

Bergdahl's partner in failure - the U.S. Army

Marty Trillhaase/Lewiston Tribune

On Thursday, lawyers for the U.S. Army will appear before a military tribunal seeking to try Sgt. Bowe Bergdahl not just for deserting his post in Afghanistan six years ago, but with the rare offense of misbehavior before the enemy.

Conviction on the misbehavior charge could mean life imprisonment for the Sun Valley native.

As the Associated Press noted last week, more than 1,900 soldiers have been charged with desertion since 2001 - an offense that carries a maximum five-year penalty. Only a handful faced misbehavior - and the idea of filing both against Bergdahl has military law professor Jeffrey K. Walker wondering if the military is "piling on."

Of course, Bergdahl is no mere alleged deserter. After slipping away, he was captured by the Taliban. To secure his freedom, President Obama traded five Taliban operatives held at Guantanamo Bay.

Obama's Republican foes labeled it a sell-out.

Republican presidential candidate Donald Trump called Bergdahl a "dirty rotten traitor."

But the politicians closest to the case - Idaho's conservative Republican congressional delegation - have been remarkably restrained.

Could it be they know that however horrendous Bergdahl's failure as a soldier, he did not fail alone?

The Army is equally culpable.

As the Washington Post reported more than a year ago, there's every reason to believe the Army knew that in 2006, the U.S. Coast Guard found Bergdahl psychologically unfit for duty in the non-combat branch of the armed forces - and granted him an "uncharacterized discharge" after 26 days of basic training.

That should have disqualified Bergdahl from ever again putting on his nation's uniform. By 2008, however, the country was desperate. Unable to fill the recruitment quota mandated by the wars in Iraq and Afghanistan, the military lowered its standards. One of every five recruits that year would have not been admitted without a waiver that looked the other way for a health problem here, a criminal record there or some other blemish.

One of those waivers went to Bergdahl.

Looking over his journal entries and reading the comments of Bergdahl's fellow soldiers paints a picture of a troubled young man who was unraveling under the pressure of combat duty.

Even if he did walk away, Bergdahl did not live the typical life of a deserter. He did not hide away in the comfort of a European or Canadian city.

According to his lawyers, the Taliban treated him horribly. At some point during those five years, he was chained to a bed. Or locked in a cage. Or shackled.

He was beaten.

He was left malnourished.

His health was deteriorating.

Serving a five-year prison sentence for desertion at the federal penitentiary at Leavenworth, Kan., would pale in comparison to the trauma Bergdahl suffered.

None of this excuses Bergdahl's behavior. However it happened, he broke his pledge to serve. Once he walked away, other soldiers - who stood by their commitment - were put in harm's way searching for him.

But absent some bombshell emerging at his trial - evidence of active collaboration with the enemy, for instance - simple decency would suggest a punishment equal to the crime: dishonorable discharge, credit for time served and loss of pay.

Instead, you have a military seeking its pound of flesh.

Why?

Is this about what happened in Afghanistan in 2009 - or in the Rose Garden five years later?

Is it to cover the political fallout from the Taliban prisoner trade?

Is this a response to the presidential campaign rhetoric?

Is this meant to assuage Bergdahl's fellow soldiers who stayed at their posts and performed their duties?

Call it whatever you will.

Cover-up.

Politics.

Pride.

But isn't there also room for the equally compelling American values of compassion, fairness and justice? - M.T.