In 2004, I was commanding general of the First Marine Expeditionary Force (I MEF) in Iraq, the senior Marine in theater, with 50,000 service members under my command. One of my responsibilities was giving approval to all deliberate, i.e. no troops in contact, air strikes. One night in November, days before we would enter Fallujah for a clear and hold operation we expected to involve hard fighting, I was woken by our Operations Officer and informed I was needed in the Operations Center to clear a potential deliberate target.

I was briefed by the night watch team and told several insurgent leaders were meeting on a rooftop in our area of operations. I glanced at the overhead view of a group of men on a rooftop in Fallujah illuminated on the large screen in the Operations Center.

“Sir, based on the activities of the men on the rooftop, we have determined them to be hostile. We have done the weaponeering to limit the collateral damage and the model (called a bug splat) shows a CDE of 13 (estimated number of non-combatants that might be killed or wounded). We have an aircraft on station ready to take down the target with your approval.”

I had this same sort of 0200 conversation many nights before, and the Watch Officer’s brief this night reflected many lessons learned from our team’s months of conducting deliberate strikes. First, there was the issue of numbers. On previous nights, I had expressed my disappointment in some of my staff for looking at the “magic number” 29 as a license for, rather than a check on, violence. The Secretary of Defense had authorized (in the ROE) the Combatant Commander to clear deliberate targets with a Collateral Damage Estimate (CDE) up to 29. This authority had been passed down to me as the MEF Commander, but could not be passed any lower. If the bug splat generated a CDE of 30 or higher, I had to pass the request up the chain of command requesting approval from the Secretary of Defense.

On this early morning in November, I asked the night staff the same set of questions I’d asked them before: “What if you change the angle of attack; delay the fuse; change the munition?” I was asking them to see if a different method of attack would lower the CDE. We have computer programs that can estimate the blast effects of any kind of munition on a given building in the city depending on angle of attack and aim point. So even as I asked my usual questions, I was confident that our weaponeers and targeteers had anticipated my questions; worked all the possibilities; and 13 was the “best” number they could give me.

I also knew they would not have gotten me out of bed on mere suspicion of militant activity. On an earlier occasion, I had been called into the Command Center; shown imagery of another rooftop meeting of bearded men; and urged to say the two words that would permit a pilot in a circling F-16 or FA-18 to release his weapon and kill them: “clear hot.”

“Who are these guys?” I asked then.

“Well, we don’t know for sure, sir. But a group of military aged men on a rooftop in Fallujah at 0200 cannot be up to anything good.”

I denied permission, and forcefully discussed the criteria for “hostile intent” as part of the targeting equation with my staff. I told them I expected more from them; that they were getting blood-thirsty and a little sloppy. That’s not how we as Americans/Marines are going to fight this war, I said. Hostile intent is not wrong gender, wrong age, wrong place, wrong time! I know the team was pressing to “shape” the upcoming battle space by eliminating as many of the enemy leaders as possible before our warriors would engage them mano-mano, but that did not give us the right to stretch the definition of “hostile intent.” I saw some downcast faces night, but I think I got through to them.

So this early morning in November, my staff presented a solid target package defining the enemy leadership group meeting on the rooftop…a thorough briefing that clearly met the criteria of hostile intent. I listened intently and read the target folder. Then our intelligence officer added greater detail and answered a few questions. The men on the roof were the equivalent of lieutenants/captains, significant leaders who would be critical to the enemy’s execution in the upcoming battle. Still, the targeteers estimated 13 Iraqi noncombatants would be killed or wounded, 13 people who didn’t go to bed expecting to die, and didn’t ask to live in a building visited by terrorists.

Based on the value of the target, and the positive impact (on our frontline fighters) eliminating these enemy leaders would have, I granted permission and in a matter of minutes, they were eliminated.

Throughout my career, my philosophy was I didn’t want to kill anyone who did not need to die. Every time I gave an order to take a life, whether directly by approving an airstrike or indirectly, by setting policies for the use of deadly force at vehicle check-points, I asked myself “what would the American people say?” I asked myself what my family—including my eight brothers and sisters—would think of my decision.

I made a lot of unpopular decisions, particularly regarding the restriction of force. No doubt I had peers and subordinates—probably Americans back home—who thought “None of those Iraqis is worth one Marine’s life.”

If I heard any of my people say something like that, I would have fired him on the spot. As soon as we start seeing foreign combatants or noncombatants as less than human, as less than us, we have lost. I do not mean this only in a moral sense of having lost touch with our own decency, but lost in a strategic sense. My mission in 2004 was clear: to pacify Fallujah, clear it of militants, and then turn it over to Iraqi government control. I looked at every fighting age male in Fallujah and saw a potential recruit: either for the insurgents or for the new Iraqi government.

My concern that every Iraqi be treated with dignity led me to make regular personal inspections of the detention facility the MEF ran in our area of operations. Either myself or one of my three immediate deputies inspected the facility every day. I wanted to personally ensure that no one was being mistreated. I was concerned that mere instructions to treat detainees humanely would be inadequate; maybe some Marines would think I was just saying the politically correct thing because I had to. Further, while the Marines with whom I served are some of the finest human beings on the planet, none of them were trained to be prison guards. Everyone understands how the conditions of detention can lead people in authority to over time dehumanize detainees. These unannounced “visits” to our detention facility multiple times a day by different leaders made clear our policy.

I knew, also, in this particular case, that the pace of operations meant we were sweeping up innocent people along with terrorists and insurgents. My team actually requested from the International Committee of the Red Cross (ICRC) permission to extend the initial detention period permitted under international law from 14 to 21 days so we could better screen the huge number of detainees we were receiving. At first the ICRC refused, suspecting that we wanted the extra time to potentially abuse detainees. Rather, as we explained to ICRC representatives, the exact opposite concern was in play.

After the initial 14 day detention period, detainees would be formally entered into the detention process and moved from our temporary holding facility. Once this happened, it would be six months before their case would be reviewed again (based on sheer numbers). We wanted more time so we could screen locally and hopefully return those who were truly “wrong gender, wrong age, wrong place, wrong time” to their families to be part of the security/rebuilding process. There was no way you could look into the frightened, sunken eyes of a young man behind bars desperately protesting his innocence—“please, mister, there was some mistake,”— and not feel compassion. We wanted to ensure those we knew or had strong suspicion were enemy were entered into the formal detention process, but did not want to detain those young men collected on the battlefield out of necessity, but determined to be noncombatants, one day longer than necessary.

Again, compassion has strategic significance here. We figured if an innocent Iraqi did not support the insurgency when we detained him, he certainly would support the insurgency after being imprisoned without trial for six months.