

# GONE FISHIN' . . . WITH GRENADES

**Situation:** In past weeks, insurgents adjusted their tactics and began tossing grenades at US patrols as they passed under bridges. As my patrol approached, we noticed a grenade fly over the top of our HMMWV, then fall to the water and explode. Next, we saw a young man running away. The turret gunner was quick to identify his target, but I told him not to shoot; we would capture him instead. We soon caught up with him as he ran into a house. We detained him without incident and demanded to speak to the elder inside the house. The elder man explained the young man was lazy and was using the grenades to fish. When the grenade exploded in the water, fish would float to the top. This seemed like a far-fetched story, but after some of the crazy things I had seen during my time there, I believed him and was glad I stopped my gunner from opening fire. Moments later the local Sheik arrived and the elder man explained the situation to the Sheik and apologized for embarrassing their tribe. The elder continued to explain the young man's laziness and believed he had humiliated them in front of the Americans. The Sheik turned and gave me permission to kill the young man. Shocked, I explained that was not necessary but that I wanted the grenade throwing to stop. In the middle of our discussion, one of my Soldiers let me know the Commander wanted us to move out to another position without delay. It sounded as if something more important needed our attention. The Sheik explained to me and my Soldiers how tremendously embarrassed he was and again offered the life of the young man. I refused and told the Sheik I considered the matter closed. One of my troops collected the captured grenades and we departed. As I departed the scene one of my Soldiers said, "Sir, you know they are going to kill that kid". I thought, we could detain him but it is unnecessary. We had defused the situation and surely they would not kill the kid over something as trivial as fishing. Besides, the boss needed us further down the road. Should I contact my commander? Should I go back and detain the young man or should I continue the mission?

## REFLECTION...

As we mounted our HUMVEE we heard two gunshots and knew they had just shot the young man. I felt sick to my stomach. One of my troops said, "Cap, what do you want us to do?" I paused for a second thinking we should go back. That second seemed like a lifetime and just as I was about to give the order to go back to the house, the radio crackled. The commander relayed a "Troops in Contact" call and wanted to know our status. I responded "Sir, we are en route".

The role of the major participant in the scenario: A Company Commander (Captain) on patrol in Iraq, a young Iraq teen caught fishing with hand grenades, a village elder who explained the boy's wrong-doing, and a tribal Sheik who believed his tribe was embarrassed by the young man's behavior.

Ethical Dilemma at the time of the event: Life versus mission. Do we stay in place and prevent the murder of the young man or do we continue on our mission as directed by the commander? I had enough evidence to detain the young man and believe it would have saved his life. Unfortunately, I thought it was not necessary and needed to respond to the commander.

Rules/Laws that apply: Geneva Convention, UCMJ, ROE for the handling of prisoners

Conflict or tension of the 7 Army Values? How did you resolve those conflicts? The Army values presented were Duty and Personal Courage. The question was, "Did I fulfill my obligations as a Company commander? Yes I think I did, but I fell short morally by not making the hard decision. I made the easy choice by leaving the young man when I had doubt of what may happen to him.

Consideration of Other COAs and the 2nd and 3rd order effects: 1) I could kill the kid but this was obviously wrong. I am not a murderer. 2) Although I could detain him the commander wanted us to move out and I did not need a detainee slowing us down. Additionally, I sincerely believed the village elder. Ultimately detaining this kid would not be worth anyone's time. It would only make this kid hate Americans and potentially turn him into a legitimate terrorist someday. 3) I could do nothing which may end the young man's life.

How did you get the courage to take the "harder right"? In this case I believe I made the wrong decision. I do not think I considered the second and third order effects and did not think it through. In the end I have no proof the young man was killed but I am confident it happened. Since then I consider the effects of my actions and decisions when making critical assessments.