

# DOD'S NON-DENIAL DENIAL SUGGESTS THEY MAY CONSIDER SOME PANJWAI DEAD LEGITIMATE TARGETS

As I noted in [this post](#), there is a discrepancy between [the people Sergeant Robert Bales is accused of murdering](#) and [the people Afghans report to be victims](#). While DOD has redacted the names of Bales' alleged victims, at least two women and one man are on that list but not among those named by Afghans. Which means that at least two men were killed that DOD does not, now, consider murder victims.

DOD spokesperson Commander Bill Speaks gave this non-denial denial when I asked whether that meant there were 20 victims (I followed up but have gotten no response yet):

The evidence available to the investigation team indicates 17 murder victims, as is outlined in the charge sheet. To suggest that Gen. Allen's answers yesterday would be "consistent" with more victims ignores the fact that the questions posed to him were in the context of 17 rather than 16 victims.

Now apparently Speaks thinks I'm dumb. He suggests I ignored the journalists' question, when Allen [did so](#).

There is a – there was an increase in the number of what we believe to have been those who were killed tragically in this event. But this is – the number increased was based upon the initial reporting by the Afghans. And so we should not be surprised that in fact, as the investigation went forward, that an – that an additional number was added to

that.

Speaks suggests that Allen's equivocation—his description of those “who were killed tragically” as opposed to those who died, his careful avoidance of any numbers, and his discussion of “an additional number,” which would seem to suggest more than one additional victim (consistent with the potentially 3 included in the charge sheet not described by Afghans)—directly answered the journalists' question, when in fact all it did is suggest the numbers might continue to grow.

Further, Speaks, like Allen, appears to be parsing murder victims as opposed to total dead.

All of which leads me to further refine my speculation: I suspect the night of the murders started with a night raid launched [in retaliation for the IED strike](#) earlier in the week, during which at least two men considered to be legitimate targets were killed. But that along with those “legitimate” deaths—perhaps because the male head of family targets were not home during the raid (both Mohammed Wazir and Syed Jaan were out of the village during the attack)—a bunch of women and kids got killed as well.

Such an explanation would explain many of the seeming discrepancies in the story. It would [account for the claims](#) that at least 12 men were involved in the raid, used walkie talkies, and had helicopters. It would [account for the stories](#) that in a few cases, just one male was killed and women and children were left, as would happen in a night raid “properly” conducted. It would also explain why Bales made two trips off the base—perhaps the first time as part of the raid, and the second time to try to cover up, by burning, the illegal victims that resulted.

And it would explain both why Afghans made assertive requests about SOFA and why DOD is being so touchy right now. The US can't really

stay in Afghanistan if it can't conduct night raids; otherwise, the local knowledge of Afghans would more than negate the advantage of our superior technology. Yet, this incident happened just after Karzai had already accelerated the prison transfer and was pushing back on night raids.

It is bad enough that an American soldier is alleged to have gone a rampage killing 17 civilians. But if he did so as part of a night raid, it will give Afghans precisely the justification they need to prohibit any more night raids.

Which is why the government is trying so hard to pin this attack on Bales' personal failings rather than our war's.

Update: OK, I'm getting closer to a clear answer. In response to this question,

- 1) Are there are just 17 known murder victims, total?
- 2) Are there just 17 Afghans killed in the villages that night—whether by murder or other legal status, such as legitimate military target—total?

Speaks gave this answer:

- 1) Yes
- 2) I'm not aware of any military engagements in the vicinity of the alleged murders involving US or other coalition forces, but will verify with ISAF.

Somewhere—I'll have to find it—Kabul-based reporting said that night raids are not always reported up the chain of command (I believe it was an ISAF based spokesperson saying they might not know if there were a raid, generally).

Update: See [this post](#) for an update from Speaks. The short answer? DOD says there were no

military operations in the villages that night.