

# MORAL UNEQUIVALENCE

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## Afghanistan Is Not the Soviets' Vietnam

LEE BRADDOCK

**I**t has become a commonplace to call Afghanistan the Vietnam of the Soviet Union, and if the Soviets carry out their pledge to withdraw from Kabul, there will be some substance to the analogy: In both cases, a superpower will have extricated itself from a lengthy war on the Asian landmass without having fully secured its military and political objectives. The analogy is entirely inappropriate, however, if its purpose is to demonstrate the moral equivalence of the United States and the Soviet Union, for there are three fundamental differences between American conduct in Vietnam and Soviet conduct in Afghanistan.

### Losing Hearts and Minds

To begin with, our side won the "hearts and minds" of the South Vietnamese people; the Soviet side has not won the allegiance of Afghans.

When American forces landed in Vietnam in 1965, the authority of the South Vietnamese government was restricted to cities and armed outposts. By the time U.S. troops had left and the Peace Agreement was signed in 1973, the Saigon government enjoyed the political allegiance of the majority of its citizens, and it had built both the administrative capacity and the military strength to govern most of the country and to resist armed incursions by the Communists without American troop support. As American troops withdrew, South Vietnam was enjoying increasing urban and agricultural prosperity, and the population was sufficiently protected that 95 percent of the country's hamlets could hold democratic elections. Had the United States not failed to resupply the South with weapons and ammunition in the face of a massive Soviet-backed conventional invasion by the North Vietnamese in 1975, in total violation of the Paris peace accords, South Vietnam would be an independent and most likely democratic country today.

In sharp contrast, the Communist government in Kabul commands the allegiance of a pitiful minority and is unable either to administer the country or to resist its armed opposition without massive Soviet troop assistance. The guerrillas are stronger and more capable now than they were when the Soviets began military operations a decade ago. It is the Soviet forces and their client troops who are enclaved in cities and armed outposts as the Soviets depart.

The second difference is that America in Vietnam fought a lawful war in accordance with the international rules of civilized nations, whereas Soviet atrocities in Afghanistan rank with those of the Nazis and Japanese during World War II.

In accordance with the laws of war, U.S. forces routinely removed civilians from battle areas. U.S. rules of engagement were designed to keep civilian casualties to a minimum. War crimes such as the My Lai rampage were reported, investigated, and punished through due process of law.

In Vietnam, Americans had compassion for the innocent victims of war and tried to help bind the wounds whenever possible. Those caught in the cross fires of war were provided for. Families were financially compensated for the accidental combat deaths of civilian members regardless of which side was responsible for such deaths. Civilian casualties received the same medical attention that was given to military personnel. The number of civilians killed as a percentage of total war deaths was substantially lower than that in World War II or Korea.

### Voting with Their Feet

In Afghanistan, by contrast, the USSR has flaunted its disrespect for the laws of war. Hundreds of thousands of unarmed villagers—including women, children, and the aged—have been destroyed without warning by the weaponry of modern technology, including chemical weapons outlawed by international agreement. Hospitals where civilian war victims might have received treatment have been bombed by Soviet aircraft. The Soviets have refused to recognize the humanity of their opposition: The Communists maintain *no* prisoner of war camps in Afghanistan. Their methods of execution have included drowning in excrement, burying alive, crushing under armored vehicles, and obliterating through explosives, while their methods of torture have included near drowning, sleep deprivation, the pulling out of fingernails, and electric shock.

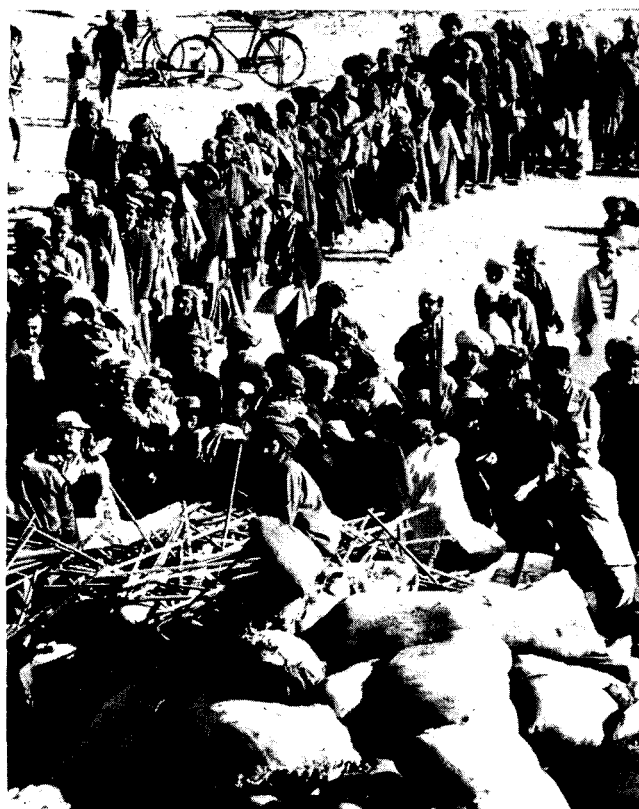
The third, and probably most revealing, difference is the

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Alexander Hunter for Policy Review



AP/Wide World Photos

**One-third of the population of Afghanistan have fled their country, and they have fled from the Soviets, not to the Soviets.**

way civilians voted with their feet. Almost a million Vietnamese fled south in the 1950s as Ho Chi Minh consolidated his power in the north. Since the conquest of the south by Hanoi, over a million have sought refuge in the West, many perishing in rickety boats, and tens of thousands are still fleeing every year. The United States has accepted about a half million Vietnamese refugees, and it was not only the government that met their needs. The heart of America went out to those suffering, with private relief agencies and tens of thousands of sponsoring families giving generous assistance to help the Vietnamese start new lives.

Fully one-third of the population of Afghanistan, by contrast, have fled their country, and they have fled *from* the Soviets, not *to* the Soviets. More than three million fled to Pakistan, another two million to Iran. Should the Soviets complete their pull-out, and the mujahideen take power, there will be no mass flight of Afghans toward the Soviet Union.

### Success of Vietnamization

The desired objective in both the American and Soviet cases was the securing of the host government's ability to defend and govern its nation. Early in the Vietnam war we followed a strategy that, while demonstrating the superiority of American to North Vietnamese military forces, was less effective in mobilizing South Vietnam's resources and in countering the Communists' political strategy. But by 1968 we had learned from our experience and were able to press a politico-military offensive with our South Vietnam-

ese allies that would drive the enemy to the periphery of political influence by the time of the Peace Agreement in 1973.

Our successful "Vietnamization" strategy gathered momentum after the shock of the Communists' Tet offensive of 1968, and was formalized in 1969 by newly elected President Richard Nixon. The accelerated struggle for "hearts and minds" had four major components: decentralizing political authority and holding popular elections of local officials empowered to govern; giving the people the weapons, training, and ancillary support they needed to defend themselves; investing in roads, bridges, canals, schools, and hospitals; and broadening economic participation in the market economy through land reform, as well as agricultural credit, research, and technical assistance to the new landowners. At the same time, the Tet offensive proved a military disaster for the Communists, decimating the political strength of the Viet Cong and creating a vacuum into which the newly invigorated pacification forces moved vigorously and successfully.

### Democracy and Prosperity in Vietnam

The atrocities committed by the Communist forces in the Tet offensive had helped to galvanize the fighting will of the Vietnamese people. According to James Collins in *The Development and Training of the South Vietnamese Army*, the Vietnamese armed forces grew dramatically, with the regular military forces increasing from fewer than 350,000 prior to Tet, to more than 500,000 by the time U.S. forces were completing withdrawals in 1972, while territorial forces grew from under 300,000 to over a half million, and armed self-defense forces at the hamlet level rose to another half million. While the regular forces replaced the U.S. troops in restraining incursions from North Vietnam, it was the territorial forces that successfully protected the political integrity of the localities.

By 1972, the South Vietnamese government had gained the political dominance in the countryside that had been enjoyed by the Viet Cong in 1967. Democracy, including a flourishing opposition, was beginning to take root. In 1966 and 1967, only about half of South Vietnam's villages were secure enough to participate in elections for national constituent assembly, president, upper and lower houses of the national assembly, village councils, and hamlet chiefs. By 1970, the countryside was sufficiently pacified, at least in daytime, that 95 percent of the villages and hamlets were able to hold elections, and an opposition party, the "lotus flower" slate, received the largest number of votes in elections for the Senate.

Economic growth also played an invigorating role. In *Vietnamization and the Cease-Fire*, Major General Nguyen Duy Hinh observed, "In 1970 rice production reached a total of 5.5 million tons, surpassing that of 1964 which had been the year of highest production since World War II. In 1971 and 1972 rice production rose again to 6.1 million tons." Green Revolution rice strains developed by American researchers in the Philippines accounted for several crops a year, yielding double the amounts of traditional varieties. By 1971 almost half the 2.6 million hectares devoted to rice were planted with the new breeds. And surplus rice meant more pigs, chickens, and ducks as



well. Hinh recounts extensive public works in "road building, river and canal dredging, hospital and school building. In 1961 only 61 percent of children attended school. By 1971 this percentage had reached 94 percent. And almost all districts now had a high school." These successful economic programs were carried out by the Vietnamese but, as Generals Cao Van Vien and Dong Van Khuyen conclude in *Reflections on the Vietnam War*, "Without U.S. technological assistance, U.S. funds, and U.S. materials, all these programs could never have brought about such remarkable results in so short a time."

### Honda Boom

Sir Robert Thompson in *Peace Is Not at Hand* assessed the significance of these developments:

The increased prosperity has frequently been referred to as "the Honda boom." Certainly Hondas, television sets, and transistors announced the arrival of the consumer society in South Vietnam's farming community. But there was also considerable investment in water pumps for improved irrigation, in out-board motors for sampans and fishing vessels and, above all, in tractors. By the end of 1971 there were nearly 40,000 tractors in South Vietnam. They were not gifts. They were bought and owned by individual farmers or cooperatives. This was the "revolution" required and it was achieved even in war through the incentive of free enterprise. All this increased production enabled South Vietnam to become almost self-supporting in food by the end of 1971 and to slow down the spiral of inflation. Prosperity was giving the farmer a greater stake not only in the security of his own area but in the defense of the country as a whole.

He went on to note that by 1973 the land reform program, authorized by a 1970 act of the legislature, had made landowners of over 600,000 peasants who had acquired over two million acres of agricultural land whose previous owners were compensated by the same legislative act. That reform gave the small farmer what the Communists only had promised him for a decade.

The armed forces of the Republic of Vietnam also developed the capacity to defend their nation. President Nixon writes in *No More Vietnams*, "Our Vietnamization program had turned South Vietnam's military into a formidable fighting force. Its army had 120 infantry battalions organized into 11 divisions, 58 artillery battalions, and 19 armored units of battalion size. . . . Our pacification program had extended Saigon's control throughout the country down to the hamlet level. . . . Our economic aid had produced unprecedented prosperity for the South Vietnamese people." These striking developments were the fruits of the policy and priority shifts after 1968 that accelerated the equipping of the South Vietnamese for self-government and self-defense.

In effect, it was the South Vietnamese armed forces that protected the withdrawal of U.S. forces, a telling contrast with the situation the Soviets find themselves in today in Afghanistan. Indeed, even in 1975 as South Vietnam exhausted its ammunition against a massive North Vietnamese conventional military offensive and collapsed in the



Vietnamese campaign workers post party slate. By 1970, 95 percent of Vietnam's villages and hamlets were able to hold elections.

face of U.S. abandonment, it was the proud, die-hard remnants of the South Vietnamese 18th Division that protected the escape of the last Americans and of the mass of Vietnamese who scrambled to evade Communist tyranny.

### Soviet Failures in Afghanistan

It is remarkable that, having apparently had no compunctions about using the most inhuman and uncivilized means of crushing their opposition, the Soviets have in fact failed to crush it. As Soviet troops prepared to initiate their retreat, the *New York Times* of May 6, 1988, reported the assessment of the U.S. State Department that the Afghan resistance "controls already the bulk of the countryside." Even when they fought for years with little more than 19th-century small arms and raw courage, the resistance could not be subdued by the Soviets. With the advent of more powerful weapons in late 1986, the resistance forces took to the field and forced the Soviets and their puppet government forces to retreat.

In the January/February 1988 issue of *Free Afghanistan Report*, David Isby reported that the resistance was overrunning Afghan army garrisons and had forced Soviet troops to withdraw from their more isolated outposts. Using its American and British anti-aircraft missiles, and its Chinese rocket launchers, the resistance held the military initiative for much of 1987. The Communists lost more than 200 aircraft during 1987. These losses made the Soviets much more chary about striking out against the resistance and the people who support it. Most of the estimated 1.2 million Afghans killed in the war have been

civilians. Yet the majority of the Afghans continue to sympathize with the resistance, whose forces are virtually in control of three-fourths of the country, and who have access to any part of the country at will.

In late 1987, the Soviets were forced to launch the largest winter offensive of the war in order to relieve the besieged Afghan army base at Khost. Clearly, the Soviet presence has been necessary to sustain the unpopular Afghan Communist regime. Losing on the battlefield, the Soviets tried to force the contest politically in Pakistan where, according to the February 16, 1988, *Christian Science Monitor*, approximately 500 people, both Afghan exiles and Pakistanis, had been killed by KGB-backed terrorists over the past year. These Communist attempts to break the fighting spirit that they had been unable to quell on the battlefield did not succeed.

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## **Rather than risk an inadvertent violation of Hague Convention IV, the U.S. military command suspended use of Agent Orange in 1970.**

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Estimates of the armed strength of the resistance range from 50,000 to 200,000. Soviet armed forces have averaged about 120,000, backstopped by perhaps another 30,000 support troops across the Soviet border. This strength is striking in comparison with that of the Afghan Communist army, which numbers no more than 40,000. Communist "militia," of little military significance, may total another 30,000. And the Afghan KGB-modeled secret police, the KHAD, is estimated at about the same strength. Thus *all* the Afghan Communist armed forces total less than the Soviet troop presence. The *New York Times* reported on May 5, 1988, the judgment of a top U.S. State Department official that "it's the Russian presence that keeps the current government in power." The Soviets' officially countenanced savagery and scorched earth policies have left the masses of the Afghan peoples disaffected and embittered, without suppressing their will to resist.

### **America and the Laws of War**

It has been said that the whole Vietnam war was illegal insofar as we did not live up to the 1954 Geneva agreement to hold elections in Vietnam in 1956. In his memoirs Eisenhower said, "I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 percent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Bao Dai." Eisenhower's understanding, probably accurate, reflected the nationalistic feelings of the Vietnamese people in 1954 when Bao Dai, the defunct emperor of yore, was seen as a failed tool of French colonialism.

But by 1956, Ho Chi Minh had revealed his true colors as a tyrannical Communist, had antagonized nationalist sentiment with the brutal suppression of the nationalist political opposition, and had lost whatever popular support he might have had earlier through the summary execution of 50,000 peasants in an abortive land reform program. In the meantime, Ngo Dinh Diem had supplanted Bao Dai and rallied nationalist sentiment in South Vietnam. By 1956 Diem probably could have won any truly free elections encompassing both North and South Vietnam, but the Communist dictatorship made genuine elections impossible in the North. Since the United States and South Vietnam had refused to sign the declaration that provided for elections in 1956, they had no legal commitment to do so.

In Vietnam, American military forces faced many of the same challenges presented to Soviet forces later in Afghanistan. Some of the more significant of these derived from the nature of fighting against guerrilla-type forces intermingled with the populace. The differences in the Soviet and American responses to these challenges is illuminating.

Before "Vietnamization," the principal American method for dealing with civilians in a combat area was to move them out, in accordance with Article 49 of the Geneva Convention Relative to the Protection of Civilian Persons. This required setting up refugee camps with food, sanitation, security, medical support, and indeed the full panoply of community services. Related to population relocation was the designation of free-fire zones, areas from which inhabitants were evacuated and people warned not to enter, and within which Free World forces were authorized to engage the enemy without the normal cautions for civilian protection. These cautions were codified in the Rules of Engagement promulgated by the U.S. Military Assistance Command in Vietnam (MACV). Those rules governed the specific use of almost every form of fire-power including naval gunfire, air bombardment, infantry small arms fire, artillery, and armor (tank) gunfire. In *The Vietnam War and International Law*, a compendium of expert opinions edited by Richard Falk, Professor Telford Taylor, chief counsel for the prosecution at the Nuremberg war crimes trials, discusses "Vietnam and the Nuremberg Principles," determining that the rules of engagement prepared and promulgated by the MACV were "virtually impeccable."

### **Napalm and Agent Orange**

The United States was criticized not only for its use of force but for the kinds of weapons it used. U.S. forces used tear gas and similar nonlethal riot control agents in Vietnam. Of greater concern in Vietnam was the use of a herbicide, Agent Orange, which contained dioxin. This chemical, an effective weed killer favored by American farmers, was employed to defoliate trees that concealed the movement of enemy troops through the jungle. In 1969, the National Cancer Institute reported that the chemicals in Agent Orange caused cancer and birth defects in certain animals. (It has not yet been determined whether Agent Orange has had harmful effects on humans, though the subject is still under intense study.) Consequently, rather than risk an inadvertent violation of Hague Convention IV (Conduct of War on Land) outlawing the use of

poisons, the U.S. military command suspended use of Agent Orange in 1970.

During the war, American forces' use of napalm was publicized as a cause of special and unnecessary suffering. MACV Directive 525-18 discouraged the use of any kind of incendiary munitions "unless absolutely necessary in the accomplishment of the commander's mission." Because of napalm's unique effectiveness against the ubiquitous tunnels and caves used by the Communist forces in Vietnam, the necessity for its use was adjudged frequently. It also was relied on in support of U.S. troops engaged so closely with the enemy that fragmentation bombs would have endangered the American forces. Certainly, the use of napalm caused severe injuries to civilians; a well-known photograph, for instance, showed a naked girl running away from the battle area where she had received napalm burns. But in his comprehensive and judicious appraisal, *America in Vietnam*, Guenter Lewy found, "The impression created by critics of the war that many thousands of villagers and children were burnt by napalm is undoubtedly false." Dr. John Knowles, member of a 1967 inspection team commissioned by the U.S. government to investigate this question, remarked in his "Vietnam Diary: Medicine and Politics" that "burns due to napalm are very few and far between." These findings confirmed those of the Committee of Responsibility to Save War-Burnt and War-Injured Vietnamese Children, which, as reported to the Senate Judiciary Committee in May 1967, inspected 75 percent of all South Vietnamese hospitals, finding only 38 civilian burn casualties, of whom 16 were children.

### Bombing of North Vietnam

In addition to the ground, air, and naval gunfire employed in South Vietnam, U.S. forces carried out a campaign of aerial bombardment in North Vietnam. The strategic merits of this campaign were much debated by American military analysts, and the bombings also led to an international outcry against the harm inflicted on civilians.

Nevertheless, the kind of damage inflicted by U.S. airpower on Japanese and German civilian populations in World War II was unknown in Vietnam. In *Nuremberg and Vietnam* Taylor writes, "Given the state of aerial warfare to which we were brought by the Second World War, I can see no sufficient basis for war crimes charges based on the bombing of North Vietnam." He concludes that U.S. bombing "fell far short of demonstrating any intent to cause civilian casualties." Even in Nixon's heavy "Christmas bombing" of 1972, the North Vietnamese claimed only 1,500 civilian fatalities. This was low by comparison with the 1945 bombings of Tokyo (80,000 killed) or Dresden (35,000) and was attributable in part to the technological advances that permitted much greater precision and accuracy by bomber pilots.

In *No More Vietnams* Nixon tells how he passed up the option of bombing the extensive dike system in North Vietnam, even though it would have incapacitated the country, precisely because the damage to civilian life and property would have been horrendous. The rules were enforced, as evidenced by the celebrated case of Air Force General John Lavelle, who ordered 28 missions against



AP/Wide World Photos

**Lt. William Calley.** The difference between U.S. war crimes in Vietnam and Soviet crimes in Afghanistan is that the crimes in Vietnam violated U.S. military orders and the perpetrators were brought to trial.

unauthorized military targets: He was relieved of his command, reduced in rank, and placed in retirement. Lewy concludes his review with the finding that "the bombing of North Vietnam conformed to international law, and the application of American air power was probably the most restrained in modern warfare. At all times, target, munitions, and strike tactics were selected to minimize the risk of collateral damage to the civilian population."

### Lt. Calley's Court-Martial

By and large, American military commanders and troops did their best to adhere to the rules of engagement despite the frustrations of an unconventional war where traditional rules often seemed misplaced. But there were exceptions. And how they were treated sheds further light on whether the American conduct in Vietnam and the Soviet conduct in Afghanistan are morally equivalent.

Probably the most discussed war crime committed by American soldiers in Vietnam was the My Lai incident in which approximately 190 men, women, and children were massacred by a company of U.S. Army soldiers. MACV Directive 20-4 mandated the reporting of war crimes, whether committed by U.S. or by enemy forces. The My Lai massacre violated the MACV rules of engagement as well as the standard operating procedures of the parent division of the unit involved. Although that unit tried to hide its illegal acts, word eventually got out and the massacre was reported to higher authorities. Twelve U.S. officers and enlisted men were charged with murder. First Lieuten-





Victim of the Soviet war on Afghanistan

ant William Calley was tried by court-martial, found guilty of premeditated murder, and sentenced to life imprisonment. Although Calley's unprofessional conduct was deplored by the regular officer corps, there was a public outcry in his favor in America. His sentence, upon review, was eventually reduced to 10 years. In *Nuremberg and Vietnam* Telford Taylor remarks that the "reported reaction of some soldiers at [My Lai] strongly indicates that they regarded it as out of the ordinary." Guenter Lewy notes, "The absence of an atrocity of this magnitude from the court-martial record cannot prove that no other such incident took place, yet in view of the openness of the fighting in South Vietnam to journalists and the encouragement which the My Lai affair gave to other servicemen to come forward with reports of atrocities, it is highly unlikely that anything like the My Lai massacre did escape detection."

According to the records of the U.S. Army's Judge Advocate General, in the course of the war a total of 241 war crimes by American military personnel, including murder, rape, mutilation, and mistreatment of prisoners, were alleged. Upon investigation, 36 of these were found to have sufficient evidence to warrant a court-martial. In those 36 cases, a total of 60 soldiers were put on trial, with 29 convictions resulting (4 officers and 25 enlisted men).

### Unlawful War as Soviet Policy

The striking difference between these war crimes and those of the Soviets in Afghanistan is that in Vietnam the crimes were contrary to U.S. policy, they contravened spe-

cific U.S. military regulations and orders, and their perpetrators were brought to trial in all cases where evidence permitted the convening of a court-martial. In the Soviet case, violations of international conventions and protocols designed to protect civilians and prisoners of war, and to proscribe certain acts such as genocide and the use of poisonous gas and biological weapons, have been sufficiently extensive in space and time to constitute a *policy* of unlawful war—as distinguished from the occasional unlawful but unplanned and unauthorized act whose criminality may be mitigated by the heat and exigency of battle.

The United Nations Human Rights Commission has reported Soviet violations of the laws of war, as have Amnesty International, Helsinki Watch, Medecins sans Frontieres, and other concerned agencies. Barnett Rubin, assistant professor of political science at Yale, has become one of America's experts on the question. In Freedom House's 1987 *Afghanistan, The Great Game Revisited*, Rubin provides evidence of torture of military prisoners and civilians alike by electric shock, beating, pulling out of fingernails, sleep deprivation, strangling, death threats, and near drowning, and he details the accounts of summary execution by wholesale machine gunning, by drowning in excrement, by burying alive with bulldozers, by crushing with armored vehicles, by detonating explosives tied to the body, by throwing off cliffs, by burning with gasoline, by stabbing, and by strangling.

The Soviets have introduced an illegality and gratuitous savagery previously unknown in an Afghanistan that historically has had a reputation for rough and primitive behavior. After the Communist coup of April 1978, but before the intrusion of Soviet combat units, flagrantly illegal acts were carried out with the connivance of Soviet advisors. In the *Christian Science Monitor* of February 4, 1980, Edward Girardet reported an incident where Soviet advisors either ordered or approved the mass slaughter of some 1,200 villagers suspected of supporting the resistance. According to Olivier Roy in *Islam and Resistance in Afghanistan*, "in all about 50,000 to 100,000 people disappeared" between 1978 and 1979.

### Soviet Bombing of Population

With the arrival of Soviet troops in December 1979, the pattern of authorized illegality was unchanged but the carnage greatly increased. In Rubin's judgment, "Probably the largest single cause of civilian casualties in the war is Soviet bombardment of populated areas under the control or influence of the resistance." Article 49 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War prescribes, "The Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. . . . The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety, and nutrition, and that members of the same family are not separated."

The Soviet forces' total disregard of these provisions, indeed their inverse application of them, has surprised even

those inured to Communist cynicism and observance of civilized standards only in their breach. In Helsinki Watch's *Tears, Blood, and Cries*, Rubin cited the September 1984 report of the *Medicins sans Frontieres* doctor Juliette Fournot who had visited many parts of Afghanistan: "Each village in Afghanistan has been bombed at least once in the past four years." The London *Financial Times* quoted a Soviet defector on May 23, 1984, "If the mujahideen set fire to trucks on the road, they [the Soviets] carry out strikes against civilian houses. They don't bomb the mujahideen, they bomb the houses."

The 1907 Hague Convention IV (Conduct of War on Land) specifies: "It is prohibited to attack or bombard undefended villages, dwellings, or buildings" (Article 25); "belligerents have the duty to warn before bombardment occurs" (Article 26); and, "pillage is prohibited" (Article 28).

### Mutilation of Children

Reports of violations of the laws of war such as those above, and hundreds of others like them, leave no doubt that the destruction of civilians and their homes is an official Soviet policy calculated to terrorize the populace into submission, force it to abandon areas considered to harbor mujahideen forces, or simply wipe it off the face of the earth in the classical Stalinist mode of problem solving. Rubin concludes that "bombing civilians is clearly intentional, as the Soviets have shown themselves capable of bombing military targets with great precision when they so desire. Furthermore, the bombing is a key part of pacification strategy. . . . Even more clearly aimed at the civilian population, especially children, are mines disguised as toys and everyday objects." The mutilation of children from these fiendish devices has been widely remarked. Protocol II of the 1980 Conventional Weapons Convention prohibits "booby-trapping children's toys (or making mines that look like toys)." It's almost as though Soviet munitions planning is inspired by the prohibitions of international agreements (to which the USSR is a solemn signatory).

Arthur Bonner, in a November 1985 report in the *New York Times*, quoted a Soviet defector with the Afghan resistance: "We were ordered by our officers that when we attack a village, not one person must be left alive to tell the tale. If we refuser to carry out these orders, we get it in the neck ourselves." Richard Bernstein documented in the January 28, 1983, *New York Times* the massacre of 105 villagers by Soviet soldiers who poured an explosive material into an underground tunnel where the people were taking shelter, then ignited the explosives.

### Officially Sanctioned Sadism

Some of the most damning evidence of law violations has come from Soviet soldiers themselves. Alexander Alexiev of the Rand Corporation conducted a series of in-depth interviews with 35 defectors from the Soviet army in Afghanistan. One soldier testified: "One day we had this punitive operation. The point is that our regiment was being fired upon every day. So one day we were given an order to fire at a certain village and then to comb that village thoroughly, and if we found any people that were still alive to kill all of them." Another soldier commented,

"We were struck by our own cruelty in Afghanistan. We executed innocent peasants. If one of ours was killed or wounded, we would kill women, children, and old people as a revenge. We killed everything, even the animals."

Other soldiers recounted atrocities:

Once they entered a village where only old men and women with children were left, because whenever we went on a search-and-destroy mission all the able-bodied men had left the villages. The lieutenant ordered his platoon to herd all these women, children, and old men together into one room and throw in hand grenades.

The accounts of those interviewed by Alexiev demonstrate that, once illicit behavior is authorized, the worst comes out in human beings, and the worst human beings come out to vent their sadism and deformities on their authorized victims:

One of the Afghans was a priest with a beard and they spared him. But the next morning the officer ordered one of the soldiers to pour gasoline over him and set him on fire. The soldier couldn't do it and started screaming. The officer got really upset and said, "I've had enough of this. Watch how it's done." And he grabbed the Afghan by the throat and slit it. Then he ordered the soldier to castrate him and make him "clean as a cherub."

Alexiev found that "there is overwhelming evidence, from both the interview information and former Afghan officers, that resistance combatants captured by the Soviets

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are almost always summarily executed upon interrogation. Torture is said to be frequently used in such interrogations." In a United Nations *Report on the Situation of Human Rights in Afghanistan*, Felix Ermacora noted that there are no known prisoner of war camps in Afghanistan.

From his extensive interviews Alexiev concluded, "Such activities are generally symptomatic of a Soviet military behavior characterized by unusual brutality and blatant disregard for internationally accepted norms and conventions on the conduct of war. Such misconduct is not only officially tolerated but, in fact, encouraged during the course of authorized operations. . . ."



As early as 1980, a Dutch journalist, Bernd de Bruin, documented with film and photographs the Soviet use of poisonous gas, which he described in *Nieuwsnet* magazine. Sterling Seagrave's *Yellow Rain* provides eye-witness testimony from a survivor of a gas attack: "Our fighters were throwing up blood as if they had been drinking blood and could not hold any more. There was also blood in their eyes, like tears, and from the nose. . . . Our fighters died quickly. They were vomiting blood and fouling their clothes and began to act like crazy people, falling down and jerking about."

Poisonous gas is prohibited by the 1925 Geneva Protocol. Even the Nazis respected this prohibition on the battlefield during World War II. The 1972 Biological Warfare Convention bans from warfare all toxins as well as the weapons to deliver them.

By 1982 the U.S. State Department, in its special report on *Chemical Warfare in Southeast Asia and Afghanistan*, had documented over 3,000 deaths in Afghanistan from attacks with chemicals. That report concluded that "Soviet forces have used a variety of lethal chemical warfare agents, including nerve gases, in Afghanistan since the Soviet invasion of that country in 1979." On June 7, 1982, the *Wall Street Journal* reported the findings of a U.N. group of experts who had interviewed both eye-witnesses and victims of biochemical attacks in Afghanistan. The evidence showed Soviet use of "Yellow Rain," poisoned bullets and darts, "black smoke," chemical bombs, and food crop contaminants.

In the 1987 Freedom House compendium on *Afghanistan*, edited by Rosanne Klass, Yosef Bodansky relates the knowledge gained from Russian chemical corps soldiers captured in Afghanistan: "Since 1980 the Soviets have tested and used in Afghanistan at least two generations of chemical weapons, including all the previously known lethal agents in the Soviet arsenal as well as a family of previously unknown 'super nerve agents' which have become the backbone of the Soviet chemical arsenal."

### **American Relief of Human Suffering**

Armed forces can exacerbate or mitigate the cruel hardships that wars impose. Civilian casualties and population displacement were constant realities throughout the Vietnam war. The U.S. Army's research project on the "Conduct of the War in Vietnam" reported that over a million people were uprooted in 1966 and 1967, while over four million people had been displaced at one time or another by 1970. This was a quarter of the nation's population.

Almost all refugees fled to the U.S. side, in many cases because of fear of Communist forces, but as often because U.S. forces and their allies provided for the shelter, care, and feeding of refugees, whereas the other side did not. Some of those displaced were wounded by combat action in the process. American military hospitals treated those who found their way there. According to the public health records of the U.S. Agency for International Development, Vietnamese hospitals supported by American aid registered almost a half million civilian war-related casualties from 1965 to 1974.

In *America in Vietnam* Lewy calculated that "the number of civilian deaths [North and South] amounted to

about 28 percent of the overall casualty toll of 1,313,000, substantially lower than the estimated proportion of 40 percent for civilian deaths in World War II and 70 percent in Korea." In *Nuremberg and Vietnam* Taylor presumed that the American forces' possession of greater firepower meant "that we are responsible for the greater part of the civilian casualties." Lewy noted that "civilian casualties gradually were incorporated into the helicopter evacuation chain and generally received prompt medical attention." He also recorded that, with American assistance, the Vietnamese government's Ministry of Social Welfare "paid a special allowance to the next of kin of civilian war victims killed in the course of military operations, irrespective of which side had started a battle."

### **Vietnamese Flee Toward U.S.**

Most American military units conducted their own "civic action" programs to assist the Vietnamese with whom they came in contact. These activities included medical attention, sanitation, construction of schools and other public facilities, and simple charity for the very poor. Prior to 1968, U.S. strategy had encouraged people to move to areas secured by U.S. and Vietnamese government forces. Thereafter, with the growing success of the newly stressed pacification programs, the revised policies encouraged extension of security to the people where they lived. This reduced the number of refugees generated. At the same time many refugees were resettled. Lewy, noting that "a substantial number of refugees had been resettled in new villages and hamlets," estimated that "during the years 1969-71, more than one million refugees had returned to their original homes."

But, according to Hinh in *Vietnamization and the Cease-Fire*, the North Vietnamese invasion of 1972 uprooted another 1.2 million people. Even most of these were to be resettled with governmental assistance after the invasion had been beaten back. But this attempt to resume normal life would be destroyed by the North Vietnamese invasion in 1975 when South Vietnamese by the millions would "vote with their feet" to flee the advancing army, many of them eventually becoming the boat people who would search for sanctuary across treacherous waters. The image of these desperate millions fleeing toward the U.S. forces, where charity and succor could be expected, contrasts starkly with the sad plight of the millions of Afghans fleeing away from the merciless heel of the Soviet boot. Since the fall of Vietnam, over 1.7 million people have fled Communist rule in Indochina, not counting the unknown hundreds of thousands of Vietnamese boat people who have perished on the high seas.

### **Afghans Flee from Soviets**

The war in Afghanistan has displaced people by the millions. As of August 1987 the Pakistani government had registered 3.2 million Afghan refugees, according to Amnesty International's May 1988 report on *Afghanistan: Unlawful Killings and Torture*. The UNHRC estimated that there are another 2.2 million Afghan refugees in Iran. These figures exclude the hordes that have been driven from the Afghan countryside into the Soviet-controlled cities within Afghanistan.

Amnesty International reported that “clearly helpless civilians identified as belonging to certain groups—notably those traveling as refugees—are routinely seized and summarily executed or otherwise attacked and deliberately killed in violation of national and international law.”

In Helsinki Watch’s 1984 report, executive director Jeri Laber and Professor Rubin noted that the “strategy of the Soviets and the Afghan government has been to spread terror in the countryside so that villagers will either be afraid to assist the resistance fighters who depend on them for food and shelter or will be forced to leave. The hundreds of refugee families crossing the border daily are fleeing from this terror—from wanton slayings, reprisal killings, and the indiscriminate destruction of their homes, crops, and possessions.”

Refugees have had to leave the country even to find rudimentary medical attention. In 1983, the French doctor Philippe Augoyard was quoted by *Les Nouvelles d’Afghanistan*:

In June 1981 the Soviets began a systematic effort to bomb hospitals operated by the French medical organizations. Three small hospitals operated by Medecins du Monde were bombed early in the year. On November 4, MIG-27s and armored helicopters bombed the hospital of Aide Medicale Internationale in the Panjsher Valley, razing the stone building to the ground. On November 5 at 7 AM, 3 MI-24 helicopters razed the hospital of Medecins sans Frontieres in Jaghori, Ghazni, in the southern part of Hazarajat. On November 6, three other helicopters destroyed a dispensary of Aide Medical Internationale in Ningrahar Province. Later in November the dispensary of Medecins sans Frontieres in Waras was attacked. On March 14, 1982, the new hospital established by Medecins sans Frontieres in Jaghori was bombed.

Dr. Laurence Laumonier of Aide Medicale Internationale told Laber and Rubin, “After the first time they bombed our hospital in Panjsher, I went to see [Resistance Commander] Massoud. I told him we were going to make another hospital and put a red cross on the roof, so they would be sure to know it was a hospital. He told me I was crazy, it would just make it easier for the Russians to bomb it. But I did it anyway, and then the helicopters came and bombed it.”

### Open vs. Slave Society

In comparing the Soviet and American experiences in Afghanistan and Vietnam, one is struck by the sparseness of information on Afghanistan in comparison with the avalanche of detailed records available on Vietnam. This reflects the freedom of the international press in Vietnam, the freedom of speech in America that has assured the uninterrupted production of books and articles on the subject, and the open nature of a free society whose government is a servant of the public. During the war in Vietnam, a steady stream of congressional reviewers kept the American people, through their elected representatives, in close touch with war issues, and insured the congressional oversight that routinely disciplines the executive branch within the American constitutional framework.



UPI/Bettmann Newsphotos

Since the fall of Vietnam, over 1.7 million people have fled Communist rule in Indochina, not counting the unknown hundreds of thousands of Vietnamese boat people who have perished on the high seas.

All these factors have been absent in Afghanistan. There, a government accustomed to brutalizing its own citizens, and keeping them in the dark, has conducted its war in seclusion from public scrutiny lest its similarly brutal and unlawful war conduct receive the public review it deserves.

In *Tears, Blood, and Cries* Rubin quotes Vitaly Smirnov, the Soviet Ambassador to Islamabad in 1984 (addressing Olivier Warin, the Agence France Presse correspondent), “I warn you, and through you, all of your journalist colleagues: stop trying to penetrate Afghanistan with the so-called mujahideen. From now on, the bandits and the so-called journalists—French, American, British, and others—accompanying them will be killed. And our units in Afghanistan will help the Afghan forces to do it.”

Protocol I Additional to the Geneva Convention, Article 79, prescribes, “Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians.”

The Soviets have made no pretense of feeling bound by the laws of war in Afghanistan. They openly disdain any suggestion that such rules of civilized behavior should be applied to them. Their attitude raises a fundamental question about the significance of agreements with the Soviets. That is, in a quite literal sense, signed agreements don’t seem to have any meaning for the Soviets. When it comes to regulating or predicting behavior, it’s as though such agreements aren’t there.

There is little sense in equating the Soviet war in Afghanistan with the American war in Vietnam. Only at the most superficial levels are there any correspondences. At any level of substance, of purpose, of policy, of performance, there are the stark contrasts between a war conducted by a free and open society governed under law with the consent of the governed, and one prosecuted by a closed slave society governed by men who flaunt their disdain for law and who deny that human beings are endowed by their Creator with certain unalienable rights. ■

# RESPONSIBILITY, LOVE, AND PRIVATIZATION

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## A Businessman's Guide to Criminal Rehabilitation

JACK ECKERD

America's prison population is increasing at an alarming rate, rising 15 times faster than the national population and more than doubling since 1974. In many states the prisons are operating under emergency conditions, with twice as many inmates as they were designed for; a growing number of prison systems are under court order to curtail overcrowding, even if that means early release of violent offenders. Citizens protest such releases loudly: they understandably do not want serious felons on the streets. At the same time they frequently balk at expenditures for new prisons, not to mention the \$20,000 annual cost of keeping an inmate in prison, twice the cost of keeping a student at a state university.

It's hard to think of an American social program with a worse track record than our prisons. Some 70 to 75 percent of former convicts return to lives of crime. The United States has one of the highest numbers of prisoners per capita in the non-Communist world. But it also has one of the highest crime rates of any advanced economy. Though the doubling of the prison population since the mid-1970s has been accompanied by an almost 25 percent decrease in the percentage of households victimized by crime, millions of Americans are still terrorized by criminals, and large sections of every American city are unsafe.

The biggest single reason for the explosion of crime is the deterioration and breakdown of the family, not only in the inner cities, but also among the ever-growing number of middle-class families where both parents work and children run loose without supervision. Child abuse, drug abuse, family violence are both symptoms and causes of a self-feeding cycle of despair. The growing materialism of our civilization has also contributed to an ethical decline, including a serious erosion of respect for the lives and property of other people.

But in the midst of this breakdown of family and community morality, it is also clear that prisons aren't doing their job. They are neither deterring crime nor rehabilitating criminals. Nor are they providing sufficient restitution to the victims who have suffered from crime. The taxpayers cannot afford the route we have been taking—of sim-

ply building new prisons in response to astronomic rates of murder, assault, robbery, burglary, and drug-related crimes. The time has come to rethink some of the principles of criminal justice.

### The Torture of Idleness

Punishment of criminals is important, but it's inhumane and counterproductive to use prisons purely for punishment. The average inmate leaves prison more bitter than when he entered. He is no better educated. He has gained no experience holding a meaningful job where he has to show up on time, report to a boss, and learn responsibility by getting his work done. He has spent two, five, ten years in prison living mostly in idleness—one of the worst forms of torture you can give a man. The typical convict is given \$100 when he leaves and told to fend for himself. Then we wonder why we see recidivism rates of 70 to 75 percent.

Although I am not a criminal justice expert nor have I had training in correctional work, for more than 20 years I have worked with troubled youth through Eckerd Family Youth Alternatives, a private foundation that currently operates 14 year-round wilderness camps in five states, as well as two correctional facilities for serious juvenile offenders that we took over from the states of Florida in 1982 and Maryland in 1988. Since 1983, I have chaired the board of PRIDE, a state-sponsored private corporation that runs all of Florida's 46 prison industries, from furniture making to optical glass grinding—incidentally, at a \$4 million profit to state taxpayers last year. I serve on the national board of Charles Colson's Prison Fellowship Ministries. In addition, when I was chief executive of Jack Eckerd Corp., I encouraged our drugstore managers to hire former prisoners. I have, therefore, had the opportunity to observe firsthand how prisons and juvenile justice systems actually work, as well as the role that the private sector (nonprofit as well as

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