

US Army court martial recommended over Afghan civilian killings

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Following the first pre-trial hearing into atrocities committed by soldiers in Afghanistan, the Army officer overseeing the proceedings has recommended a court martial.

The initial hearing, held September 27 at the Tacoma, Washington, area Joint Base Lewis-McChord, focused on the actions of 22-year-old Spc. Jeremy Morlock, who is accused of participating in the murder of three civilians in Kandahar province earlier this year.

Presiding officer Col. Thomas Molloy wrote in his report that “reasonable grounds exist to believe” Morlock committed the offenses he is accused of, and that he had already confessed to most of the offenses during interviews with military investigators in June. Molloy’s recommendation will be considered by a military convening authority, which will issue its decision sometime in the next few weeks, according to base officials.

No date has been announced for further pre-trial hearings; a hearing that had been scheduled for October 5 was delayed without explanation until later in the month.

Morlock is one of five soldiers charged with being part of a “kill team” stationed at Forward Operating Base Ramrod that targeted Afghan civilians randomly for murder while out on patrol. The group slaughtered their victims by grenade and gunfire, then mutilated the corpses, posing for photos and cutting off fingers and other body parts for trophies.

Along with Morlock, others held in the murders are 19-year-old Pfc. Andrew Holmes, 29-year-old Spc. Michael Wagon, 22-year-old Spc. Adam Winfield, and the alleged mastermind of the plots, 25-year-old Staff Sergeant Calvin Gibbs. All five soldiers, who could face the death penalty if convicted by military court, have denied the charges.

The group is also charged with planting foreign-made weapons on the bodies of victims, filing false reports in order to cover up their actions, threatening and assaulting potential whistleblowers within the platoon, and smoking hashish and opium. Seven other soldiers, all from the same company of the 5th Stryker Brigade, 2nd Infantry Division (now called the 2nd Stryker Brigade), are implicated in the crimes. In all, 12 soldiers face 76 charges. (See “Military hearings on Afghanistan ‘kill team’ begin”)

The case is a gruesome atrocity, but only one among many of the crimes committed against the Afghan population. Criminality and brutality are the hallmark of criminal and brutal colonial wars, and the inevitable byproducts of them. Soldiers, charged with suppressing a popular insurgency deeply hostile to the US-led occupation, come to see the entire population as the enemy. Such wars necessarily brutalize both the occupied population and the occupying troops.

Now in its 10th year, the Afghan occupation is being carried out by a force riddled with profound psychological trauma and drug addiction. A large proportion of troops, including many of those implicated in the Kandahar murders, have been redeployed multiple times, to both Iraq and Afghanistan.

Revelations of further crimes in Kandahar continue to emerge despite efforts by the Army to withhold documents and photographs from the public. As with the evidence of US torture of Iraqi detainees held at Abu Ghraib, the “kill team” case threatens to inflame popular opposition to the occupation within the US and internationally.

Senior defense counsel at Base Lewis-McChord Benjamin Grimes described a series of grisly images of “three dead Afghans with three different Soldiers

posing, holding up the decedent's head. (Each photo was one Afghan, one Soldier.)”

The Army has taken extraordinary precautions to avoid having such photographic evidence leaked to the media, including revoking access of defense lawyers to the material, citing “national security.” Grimes said that after the defense counsel obtained the evidence, the Army demanded it be handed over and posted guards outside his office door to prevent lawyers from leaving the base.

The military investigation has focused on three civilian deaths between January and May: Gul Mudin, who was killed on January 15 “by means of throwing a fragmentary grenade at him and shooting him with a rifle”; Marach Agha, who was shot dead on February 22; and the May 2 killing of Mullah Allah Dad by gunfire and grenade attack.

Army documents obtained by the press describe a fourth civilian murder that took place on January 28, for which no one has yet been charged. In addition, Staff Sergeant Gibbs is also under investigation for the killing of a family in Iraq. (See “More revelations into US military atrocities in Afghanistan.”)

An October 4 report in the *New York Times* relates first-hand accounts by Kandahar residents of the January 15 and May 2 killings. Residents told correspondents at least 42 civilians had been killed by US forces in the Maiwand district, where Forward Operating Base Ramrod is located.

Gul Mudin, a 37-year-old father, was moving into a new home when the Stryker patrol came into the village January 15. Neighbors told the *Times*, “His son was crying, but the soldiers did not care. He was shot right before his home and with his son there.”

When asked about the killing, Gul Mudin's father answered: “Don't talk about my son. My mind is not ready even to hear his name. Even you mentioning his name makes me angry and puts my heart in pain. Please, please don't hurt my heart.”

Mullah Allah Dad, a 45-year-old farmer, was at home drinking tea on May 2, when several of his children ran in, screaming that American soldiers were approaching. His wife told the *Times* that within seconds, two soldiers came in and snatched him. “In a minute I heard shooting,” she said.

“I saw my husband face down, and a black American stood next to him. Another soldier pushed me away.

They pushed me back into the house and the interpreter made me go inside one of the rooms,” Allah Dad's wife said. “Minutes after that I heard an explosion. I rushed out of that inner room and out the gate and the translator was telling me to stop, but I did not pay any attention, and then I saw my husband, my husband was burning.”

Mullah Allah Dad's father-in-law described a conversation an Afghan intelligence agent related that he'd had with US soldiers when they delivered the victim's body. “He told me that the Americans claimed that Allah Dad had a grenade and was going to attack them, and then the grenade went off and he was killed... I tried to explain his background, that he was a mullah in his village mosque, he had no link with the Taliban and he didn't want one.... They put a grenade under his body.”

When the family picked up Allah Dad's remains, his father-in-law said it had been wrapped in a black plastic bag. “It was treated like garbage,” he said. The Army has not given the family compensation for Allah Dad's murder or issued an apology.



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