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A Tale of Three Soldiers

by Nancy Lessin and Charley Richardson

On Saturday May 22, the Washington Post carried an article headlined "Iraq War Veteran Found Guilty of Desertion," about Florida National Guardsman Staff Sergeant Camilo Mejia. Mejia served in Iraq from March to October, 2003. He returned to the United States in October, 2003 for a two-week furlough, and then refused to return to what he believes is an illegal, immoral war. After 5 months Mejia turned himself in to the military along with a 55-page conscientious objector application. He was charged with desertion.

During his court martial at Ft. Stewart, Georgia, the military judge ruled much of his defense inadmissible, including specifics regarding abuse of Iraqi detainees that Mejia witnessed. Most of those on the witness list compiled by his civilian defense attorney were rejected by the same military judge. On May 21 a military jury found Mejia guilty of desertion. In his statement to the court prior to being sentenced, Mejia detailed some of the horrors of war that he witnessed - children killed in cross-fire, bystanders beheaded by weapons fire. He spoke about an inept command more interested in battle medals than the safety of his troops. This commander sent troops out four days in a row to perform the same mission, in the same way, at the same time. On the fourth day three soldiers sustained serious - some life-threatening - injuries in an ambush that Mejia and other soldiers had feared. Mejia spoke up at that time on behalf of the soldiers in his unit to try to prevent a fifth day of the repeat mission - a response his commander attributed to cowardice.

At the close of his statement to the court, Mejia acknowledged that the military jury could sentence him to prison, but he would sit behind bars a free man, knowing his decision to follow his own conscience was right. He stated that we in this country were all on trial - and the whole world is watching. The jury was given Mejia's 55-page conscientious objector application along with a number of other documents to ponder during their sentencing deliberations. Approximately 20 minutes later, the jury returned to the courtroom to announce their verdict. Mejia received the maximum sentence: one year in prison, loss of rank, forfeiture of pay and a bad conduct discharge. He has been transferred to a military prison in Oklahoma, over 1,000 miles from family members in Florida and California.

The same day that the article on Mejia's court martial verdict appeared in its national news section, the Post also carried an article headlined "Walking Away From A Call To Serve" in its Metro Section, about Virginia National Guardsman Specialist Dana Jensen. According to the article, when Jensen was called up for an 18-month deployment, he tried to avoid service by arguing that his family and work obligations were too much (his wife was pregnant; his real estate business would suffer). When that didn't get him excused, he briefly made, then withdrew, a claim that he was a conscientious objector. Then he argued he should not have to serve because he was gay. When he failed to register for his active duty tour on March 1, 2004 he was declared "absent without leave" and was subsequently declared a deserter. Jensen did not turn himself in. Instead, he was tracked down and arrested and sent to the Army's

desertion center in Ft. Knox, Kentucky. But in this case of desertion, with none of the principles and politics of Mejia's, the Army granted Jensen an administrative discharge.

The irony of these two articles appearing in the same newspaper on the same day may have been lost on many readers. There was also a further irony. May 19th was the day that both Mejia's and Specialist Jeremy Sivits' court martials began. Sivits is the photographer of U.S. soldiers giving the thumbs-up sign while posing with naked, humiliated and tortured Iraqi detainees. For failing to take a stand of conscience against the abuse of prisoners, Sivits was sentenced to one year in prison and a bad-conduct discharge. This is the exact sentence Mejia was given for taking a stand of conscience.

While none of these young men should have been sent off to fight in this unjustifiable war based on lies, there is a story here about the military and the politics of punishment that has yet to be written. It is a story about a military judge's ruling disallowing the majority of Mejia's defense, a defense that would have delved into the illegality of the war in Iraq, the specifics of prisoner abuse, and the transformation that a soldier can go through to arrive at a principled stand of conscience to refuse to participate in war.

It is a story about the military's ruling in the case of Dana Jensen. According to the article in the Post, Jensen tried different unprincipled excuses to avoid deployment and protect his income. In stark contrast to Mejia who turned himself in to military authorities, Jensen was tracked down and captured. At the heart of the story would be the question of why Jensen received an administrative discharge with no punishment, while Mejia received the maximum penalty allowed by a special court martial.

Comparing the treatment of Mejia, Sivits and Jensen can lead to only one conclusion: that none of their trials were about principle, about right and wrong. They were, in fact, about sending a clear message to the troops and to the American people. If you are near the bottom of the chain of command, if you get caught up in the racism and dehumanization of this war, if you fail to stand up to the pressure, the orders and your command, and if your illegal actions are exposed to the world, you will be made a scapegoat and you will be punished. If, however, you do take a stand of conscience against an illegal and immoral war, if you expose its horrors and your command's shortcomings, you will also be punished. But if you watch out for your own interest, keep your head down and your mouth shut about the politics of the war, the military may just let you slide.

This is the story that is begging to be written. We hope that it soon will be.

Nancy Lessin and Charley Richardson are co-founders of [Military Families Speak Out \(MFSO\)](#), an organization of people speaking out against the U.S. invasion and occupation of Iraq who have relatives or loved ones in the military. Their son Joe is a Marine who deployed in September, 2002; he returned from Iraq on Memorial Day, 2003. MFSO currently has a membership of 1,500 military families.

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