse answer, "We don't do body counts," which was given at Bagram Air Base to journalists' questions on counting casualties during Operation Anaconda in Afghanistan, serves as a portal into the sensitive issue of civilian casualties and the controversial debate over counting them.⁴ Since Franks was the top officer in the U.S. Central Command for the wars in Afghanistan and Iraq, his statement regarding body counts, which has been echoed from top officials to ground level officers, seems to reflect the position and unofficial policy of the Pentagon on this contentious topic. Moreover, the subtext of those five words – terminology, tone, and intended audience – indicate that today's military is still haunted by Vietnam, and thus, the Vietnam war itself acts as the natural embarkation point into the development of tensions and policy inside the Pentagon on

² Cited in WBUR Boston and NPR radio show: *The Connection*, "Civilian Casualties," Aired: Aug. 2, 2002. Listen to program at: http://www.theconnection.org/shows/2002/08/20020802_a_main.asp

³ Inspired from comments by Kenneth Allard on *The Connection*, "Civilian Casualties," Aug. 2, 2002.

⁴ Edward Epstein, "Success in Afghan War Hard to Gauge," *San Francisco Chronicle*, March 23, 2002.

the complex problem of civilian casualties. By tracing this subject as it originated in Vietnam to the current war in Iraq, one can attain a firm understanding of its hitherto uncharted evolution and therefore more competently grasp the divisive issues and inherent dilemmas surrounding the question of counting civilian casualties, and foresee its implications on the current future of modern warfare.

The ability of a modern democracy to fight a limited war is quite precarious. Like members of the current administration, American policymakers in the 1960s recognized this truth. They understood that American public opinion, as Leslie Gelb has put it, was the “essential domino” to victory in Vietnam.⁵ The principle method used by the Pentagon to measure the success of its attrition strategy was the “body count.” The body count could palpably demonstrate the progress of the war to Congress and the American public. Since the news media was the standard conduit to these audiences, the military viewed its relationship with the press as central to sustaining support for the war. In Saigon military officials briefed the press daily with precise tallies of enemy casualties; the frequency of which gave some the false impression that soldiers spent the night counting bodies by flashlight in range of enemy fire. The body count criterion and the environment it fostered naturally led to inflated numbers, including civilians caught in the crossfire.⁶

While not uncritical, American media reporting generally supported the objectives of the military and administration; however, as the political scientist Guenter Lewy points out, “War has always been beastly, but the Vietnam War was the first war exposed to television cameras and seen in practically every home, often in living color...the events of Tet and the siege of Khe Sanh in 1968...shook the American public...[and] contributed significantly to disillusionment with the war.”⁷ The body counts set against the disturbing months of 1968 shattered the credibility of the military and the Johnson administration. Gallup polls indicated that the Tet offensive had dramatically shifted public opinion against the war.⁸ When Walter Cronkite, the CBS nightly news anchor, declared the war a stalemate, President Lyndon B. Johnson clearly perceived the gravity of this shift when he remarked, “If we’ve lost

⁵ Leslie H. Gelb, “The Essential Domino: American Politics and Vietnam,” *Foreign Affairs*, (1972): 459.

⁶ Andrew F. Krepinevich, Jr. *The Army and Vietnam*. (Baltimore: Johns Hopkins University Press, 1986), 202-205.

⁷ Guenter Lewy, *America in Vietnam*. (New York: Oxford University Press, 1978), 433-434.

⁸ Richard Sobel, *The Impact of Public Opinion on U.S. Foreign Policy Since Vietnam*. (New York: Oxford University Press, 2001), 66.

Cronkite, we've lost America.”⁹ In the aftermath, an open animosity developed between the military and the government on the one side, and the news media on the other. The military believed that 1968 had been a decisive victory and held contempt for what it viewed as irresponsible reporting and sweeping conclusions.

Contrary to the military's perception, William M. Hammond argues that even though a considerable number of erroneous and unfair reports existed, the majority of Vietnam War reporting “reproduced the official point of view.” Moreover, despite the aberration of poor reporting during Tet, the negative, yet largely sound, press coverage following the offensive did not so much turn public opinion as reflect an American view of the war that had itself begun to change:

Cueing to that trend if not to its sources within the elite, the press again followed suit but the U.S. Government and military lacked the ability to do the same. Remaining behind in South Vietnam to retrieve whatever national face they could, those of their members most emotionally tied to the failed policy fixed their anger upon the news media, the most visible exponent of the society that appeared to have rejected them. The recriminations that we see today became the most inevitable result.¹⁰

Citing the later remarks of generals like William C. Westmoreland, commander of American forces in Vietnam, Hammond shows that in addition to flawed reporting, this post-Vietnam myth held that the news media had relentlessly stovepiped the mayhem of war into the living rooms of the American public, thus buckling the people's will under the weight of dismay and defeatism. Although Hammond uncovers evidence contrary to the myth, these discordant beliefs within the military establishment have stuck.¹¹

Not only did the soured relationship with the media have repercussions on how the Pentagon handled the issue of civilian casualties in the future, but the military tactics employed in Vietnam did as well. The clash of opposing doctrines and tactics, which came to characterize both sides of the conflict, engendered the devastating and

⁹ Sobel, 66.

¹⁰ William M. Hammond, “The Press in Vietnam as Agent of Defeat: A Critical Examination,” *Reviews in American History* 17, no. 2 (June 1989): 318, 321.

¹¹ Note: Hammond demonstrates that network censorship and the limited mobility of television crews restricted the amount of violence on TV, 315-316.

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unconventional nature of the Vietnam War. In the jungles and rice paddies fought the Viet Cong who “clutched the people to their breast,” and the American soldiers who “expended shells not men.” Against fortified Vietnamese hamlets and entrenched Viet Cong positions inside cities like Saigon and Hue, the American military employed artillery, tactical airpower, naval gunfire, and helicopter gunships. “The unparalleled, lavish use of firepower as a substitute for manpower,” wrote an American officer in early 1968, “is an outstanding characteristic of U.S. Military tactics in the Vietnam war.”¹² While this profligate use of fire in populated areas contributed to a rising body count, civilian casualties also rose from the effects of search and destroy operations, free-fire zones, and problematic interpretations of rules of engagement. Such a combination proved counterproductive to “winning the hearts and minds” of the peasantry.¹³ Regardless of the source of fault, civilian casualties, estimated in the millions, had a significant influence on the American citizens’ will to sustain the war. “Another Vietnam lesson learned by both press and military,” says Lucinda Fleeson of the Philip Merrill College of Journalism, “was an understanding of the importance of civilian casualties. U.S. military leaders learned the hard way that they could not outpace the public’s willingness to accept the human cost of conflict...as a result, billions have been spent to refine precision weaponry to improve their killing capability and reduce unintended casualties.”¹⁴ The Pentagon had begun implementing these lessons learned since the Vietnam War long before the first salvo of “smart bombs” arced over the Iraqi skyline, opening the 1991 Persian Gulf War.

Clausewitz used the term “center of gravity” to define the core source of power from which a military derives its strength. According to Fleeson, the American military judged Iraq’s center of gravity to be Saddam Hussein and his Republican Guard. “The center of gravity in America, however, is...the will of the people,” she continues, “often a function of citizens’ acceptance of deaths of its own soldiers as well as...civilian casualties.”¹⁵ Having linked victory with censorship, a bitter lesson of the Vietnam War, the daily briefings by military officials in Riyadh were heavily filtered, ostensibly for security, but public relations concerns as well. The skeletal details provided to reporters focused more

¹² Cited in Lewy, 96.

¹³ Ibid, 96, 97, 105.

¹⁴ Lucinda Fleeson, “The Civilian Casualty Conundrum,” *American Journalism Review*, (April 2002), 4-5.

¹⁵ Ibid, 4-5.

on precision ordnance and sterile targets than the more graphic features of war. The Pentagon also imposed a “pool system” on combat coverage, which permitted small numbers of correspondents to forward areas under military escort, but subsequent reports had to be cleared by the military. Despite genuine efforts by Generals Norman Schwarzkopf and Colin Powell to ease the old animosity and suspicions between the military and press, the new reporting rules did not sit well with the media. As reported in the *New York Times*, “However many assurances they are given to the contrary, reporters are convinced that senior military officers, many of whom think critical reporting destroyed public support for the Vietnam War...are determined...to minimize critical reporting here.”¹⁶

An important aspect of this censorship was the issue of the body count. Now packaged in the euphemism, collateral damage, the military leadership made it clear that the days of tallying casualties, whether military or civilian were over. Using the phrase collateral damage in place of civilian casualties, for example, would help sterilize the brutal reality of war. Margot Norris’ research on censorship in the Persian Gulf War argues:

The double defeat in Vietnam, military and moral, prompted the new body count practice...Shedding the Vietnam syndrome has always meant achieving a double power: the ability to win an absolute and ‘clean’ military victory by full use of American technological superiority, and the ability to win an absolute and ‘clean’ moral victory by full use of the Pentagon’s virtually absolute control over martial necrology.¹⁷

One tension that developed within the Pentagon as a result of silence on civilian casualty figures was the conflict between proclamations of hi-tech proficiency against surfacing reports of rising civilian casualties. In her respected study in 1993, Beth Osborne Daponte, a demographer at Carnegie Mellon University, estimated that 13,000 civilians were killed directly by the U.S.-led campaign in the Persian Gulf.¹⁸

Another major tension that emerged during this war was between the pledge to the domestic audience to minimize American military

¹⁶ R.W. Apple Jr., “War in the Gulf: Covering the War,” *New York Times*, Feb. 3, 1991, A9.

¹⁷ Margot Norris, “Military Censorship and the Body Count in the Persian Gulf War,” *Cultural Critique*, no. 19, The Economies of War (Autumn, 1991): 237.

¹⁸ Study available at: <http://www.ipnw.org/MGS/PSRQV3N2Daponte.html>

casualties, and the promise to a foreign audience to spare the lives of Iraqi civilians. In the month of bombing that preceded the brief ground war, Saddam Hussein, taking a page from Hanoi, deftly publicized civilian casualties in an effort to stir Arab street rage and divide European public opinion. He placed military hardware beside sensitive locations such as neighborhoods, schools, and hospitals. In the nascent era of 24 hour Cable News coverage, epitomized by CNN, the stakes in the battle for public opinion soared to new heights. When American fighter-bombers released two penetrating 2,000-pound bombs on the Al Firdos bunker in February of 1991, the Bush administration had to scramble to the airwaves to pre-empt the graphic images of charred civilians that began flooding television screens. Saddam Hussein claimed that the building had been an air-raid shelter, while American officials maintained that he had stocked a legitimate military target with human shields. Nevertheless, the bombs caused hundreds of civilian casualties. Concerned at the time about the fragile coalition and Saddam Hussein's successes on the political battlefield, a Western diplomat told the *New York Times*, "The clear danger is that if civilian casualties mount, the President could be in the unseemly position of establishing an equation between the value of American lives and the value of Iraqi civilians' lives."¹⁹

The frequent reporting of civilian casualties and the political context of the Gulf War demonstrated that more was required to deal with the political effects of events like the Al Firdos bombing in Baghdad. For most of the war the President George H.W. Bush enjoyed formidable domestic support and favorable media coverage; Richard Sobel says, "The media responded to the established preferences of their audience and the goals of the government...both the public and politicians were very much opposed to any protests; the media coverage followed this pattern."²⁰ Despite strong domestic backing for the war, the Bush administration was persistently concerned about public opinion, both at home and abroad, especially among the world's one billion Muslims. In the Persian Gulf, the U.S. military operated inside a political powder keg, and the Al Firdos bombing sparked numerous anti-American demonstrations in the Arab world. As a result, the U.S. leadership decided to drastically restrict the bombing of targets in and around Baghdad, even though they had adhered to their legal obligations for

¹⁹ Andrew Rosenthal, "War in the Gulf: Bush Quandary," *New York Times*, Feb. 14, 1991, A1.

²⁰ Sobel, 155.

limiting civilian casualties. Therefore, political objectives affected military strategy and vice versa. “In assessing targets, if there is a possibility of significant civilian deaths, the military gain might be offset by the blowback, so they won't do it,” says defense consultant Richard King, a retired Air Force colonel who worked on several Persian Gulf War after-action reports.²¹ A significant consequence was that American soldiers, now and in future wars, might face greater risk from a red-taped bombing campaign and rules of engagement that would limit the prospect of civilian casualties.

Nonetheless, the Al Firdos incident and several other politically tense moments were aberrations. The U.S. led coalition decimated Saddam's vaunted army in a largely desert theatre, and under ten percent of the weapons used were precision guided. The issue of collateral damage and of tallying the civilian cost did not significantly weigh on the public conscience because of the swiftness and largely conventional nature of the Gulf War. Press censorship and the promotion of precision weapons also influenced this outcome, proving sound lessons learned from the Vietnam War. However, by publicizing a “clean” war, the U.S. military raised its own standard for success to which it would be held during the next conflict; a battle zone where the landscape might not be golden sands, but tribal mountains and crowded streets.

Given that battlefield conditions and precision weapons technology had limited collateral damage in the Persian Gulf War, the U.S. military was not spurred into a substantial “lessons learned” process with regard to damage assessments. The bombing campaign suffered from what is termed an “input-output gap.” Thomas Keaney, a former Air Force colonel and current executive director of the Foreign Policy Institute at the School for Advanced International Studies at Johns Hopkins University explains, “The U.S. military encountered a vast discrepancy between the amount of knowledge available of the *input*—for example, the number of sorties and bomb tonnage—compared with the *output*—the bomb damage.”²² Damage assessments are possible, but they involve a difficult process that usually retains some degree of uncertainty. Therefore, when military after-action reports addressed the issue of collateral damage, as did the Department of Defense's Title V Report to Congress, the focus was on the *input* of the air operations, such as “target

²¹ Cited in Fleeson, 5.

²² See Thomas Keaney's essay, “Collateral Damage in the Gulf War: Experience and Lessons,” The Carr Center for Human Rights Policy, John F. Kennedy School of Government. Essay available at: http://www.ksg.harvard.edu/cchrp/Use_of_Force/June_2002/Keaney_Final.pdf

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selection, weapon assignment, and avoidance of religious and archeological sites, hospitals, schools, and similar areas.” Treatment of the *output* side of operations was limited to the Al Firdos incident. Rather, the reports focused on the Iraqi regime’s disregard for the laws of war and its campaigns of disinformation. “Overall, the report is correct in detailing what was done, but...provided no indication that any lessons were learned regarding U.S. obligations in restricting collateral damage,” Keaney concludes, “nor did the report deal with collateral damage beyond the strict legal obligations involved.”²³ While the U.S. military was uninterested in conducting collateral damage assessments, they were more than cognizant of its political lessons:

During the war, the United States learned important unstated, but obvious lessons concerning the political effects of collateral damage...relying on legal expertise was proven insufficient to determine the political effects of civilian casualties. That responsibility must remain with the commanders at the highest levels, who are often civilian leaders in Washington. Such conditions will necessarily limit the conduct of military operations.²⁴

The political lessons the Pentagon learned during the Gulf War resulted in serious investment in the *input* side of their operations, which manifested in meticulous risk assessments, improved technology, and an enlarged arsenal of precision weapons. The Pentagon showcased the fruit of these efforts over the skies of Yugoslavia in the late 1990s, and hoped to continue the trend into the War on Terror. Thus, when the inevitable question of civilian casualties arose in Afghanistan, Gen. Tommy Franks, as cited in the *New York Times*, called the conflict there, “the most accurate war ever fought in this nation’s history.”²⁵ However, difficult battlefield conditions and the political context of the War on Terror amplified tensions within the Pentagon regarding civilian casualties. Moreover, by neglecting the *output* side of collateral damage and refusing to count the victims, the Pentagon exacerbated the controversial issue of civilian casualties that the *input* investments were intended to alleviate.

²³ Keaney, “Collateral Damage.”

²⁴ Ibid.

²⁵ Eric Schmitt, “After January Raid, Gen. Franks Promises to do Better,” *New York Times*, Feb. 8, 2002, A10.

Even though the searing images of the terrorist attacks on September 11th 2001 provided the United States with an unprecedented degree of global sympathy, that solidarity – “we are all Americans” – did not necessarily translate into a *carte blanche* for U.S. military operations. The prospect of bombs falling on an impoverished, famine stricken, and war ravaged populace did not sit well with the international community, especially with the Muslim world that harbored many festering grievances with the United States. From the outset, global support for the War on Terror rested on a foundation of sand. As the first bombing raids commenced over Afghanistan in October of 2001, fifty-six Islamic nations convened an emergency meeting in Qatar, issuing a careful statement condemning the terrorist attacks in New York, and warning against American actions that inflicted civilian casualties and extended beyond those directly responsible. Several weeks later, Defense Minister Geoff Hoon of Britain met with Secretary Rumsfeld and other top officials in Washington. He warned of growing hostility in Islamic countries like Pakistan and of unease among staunch allies like Great Britain by the increasing reports of civilian bombing casualties. “People are starting to wonder where does this way of waging war bring us?” a Western diplomat told the *New York Times*, “There are no evident results...no big Taliban leaders captured or killed. And the collateral damage doesn't make nice pictures in the newspapers.”²⁶ On the home front, Americans were more preoccupied with anthrax scares than grainy night vision videos of precision bombing. One administration official told the *New York Times*, “The lesson we're learning is that you can bomb the wrong place in Afghanistan and not take much heat for it. But don't mess up at the post office.”²⁷ Still, civilian and military officials recognized that a major mistake in Afghanistan, sealed in newspaper ink, could render that political lesson null and void.

Winning the information war was critical to shoring up world opinion and maintaining domestic support. In a *NewsHour* interview with Jim Lehrer, Secretary Rumsfeld addressed the issue of civilian casualties and informed the American public of the asymmetrical nature of the Afghan campaign:

...what they [Taliban] are doing is they're taking their tanks and their artillery and their various command-and-control centers,

²⁶ Michael R. Gordon and Eric Schmitt, “U.S. Campaign On 2nd Front: Public Opinion,” *New York Times*, Oct. 31, 2001, B1.

²⁷ Elisabeth Bumiller and David E. Sanger, “Home Front is a Minefield for President,” *New York Times*, Oct. 25, 2001, A1.

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they're using mosques, they're using hospitals, schools and residential areas...it's a win-win for them. Either we don't bomb them because they're in a mosque, in which case they're safe. Or if we do bomb them, they bring the press in there with a bus and their cameras and take pictures and say what terrible people the westerners are who are doing this.²⁸

When pressed about civilian casualties on the ground, Mr. Rumsfeld emphasized the precision of American ordnance, but acknowledged that rare mistakes do occur. He again underscored the Taliban's complicity in collateral damage and its propaganda campaign, as demonstrated by removing civilians from hospitals and planting them in an area where American bombs had recently fallen. Therefore, it is apparent that since Vietnam, the Pentagon had learned that a clear public relations strategy was an essential companion of military strategy.

While the Pentagon was quick to defend itself before the American public, they were slow to realize the power that satellite networks had over an international audience, particularly over the Arab public, which often woke up to the claims of the Taliban rather than press conferences hosted by Secretary Rumsfeld. "We have been hearing from Arab leaders and others who support us who say you guys need to do more," a senior administration official told the *New York Times*, "They say, 'Al Jazeera is killing us.'"²⁹ As a result, officials like General Richard Meyers, chairman of the Joint Chiefs of Staff, and Secretary of State Colin Powell gave interviews to Arab networks, clarifying American objectives and countering the Taliban's dramatic collateral damage estimates.

In such an incendiary political atmosphere, the Pentagon circled the wagons around the enduring issue of tallying civilian casualties—a trend epitomized by Gen. Tommy Franks' famous declaration: "We don't do body counts." William H. Arkin, a former army intelligence analyst and current military adviser to Human Rights Watch, told the *New York Times*, "The military knows they'll get pummeled about issues relating to civilian casualties, and they don't have a clue how to address it in a nonpropagandistic way. The subject ties them in knots. It's an irritant,

²⁸ See Rumsfeld television interview with Jim Lehrer on Nov. 7, 2001. Transcript available at www.pbs.org.

²⁹ Michael R. Gordon, "U.S. Tries to Sway Worldwide Opinion in Favor of War," *New York Times*, Nov. 6, 2001, A1.

and they avoid it.”³⁰ This intransigence aggravated by the consistent needling of the American media further isolated the Pentagon from the subject. “Journalists, like nature, abhor a vacuum,” said Stephen Hess, a scholar of the presidency at the Brookings Institution in Washington. With an incessant need for information, especially for 24-hour cable networks, he continued, “The story consequently becomes about whether the coalition will hold together, or civilian casualties.”³¹ The friction between the Pentagon and the American press undermined the military’s effort to prevent political fallout resulting from rumors of collateral damage and actual mistakes.

The nature of the War on Terror – guerilla warfare in an information age – heightened the tension between the Pentagon’s refusal to count collateral damage and the increasing reports of civilian casualties; a tension that had developed in the Gulf War. By restricting the news media’s access in Afghanistan, the Pentagon isolated journalists who could have corroborated its claims. “I think there have not been very many civilian casualties,” Steven Inskip of NPR told Lucinda Fleeson, “But when the Pentagon tells you there have not been civilian casualties, they have not given you enough access so that reporters can repeat that statement with confidence.”³² In addition, a hostile and extremely rugged countryside made independent verification a slow and dangerous process; many journalists were virtually stranded in Afghanistan’s squalid hotels. While conservative groups accused the media of lacking patriotism and being overly negative toward the government, others accused the media of being sluggish to report on U.S. military blunders and civilian casualties. Compared with international media outlets, which reported hundreds, even thousands of civilian deaths, the accusations against the American press seemed credible. However, American reporters generally have more rigorous standards than their peers across the Atlantic. Loren Jenkins, NPR’s senior foreign editor, was quoted by Lucinda Fleeson, “Only go with what you know yourself, for sure. I learned that lesson in Vietnam.”³³

While the Pentagon refused to count civilian casualties and as war correspondents slowly pieced collateral damage stories together, two academics filled the void with studies that estimated the number of

³⁰ Barry Bearak, Eric Schmitt and Craig Smith, “Uncertain Toll in the Fog of War,” *New York Times*, Feb. 10, 2002, Section 1, pg.1.

³¹ David E. Sanger and Jim Rutenberg, “Bush Plans Speeches with Coherent, Unified Message,” *New York Times*, Nov. 2, 2001, B7.

³² Fleeson, 5.

³³ *Ibid*, 4.

civilians killed in Afghanistan. The studies by Marc W. Herold of the University of New Hampshire and by Carl Conetta, director of the Project on Defense Alternatives, reported deaths into the thousands; however, Lucinda Fleeson questions their methodology:

They ultimately resembled a global version of the game of telephone: a refugee says that eight villagers died in an attack; Taliban officials transmute that report into 30 casualties; that claim is posted on a Pakistani news agency's Web site; six other Web-based news services pick up the figure; a British newspaper includes the claim in its news of the day out of Afghanistan; an American professor counts up all of these reports over three months and concludes that 3,767 civilians had been killed.³⁴

By the time the Associated Press concluded an onsite reconstruction they had cautiously estimated the total between 500 and 600 civilian deaths. Regardless of aggregate numbers, scholars like Herold and Conetta insisted that the magnitude of the figures belied the Pentagon's claims of "the most accurate war ever fought in this nation's history." Pentagon officials like Secretary Rumsfeld have maintained that tracking civilian casualties is "next to impossible," citing the inaccessibility of bombed targets, the Muslim tradition of promptly burying the dead, and the amount of time that elapses before it would be safe to conduct investigations.³⁵

Thus, the Pentagon preferred to deflect charges of collateral damage with detailed descriptions of their targeting process in Afghanistan. The *New York Times* reported:

The Pentagon has used multiple sources of intelligence, including local Afghans, U-2 spy planes, reconnaissance satellites, unpiloted Predator drones and RC-135 Rivet Joint planes that collect electronic transmissions. Sources are crosschecked for accuracy. Commanders then determine which aircraft to dispatch, the type and size of the bomb, and even the best approach route to minimize the threat to civilians. Lawyers review the targets, also evaluating the risk to civilians.³⁶

³⁴ Fleeson, 2.

³⁵ Barry Bearak, Eric Schmitt, Craig Smith, *New York Times*, 1.

³⁶ Barry Bearak, Eric Schmitt, Craig Smith, *New York Times*, 1.

And if the targets are deemed particularly risky, clearance must come from the Secretary of Defense, and even the President. However, such championing of the *input* side of operations led to unintentional credibility gaps and serious political problems.

The tragic events of July 1, 2002 highlighted the fact that military operations can be precise, but not correct. In the black night of the Oruzgan Province, American Special Forces reported antiaircraft fire coming from the four villages of the hamlet of Kakrak. Soon an AC-130 gunship hovered over the villages and the pilots reported being fired on. Having received clearance, the gunship, bristling with cannons and Gatling gun, strafed the hamlet. Daylight revealed villagers gathering the limbs of their neighbors suspended in trees and scattered on the ground. Locals told reporters that there had been two engagement parties that night and the men had fired their guns in the air, an Afghan celebratory tradition. Afghan officials counted dozens of dead women and children, and over a hundred wounded villagers. Under the ensuing political storm, a team of American officials were dispatched to the village to investigate. Angry Afghans, both peasants and officials, decried the U.S. military's reliance on bad intelligence and lavish firepower. "The Americans are not from here and they don't know our traditions or our enemies and who has enemies," Jan Muhammad, the governor of Oruzgan, told the *New York Times*.³⁷

Precision weapons cannot always prevent political fallout. The military's scrupulous preplanning was very effective against fixed targets, but problems arose in the case of emerging targets, such as the strike in Kakrak, which are time critical and often based on incomplete or dubious intelligence. A credibility gap developed from these emerging target missions; officials who had quickly claimed success soon appeared to be discredited when later accounts contradicted their claims. Moreover, the Pentagon often continued to insist that no mistakes had been made in light of conflicting evidence.³⁸

On the Boston radio show, *The Connection*, Thomas Keaney addressed host Anthony Brooks' question about the incident at Kakrak and collateral damage. His response indicated that mistakes will always

³⁷ Dexter Filkins, "Flaws in U.S. Air War Left Hundreds of Civilians Dead," *New York Times*, July 2, 2002, Section 1, pg. 1.

³⁸ As the *New York Times* reported, Pentagon official later conceded that they regretted not having embedded reporters with the Special Forces soldiers who had come under consistent, hostile fire from Kakrak. One official remarked, "This legacy of distrust from the Vietnam War has simply got to go away. Our isolation serves this country poorly." Thom Shanker, "Pentagon Says It Will Give Journalists Access to Frontline War Units," *New York Times*, December 28, 2002, A10.

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occur in war, whether they be bad intelligence, misidentification of a target, or seeing something that wasn't there. The era of precision technology has not dissipated the fog of war. Although the military makes an extraordinary effort to avoid collateral damage, the complexity of battle and the necessary split second decisions will result in misjudgments; one must always "cite the conditions."³⁹ Nonetheless, Sara Sewall, a program director at Harvard University's Carr Center for Human Rights, and also a guest on the radio show wondered if, despite excellent pre-planning and good intentions, the military is doing everything it can to prevent civilian casualties:

This is an issue that occupies an extraordinary amount of the top political and military leadership's time, yet they respond to it defensively as a matter of crisis management; reflexively conduct an investigation and move on. In classic Washington bureaucratic terms, no body "owns this problem." No body is undertaking a systematic and comprehensive [and] proactive approach to helping us do better...happens in pockets, ad hoc...isn't institutionalized as a whole in the U.S. military.⁴⁰

In the absence of collateral damage assessments done by the U.S. military, nongovernmental groups like Human Rights Watch stepped into the vacuum. Having previously documented collateral damage in the 1991 Gulf War and 1999 Yugoslav air campaign, William Arkin, an expert on civilian casualties, headed a team of investigators that traveled to Afghanistan in March of 2002. The 65-page report that followed cited the military's use of cluster bombs in or near populated areas as a major cause of civilian casualties. The high dud rates of cluster munitions turned them into dormant landmines that also posed a threat to civilians for years to come. Despite new technology and greater military restriction of cluster bomb targets in Afghanistan, the report still deemed the weapon fundamentally flawed.⁴¹

In 2003, Human Rights Watch again trailed the U.S. military into Iraq. The group soon compiled two detailed reports. The first report, published in October of that year, focused on the conduct of U.S. ground forces in Iraq. "The cases we documented in this report reveal a pattern

³⁹ *The Connection*, "Civilian Casualties," Aug. 2, 2002.

⁴⁰ *Ibid.*

⁴¹ "Fatally Flawed: Cluster Bombs and Their Use by the United States in Afghanistan," *HRW Report*, December 18, 2002. Document available online at: <http://www.hrw.org>

of over-aggressive tactics, excessive shooting in residential areas and hasty reliance on lethal force,” said Joe Stork, acting executive director of the Middle East and North Africa division at Human Rights Watch. For example, part of the problem was assigning combat troops to essentially law enforcement tasks.⁴² The second HRW report, which followed in December, also blamed the use of cluster munitions in residential areas for unnecessary civilian casualties, but this time it specifically implicated the U.S. Army and noted that the U.S. Air Force had “progressively used fewer cluster bombs in populated areas.” Known as the “decapitation strategy,” the report mentioned 50 air strikes on the Iraqi leadership, or “deck of cards,” that failed to eliminate any of their intended targets, killing dozens of civilians in the process. In addition, the report cited the unorthodox tactics of Iraqi forces, such as using human shields, hiding military hardware in mosques and hospitals, and donning civilian clothes.⁴³

What was not understood at the time was that those tactics were a cruel omen of the raging insurgency later encountered by the U.S. military in towns like Tall’Afar. The particularly virulent, asymmetrical nature of the Iraq War exponentially raised the stakes for the political and military leadership in regard to collateral damage. Like the Afghan campaign, the Pentagon continued a policy of distance and deflection on the topic of civilian casualties. Casualty estimates conducted by the Iraqi Body Count group and the Lancet study tossed numbers into the political atmosphere; thus, further eroding the integrity of the Pentagon in the eyes of the global public. These and other political tensions not only threatened to undermine public support for the war, but also endangered the key object for any conflict like the one in Iraq, the battle for the “Hearts and Minds” of the Iraqi populace.

Guerilla warfare in the information age has made the subject of civilian casualties more significant and yet more complex since the “body count” days of Vietnam. The presence of a high-tech and global media on today’s asymmetrical battlefields has not so much illuminated new horrors, as it has graphically projected to a wider audience the wrenching dilemmas’ inherent in any war. The following story offers a personal glimpse into one such dilemma.

⁴² “Hearts and Minds: Post-War Civilian Casualties in Baghdad by U.S. Forces,” *HRW Report*, October 21, 2003. Document available online at: <http://www.hrw.org>

⁴³ “Off Target: The Conduct of the War and Civilian Casualties in Iraq,” *HRW Report*, December 12, 2003. Document available online at: <http://www.hrw.org>

David Williams

In the winter of 2003, Marc Garlasco sat inside a cubicle, deep within the corridors of the Pentagon. As chief of high value targeting, he was a key planner in the tracking and assassination of Iraq's "deck of cards." On that day he watched a black and white screen transmitting images from a Predator drone as it hovered above the presumed location of Chemical Ali. Within seconds the house erupted, and the drone recorded the heat signatures of bodies as they flailed in the air. Marc and his co-workers congratulated each other on the elimination of a man who was directly responsible for the deaths of thousands. In April, Marc left the Pentagon, deciding to follow his wife to her new job in New York. Within a few weeks of leaving the Department of Defense, Human Rights Watch had hired Marc as a senior military analyst. A few days later he flew to Baghdad to study what types of attacks had caused the highest human death tolls. Having planned many of the strikes he was now investigating, the trip had a particular personal significance. In some cases, U.S. missiles had collapsed a target building while only shattering the glass of neighboring structures. However, on this occasion, Marc stood inside a bomb crater in the city of Basra. Beside him stood a 70 year old man who explained that the rubble was all that remained of the seventeen members of his family, including all his grandchildren. The missile had been intended for Chemical Ali, but he had never been to that house. Marc shook his head. He had done everything right; the meticulous pre-planning, the correct weaponneering, and the precise timing.⁴⁴

What the preceding pages—and Marc's story in particular—have attempted to show is that despite today's technological wonders, war remains an awful enterprise. Moreover, the Pentagon's over-reliance on technology and its insular policy regarding civilian casualties on the one hand, and the critics' calls for better intelligence, restrictive rules of engagement, and public casualty tallies on the other, walk a thin line of simplistic black and white solutions in a wartime environment of gray dilemmas. If the controversial topic of civilian casualties affords little resolution for an ongoing war, then perhaps its sad truths may give pause for somber contemplation before the next one.

⁴⁴ Cited in the radio program, "What's in a Number?" *This American Life*, WBEZ Chicago, Program available at: <http://www.thisamericanlife.org/pages/descriptions/05/300.html>