

# DEADLY MISTAKES?

## Viewer Guide

Walter Miale





# DEADLY MISTAKES?

## Viewer Guide

Walter Miale

This Guide accompanies the Deadly Mistakes? DVD's from Bullfrog Films:

<http://www.bullfrogfilms.com/catalog/dm.html>

For further information on Deadly Mistakes? and Democracy Dialogues:

<http://www.greenworldcenter.org>



## Acknowledgements

Thanks to those who consulted with me in the preparation of this Guide: Steven Aftergood of the Federation of American Scientists, Bruce Blair of the Center for Defense Information, Philip Brenner, Reed Brody of Human Rights Watch, Noam Chomsky, Erik K. Gustafson of the Education for Peace in Iraq Center, Adam Isacson of the Center for International Policy, Peter Kornbluh of National Security Archive, Steven Kosiak of the Center for Strategic and Budgetary Assessments, Malea Lazu of the Institute for Policy Studies, Carl LeVan, Joshua Muravchik of the American Enterprise Institute, John Pike of GlobalSecurity.org, Amy Quinn of the Institute for Policy Studies, Marcus Raskin of the Institute for Policy Studies, Gene Sharp of the Albert Einstein Institute, and Peter Weiss of the Lawyers Committee for Nuclear Policy. Needless to say, any errors or shortcomings in the Guide are mine, not theirs.

Thanks also to the authors and editors who allowed me to use their material: Peter Davis, Joshua L. Dratel, Jim Hershberg, Jim Lobe, Ray McGovern, Glen Pedersen, and Matthew Rothschild.

And especially heartfelt thanks to Art Nuko for his painting of Uncle Sam at the crossroads.

---

I would welcome, and will publish in future editions of this Guide or on the Deadly Mistakes? web pages, comments and suggestions for other sources. - WM

## Table of Contents

### Dialogues - Main Disk

	page
<b>Intro</b>	
Deadly Mistakes? (Intro)	7
Foreign Policy and Sausage	8
Lies My Teacher Told Me	9
<b>The Past - Were These Mistakes?</b>	
The Overthrow of the Government of Iran	10
Intervention and Genocide in Guatemala	13
The Cuban Missile Crisis	15
The Vietnam War	17
Somoza and the Contra War in Nicaragua	22
The Cold War: The Cynics and the Believers	28
<b>The 21st Century - Are These Mistakes?</b>	
Nuclear Weapons on a Hair Trigger	29
Preventive War and the Invasion of Iraq	32
The War in Colombia	52
<b>It's Your Future</b>	
Mistakes or Crimes?	54
Why do States Pursue Homicidal Policies?	82
It's Your Future	83

### Interviews - Bonus Disk

		page
James Loewen	Lies My Teacher Told Me	84
Lawrence Eagleburger	Foreign Policy and Sausage	85
Gene La Rocque	Creating Terrorists	90
Ray McGovern	We Called Them "The Crazies"	94
Robert White	It's Not Much More Complicated Than That	97
Marcus Raskin	Institutional Insanity is Approximately What We Have	105
<b>Guidelines for videotaping contributions to the Dialogues by viewers</b>		107

*Table of Contents continues on next page*

*Table of Contents continued*

		page
<b>Appendix I</b>	Robert Kennedy's meeting with Soviet Ambassador Anatoly Dobrynin during the Cuban Missile Crisis - James Hershberg	109
<b>Appendix II</b>	Where is Nicaragua? - <i>by Peter Davis - excerpt from the book</i>	117
<b>Appendix III</b>	The Moments Between September 25 and 26, 1983 - Glen Pedersen <i>Soviet Colonel Stanislav Petrov had a few short minutes to act when a warning showed that a nuclear missile attack on the Soviet Union was underway</i>	119
<b>Appendix IV</b>	The Smoking Gun - by Ray McGovern	123
<b>Appendix V</b>	Excerpts of the text of the Geneva Conventions of 1949	127
<b>Appendix VI</b>	Nonviolent Struggle in the American Revolution - <i>Gene Sharp talks with Walter Miale</i>	141
<b>Appendix VII</b>	On the Pentagon's "Black Budget"	143

## Deadly Mistakes? (Intro)

### To learn more

**Re: The six interventions James Loewen speaks of:** See *KILLING HOPE* by William Blum, *Intervention and Revolution* by Richard J. Barnet, and other books under *Iran* and *Guatemala*, below

**Re the 1979 and 1980 incidents of false warnings of nuclear attack,** Bruce Blair recommends:

*The Limits of Safety: Organizations, Accidents, and Nuclear Weapons*, by Scott D. Sagan (Princeton University Press | Paper | 1995)

Winner of the 1993 Best Book Award of the Science, Technology, and Environmental Studies Section of the American Political Science Association

"...by far the most carefully researched and painstaking study of nuclear weapons safety ever written."—Bruce G. Blair, *Security Studies*

Blair also recommends the Hart-Goldwater report to the Senate Armed Services Committee

**Re the background of the Japanese attack on Pearl Harbor:** <http://www.chomsky.info/books/dissent03.htm>

**Clarification** Robert McNamara states that there were "170 nuclear warheads on the soil of Cuba, roughly 60 or 70 [of which were] strategic warheads to attack cities on the East Coast. Had we attacked, those nuclear warheads would have been used. Without any question. How would it have ended? In utter catastrophe...."

According to Philip Brenner, it is likely that many or most of the missiles that could have launched those warheads would have been destroyed before they were fired, and that the number of U.S. cities destroyed would probably have been lower, or much lower. It is quite unpredictable, since for one thing the missile launchers in Cuba were mobile, making them hard to find and hit. Regarding the outcome in any event, of course McNamara was right: an "utter catastrophe."

## Foreign Policy and Sausage

**Question to the reader/  
viewer:** Does this make  
Western civilization an  
oxymoron?

There is a tradition in Western culture according to which the conduct of foreign policy is not subject to the moral constraints to which personal conduct is subject.

*The Prince* by Machiavelli is a basic work on the principles and methods by means of which leaders or "princes" accumulate and maintain power, and it provides some background for understanding Noam Chomsky's political writing, much of which consists of exposure and indictment of state violence and crime.

As Lawrence Eagleburger and Marcus Raskin and Stansfield Turner remark in the course of *Deadly Mistakes?*, it is a mistake to single out the United States and its leaders for doing what others have done down through the ages. I would add that it is also a mistake to exempt the United States and its leaders from critical scrutiny because of our virtues and strengths, or because it is our own country. In fact I would say that, citizens as we are of a democracy in which officials are to some degree responsible to us, we should hold ourselves and our representatives to higher standards than we hold others.

There are several factors that make the United States particularly interesting and significant with respect to the Western tradition in which states and leaders are considered to have license to kill. The most obvious is that the United States has by far the most vast and powerful military machine in the world. Another factor is that as citizens of a democracy we in the United States have a tradition of righting social wrongs, and the liberty, most of us, to act to do so.

"If we are to recover our sanity as a nation and to earn again the decent respect of those with whom we share the planet, including our own children, Americans must engage in serious self-examination of those drives within our society that impel us toward destruction."

Richard J. Barnet in *The Roots of War*

## Lies My Teacher Told Me

James Loewen's book, *Lies My Teacher Told Me*, could itself be used as an American history textbook. It would appear to be based on a principle articulated by Howard Zinn, in *The Politics of History*, namely that the purpose of learning history is not because knowledge of the past is an end in itself, but mainly because history is an indispensable tool for understanding our present and making choices for our future.

Howard Zinn's *A People's History of the United States* is another fundamental work of American history. It looks at history not mainly from the point of view of Presidents and leaders, but of ordinary people. This is a fundamental distinction, which sets history in a new light. See also: *The Politics of History*, by Howard Zinn.

A third fundamental work on American history I would recommend is *Year 501 - The Conquest Continues*, by Noam Chomsky (Boston, South End Press, 1993). This book is available free online at <http://www.chomsky.info/>, Chomsky's own website, as are several other important books and numerous articles by Chomsky. In *Year 501*, Chomsky describes the ongoing process of domination of the peoples of the Americas and Africa and Asia by Europeans and people of European descent which began with Columbus and which continues.

## The Overthrow of the Government of Iran

Mohammed Mossadegh was the Prime Minister of Iran. He was deposed in a coup instigated by the United States.

Lawrence Eagleburger seems to justify the overthrow of Mossadegh by implying that had the United States not done so, bad consequences might have ensued. The holocaust of the Second World War, Eagleburger remarks, could have been prevented had the United States and Britain opposed Hitler in 1936 or 1937 or particularly in 1938. This latter point is true, except that Hitler could have been opposed with diplomacy:

"In 1938, Germany was practically defenseless. In the next year it carried out significant military development. There's a good review of all of this in a recent article on pre-WWII deterrence in a recent issue of one of the strategic analysis journals, I think *International Security*. If there had been diplomatic opposition, there would have been no need for military response to Hitler's aggression."

*Noam Chomsky in an e-mail of March 16, 2005*

It's a critically important point: ***timely nonviolent action (internationally) could have toppled Hitler, and done so lawfully.***

Apparently, as is so often the case with dictators, it might not even have been necessary to actively oppose Hitler; it

### To learn more

*All the Shah's Men: An American Coup and the Roots of Middle East Terror* by Stephen Kinzer, a senior correspondent for the New York Times (John Wiley and Sons, 2003) is "an up-to date-book, based on the best recent scholarship." (Philip Brenner) There is a clear and detailed summary of this book, and of the major issues regarding the overthrow, by Masoud Kazemzadeh at [http://www.politicalreviewnet.com/polrev/reviews/MEPO/R\\_1061\\_1924\\_066\\_1004711.asp](http://www.politicalreviewnet.com/polrev/reviews/MEPO/R_1061_1924_066_1004711.asp) . According to the review, which appeared in *Middle East Policy*, "All the Shah's Men reads more like a Tom Clancy novel than a scholarly work; at first glance, one might even take it for a screenplay. But this should not detract from the serious contributions Kinzer makes. The book is not a journalistic recounting of events with superficial explanations. Kinzer's book presents essential information and raises important questions for international-relations scholars interested in U.S. policy towards Iran."

is perhaps doubtful whether he could have lasted long in power had he not had support from the United States and Great Britain. "Up to 1939, the US was quite supportive of Fascism and even Nazism. As late as 1941, US consul George Kennan in Berlin was sending favorable reports back home about the Nazis." (Noam Chomsky, post to the Znet Sustainers Forums on June 8, 2004 <<http://www.zmag.org>>, a point he develops elsewhere. See also:

*Who Financed Hitler?* by James & Suzanne Pool (Noontide Press) "The surprising story of how Hitler's rise to power was funded, both by the rank and file of the NSDAP and financial and industrial magnates in Europe and America, 1920-1933."

"Facing the Corporate Roots of American Fascism" by Richard Sanders, is an informative monograph available at <http://coat.ncf.ca>

Could *not* subverting the democratically elected government of Iran have been somehow comparable to the failure to oppose Hitler? Noam Chomsky: "That's beyond preposterous." (e-mail of December 10, 2004)

Still, both Britain and the United States had opportunities to give representatives of the German high command a nod to depose Hitler. In a recorded speech on cassette, Michael Parenti gave an account of how top retired German Generals approached Neville Chamberlain with offers to depose Hitler, but were turned down. (Chamberlain hoped Hitler would make war on the Soviet Union.) A similar offer was apparently presented to, and rejected by, the Roosevelt administration. I asked Parenti for more information on this, and he referred me to three books: *To Kill the Devil*, by Hubert Mulloy Mason; *The German Opposition to Hitler*, by Michael Thomsett; and *An Honorable Defeat*, by Anton Hill. Thomsett told me that what I told him of Parenti's account of overtures to Britain is true, and he referred me to *Nemesis of Power: The German Army in Politics 1918-1945* by John W. Wheeler-Bennett, which he said has three pages of sources on the subject.

### **Mossadeqh and the Communists**

"...the newly elected Eisenhower administration had come to the British view: Massadeq must go. Although the State Department continued to hint that there was a link between Mossadeq and communism, the political reality in Iran was quite different.\* Mossadeq had come to power as the head of the National Front, a nationalist coalition that had been energized chiefly by the oil issue. The Tudeh party, as the local communist organization was called, attacked the Front and on July 15, 1951, Mossadeq suppressed a communist-sponsored demonstration of the National Association for the Struggle Against the Imperialist Oil Companies in Iran, killing one hundred and injuring five hundred demonstrators. In mid-1952 the Tudeh reversed its position, began to shift its attacks from the premier to the shah, and asked for a united front. But Mossadeq resisted the communists' call for a coalition, restated his refusal to legalize the Tudeh, and imposed martial law in Tehran. Less than a month before the coup that finally overthrew him, he received another open appeal to join forces with the communists, and despite the now transparent efforts of the United States and its allies to get rid of him and the mounting opposition of the shah, the army, the landowners, and the middle classes, Mossadeq refused to accept their help. Two days before he fell, his troops turned on communist demonstrators in Tehran. Nine years after these events, Soviet analysts ascribed the failure of the Tudeh, which sharply declined in strength after Iran became a U.S. ally, to the fact that the party 'was in fact fighting on two fronts—against imperialism and against Mossadeqh.'\*\*\*

\*The hostility of Mossadeq to the communists is discussed in Manfred Halpern, "The Middle East and North Africa," in C. E. Black and T. P. Thornton, eds., *Communism and Revolution* (Princeton, 1964), pp 316-319.

\*\*Quoted in Halpern, "The Middle East," p. 110.

From *Intervention and Revolution*, by Richard J. Barnet

### **More learning resources**

*Killing Hope: U.S. Military and CIA Interventions Since World War II* by William Blum (Monroe, Maine: Common Courage Press, 2003) "Far and away the best book on the topic," according to Noam Chomsky. *Killing Hope* has a chapter on the Iran coup, along with 54 other chapters on 54 other interventions.

*Intervention and Revolution – The United States in the Third World* by Richard Barnet (New York: New American Library, 1972) This is another basic book on U.S. intervention abroad, and has an interesting summary of the "real James Bond operation," as a CIA colleague of Kermit Roosevelt, the CIA agent who oversaw the coup, called the overthrow of Mossadeqh.

*Rogue State – A Guide to the World's Only Superpower* (Common Courage Press) by William Blum, provides a summary critique—and a searing one—of United States foreign policy and its consequences.

## Intervention and Genocide in Guatemala

### To learn more

There are many links to information sources and organizations that deal with mass murder, or "administrative massacres," with sections on the Nazi holocaust, and on Armenia, Cambodia, East Timor, and others, at <http://www.webster.edu/~woolfilm/holocaust.html>

For summary accounts of the intervention:

Richard J. Barnett's *Intervention and Revolution*. The account begins with the brutal dictatorship that was overthrown in 1944; deals with the domination of the country by a U.S. corporation, United Fruit, and its "mammoth public relations campaign" against the Arbenz government; the somewhat complex issue of communism in Guatemala; and the desire of the Eisenhower administration to re-establish a "strong arm government, on the style of" the previous dictator.

*Killing Hope* by William Blum, Op. cit.

See also:

*Turning the Tide* by Noam Chomsky.

Vintage Chomsky on Latin America, written near the peak of the mass murders.

"The classic work on the subject"—I'm told by Philip Brenner:

*Bitter Fruit - The Untold Story of the American Coup in Guatemala* by Stephen Kinzer (the New York Times correspondent who wrote *All the Shah's Men*, op.cit.) and Stephen Schlessinger, (Garden City: N.Y.: Doubleday, 1981)

Recommended by Adam Isacson as one of two classic texts on Central America (the other is *Inevitable Revolutions* by Walter Lafeber—see below under the Robert White Interview), and also recommended also by Philip Brenner: *Battle for Guatemala* by Susanne Jonas (Harper Collins, 1991) This book by a teacher of Latin American studies at the University of California-Santa Cruz deals with the death squads, at least through 1985.

*Shattered Hope: The Guatemalan Revolution and the United States, 1944-1954*

by Piero Gleijeses, (Princeton: Princeton University Press, 1991)  
A standard work on the coup and its background and on the United States role. (PB)

The report of the Inspector General of the CIA, which Robert White mentioned can be found on the website of the Center for International Policy, of which White is the president: [www.ciponline.org/job.htm](http://www.ciponline.org/job.htm)

The United Nations report White spoke of can be found at [www.minugua.guate.net.gt](http://www.minugua.guate.net.gt)

For more recent info on human rights in Guatemala, see "Hidden Powers in Contemporary Guatemala" at the website of the Washington Office on Latin America: <http://www.wola.org>

For current updates and action alerts, see <http://www.ghrc-usa.org/>

Adam Isacson also recommends the following three books:

*The Blindfold's Eyes - My Journey from Torture to Truth*, by Sister Dianna Ortiz with Patricia Davis, published 2002, Orbis Books, PO Box 308, Maryknoll, NY 10545-0308 (Available at the Resource Center of the Americas)

*Searching for Everardo: A Story of Love, War, and the CIA in Guatemala* by Jennifer K. Harbury (Warner Books, 1987) Harbury, an attorney who graduated from Harvard Law School, is an American woman, whose Guatemalan husband was "disappeared" and surely tortured by the Guatemalan military. Her investigation and exposure of the crime played a role in the shift in United States government policy. She, like Diana Ortiz, now directs an organization opposed to torture: Stop Torture Permanently, a campaign of the Unitarian Universalist Service committee: <http://www.uusc.org/programs/STOP/>

*The Long Night of the White Chickens*, by Francisco Goldman, a novel. "A great read," says Adam Isacson.

Diana Ortiz is an American nun who was kidnapped, raped, and tortured in Guatemala, where she was working teaching Mayan Indian children to read. She is now the Executive Director of TASSC International, Torture Abolition and Survivors Coalition International, the only organization founded by torture survivors. The mission of TASSC is to abolish torture wherever it occurs. [www.tassc.org](http://www.tassc.org)

## The Cuban Missile Crisis

Although President Kennedy acceded to Khrushchev's demands, he imposed a demand of his own, which Khrushchev accepted: to keep secret the U.S. agreement to remove its missiles from Turkey and not to invade Cuba. **See Appendix I.**

### To learn more

A short list of recommended reading from Philip Brenner:

*Reflections on the Cuban Missile Crisis*, revised edition, by Raymond Garthoff, (Brookings Institution: 1989) When asked to name a single book on the crisis, Brenner picked this one.

*Averting the 'Final Failure': John F. Kennedy and the Secret Cuban Missile Crisis Meetings*, by Sheldon Stern (Stanford U Press, 2003) Minutes of the meetings of ExComm, the committee advising John Kennedy, have been published. There has been debate about the accuracy of the transcript as it is given in the principal published source of the minutes. Sheldon Stern's book gives selections from the transcript after revision.

*Essence of Decision*, second edition, by Graham Allison and Philip Zelikow, (Longman: 1999)

*Sad and Luminous Days: Cuba's Struggle with the Superpowers after the Missile Crisis*, by James Blight and Philip Brenner, (Rowman and Littlefield, 2002)

*Thirteen Days*, by Robert F. Kennedy, (Signet: 1969)

*Anatomy of the Cuban Missile Crisis*, by James A. Nathan (Greenwood: 2001)

Primary documents: National Security Archive: [http://www.gwu.edu/~nsarchiv/nsa/the\\_archive.html](http://www.gwu.edu/~nsarchiv/nsa/the_archive.html)

Further:

There is a large collection of links to "New Evidence on the Cuban Missile Crisis" on a webpage of the Cold War International History Project: [http://wwics.si.edu/index.cfm?topic\\_id=1409&fuseaction=library.Collection&class=New%20Evidence%20on%20the%20Cuban%20Missile%20Crisis](http://wwics.si.edu/index.cfm?topic_id=1409&fuseaction=library.Collection&class=New%20Evidence%20on%20the%20Cuban%20Missile%20Crisis)

<http://www.nuclearfiles.org/hicubanmissilecrisis/cmc.html> has links to good online resources, including the Kennedy-Khrushchev correspondence during the crisis.

And see **Appendix 1**: Robert Kennedy's meeting with Soviet Ambassador Anatoly Dobrynin during the Cuban Missile Crisis

---

## Four Lessons of the Cuban Missile Crisis

1. Reckless acts all around led to the crisis. (Philip Brenner)
2. We must get rid of nuclear weapons. (Robert McNamara)
3. It wasn't machismo that saved the world; it was conciliation. (Brenner)
4. It wasn't brilliant management that got us through the crisis. It was luck. Crises must be averted, not managed (Brenner)

## The Vietnam War

General McPeak, who in the Deadly Mistakes Intro says, "We were on the wrong side in that war," is not the only general to have expressed himself in such strong terms about the Vietnam War. Throughout the war, there were generals—to say nothing of lower ranking officers and enlisted soldiers—strongly opposed to it. The Commandant of the Marine Corps, General Wallace Greene, fairly early on, in 1965, called it this "unwanted, undesired, miserable war," which at least half the US population "don't want anything to do with." (quoted by Noam Chomsky in *RETHINKING CAMELOT*)

Greene's predecessor as Marine Corps Commandant was an outspoken opponent of the war. General David Shoup reported that when the Joint Chiefs considered troop deployment, "in every case...every senior officer that I knew...said we should never send ground combat forces into Southeast Asia." (ibid)

As the war was approaching its highest level of violence, Shoup, then retired, said:

"I believe that if we had and would keep our dirty, bloody, dollar-crooked fingers out of the business of these nations so full of depressed, exploited people, they will arrive at a solution of their own. That they design and want. That they fight and work for. [Not one] crammed down their throats by Americans."

From a speech at Junior College World Affairs Day in May, 1966 (ibid)

### To learn more

*See also the sources given, and the discussion, under Mistakes or Crimes?*

*Fire in the Lake - The Vietnamese and the Americans in Vietnam*, by Frances Fitzgerald (New York: Vintage Books, 1972) This Pulitzer prize winning best seller provides a good read on the history of the war through 1971.

### *The Pentagon Papers*

This "massive, top secret history" commissioned by the Secretary of Defense Robert McNamara, and leaked to the press by former Defense Department official Daniel Ellsberg, is probably more useful as a reference work than for reading through.

The Vietnam Veterans Against the War have a good website on the Pentagon Papers and on a symposium on them that was held 30 years after their release: <http://www.vva.org/pentagon/pentagon.html>  
The links page of this site, <http://www.vva.org/pentagon/links/links2.html> ,

The Vietnam war is more accurately called the Indochina war, involving as it did the massive bombing and destruction of three countries: Vietnam, Laos, and Cambodia

**Regarding the "thousands of people still dying every year in Laos" see *Rogue States - The Rule of Force in World Affairs*, by Noam Chomsky, pp 42-43 ([www.southendpress.org](http://www.southendpress.org))**

**Regarding the torching of the Vietnamese village**

Daniel Ellsberg wrote (in *Papers on the War*) about the frustration of American soldiers in fighting enemies they could not see: "They had the feeling that at least if they burned the houses, something would happen....A week later I was on a patrol that burned every house it came to....This battalion had moved to a state of mind where lieutenants and captains were burning houses in violation of higher orders and lying about it."

is quite useful. For example, it connects to numerous sources pertaining to controversies surrounding Robert McNamara's role as war planner and executive, and his later writings about it.

Daniel Ellsberg was an employee of the Department of Defense on a fast career track during the Vietnam War. He was engaged in planning and directing the war. When in the course of his duties he read the Department of Defense's own secret history of the war, the "Pentagon Papers," (the idea for which he had suggested to Secretary McNamara) he recognized its character as an aggressive war and a war fought in large part against civilians, and thus came to recognize his own role, as he said, as a war criminal.

At the war crimes trial at Nuremberg, the Nazi leaders were asked why they did not take action against the criminal acts of their own government. No one would ever ask that question of Ellsberg. He photocopied the history, which left no doubt as to the illegal character of the war, and took steps to leak the history to members of Congress and to the press.

Another key figure in the release of the Pentagon Papers was Ellsberg's colleague, Anthony J. "Tony" Russo. For an account of Russo's role, see <http://www.pentagonpaperstrusso.com/summary.htm>

Daniel Ellsberg's own website, with signup for his email list: <http://www.ellsberg.net/>

*Papers on the War*, by Daniel Ellsberg (New York: Simon and Schuster, 1972) is a collection of brilliant writing on the Vietnam War and its legal and moral implications. (See next page for highlights) Ellsberg addresses the question of how successive administrations could have led the nation ever deeper into such a disastrous undertaking; he

## Daniel Ellsberg on the Vietnam War

For over seven years, like many other Americans, I have been preoccupied with our involvement in Vietnam. I have seen it first as a problem; then as a stalemate; then as a crime.

Each of these perspectives called for a different mode of personal commitment: a problem, to help solve it; a stalemate, to help extricate ourselves with grace; a crime, to expose and resist it, to try to stop it immediately, to seek moral and political change.

None of these aims—mine or, I would suppose, anyone else's—has met with success. It may be that five individuals, our Presidents from Truman to Nixon, should be excepted from this generalization, if I am right in concluding that each of them aimed mainly to avoid a definitive failure, "losing Indochina to Communism" during his tenure, so that renewed stalemate has been for them a kind of success.

---

The urgent need to circumvent the lying and the self-deception was, for me, one of the "lessons of Vietnam"; a broader one was that there were situations—Vietnam was an example—in which the U.S. government, starting ignorant, did not, would not, *learn*. *There was a whole set of what amounted to institutional "anti-learning" mechanisms working to preserve and guarantee unadaptive and unsuccessful behavior* [my emphasis—wm]: the fast turnover in personnel; the lack of institutional memory at any level; the failure to study history, to analyze or even record operational experience or mistakes; the effective pressures for optimistically false reporting at every level, for describing "progress" rather than problems or failure, thus concealing the very need for change in approach or for learning.

[In the early 1950's], the right wing of the Republican Party tattooed on the skins of politicians and bureaucrats alike some vivid impressions of what could happen to a liberal administration that chanced to be in office the day a red flag rose over Saigon.

Starting in early 1950, the first Administration to learn painfully this "lesson of China" began to undertake—as in a game of Old Maid—to pass that contingency on to its successor. And each Administration since has caught itself in the same game.

Rule 1 of that game is: *Do not lose the rest of Vietnam to Communist control before the next election.*

---

[Historian Arthur] Schlesinger's guess about [President] Johnson is probably right:

I still believe he found it viscerally inconceivable that what Walt Rostow kept telling him was "the greatest power in the world" could not dispose of a collection of night-riders in black pajamas [the "Vietcong" guerillas].

What [no President from Truman to Nixon—over a 25-year period] probably imagined was that he himself, and his successors, would go on making the same conceptual choice again and again—Winning always looking too risky or infeasible, the other side never cracking; but it seemingly always the wrong time to Leave. None may have guessed that "buying time," postponing a defeat, would *always* look like a lesser evil to an American President than ending the war as a failure, despite escalation of the stalemate and of the human costs to awful levels.

From *Papers on the War*

**Vietnam learning resources, continued**

considers the "need not to know," which made him and others in the Department of Defense blind to what was happening; and the concluding paper is "The Responsibility of Officials in a Criminal War."

*In the Name of America – The conduct of the war in Vietnam by the armed forces of the United States as shown by published reports – Compared with the Laws of War binding on the United States Government and on its citizens*, with contributions by Seymour Melman and Richard Falk. Seymour Melman was Director of research. "A study commissioned and published by Clergy and Laity Concerned about Vietnam, January, 1968" (New York: E.P Dutton & Co., Inc.) This is an important and powerful book. It consists primarily of news accounts juxtaposed to excerpts of statutes pertaining to the conduct of war. The material on the laws of war is useful (for example, the list of relevant statutes) but a little thin. However, the collection of news stories, from a wide variety of sources, but primarily from mainstream U.S. newspapers on such topics as aerial bombardment, destruction of villages, crop destruction, etc. gives a sense of the massive scale of the violence.

Also:

*The Vietnam Reader – Articles and Documents on American Foreign Policy and the Vietnam Crisis*, edited by Marcus G. Raskin and Bernard B. Fall. Just as it only gradually, and not completely, registered with the American public that the rationales for the war on Iraq—to neutralize the threat of Saddam Hussein's weapons of mass destruction; Saddam Hussein's alleged ties to Al Qaeda and 9/11; to bring democracy to Iraq— were without foundation, one can see here that the rationales for the war in Vietnam were criticized from the beginning, yet ignored by the warmakers. (See for example the contributions by Marcus Raskin and I.F. Stone.)

*Nuremberg and Vietnam: An American Tragedy* by Telford Taylor. Taylor, America's chief counsel for the prosecution at the Nazi war crimes trial at Nuremberg in 1946, looks at the parallel between the war crimes of the Nazi leaders, and war crimes committed in Vietnam.

*Washington Plans an Aggressive War*, by Ralph Stavins, Richard Barnet, and Marcus Raskin (New York: Vintage Books, 1971) examines the war from the point of view of the Nuremberg precedents.

*War Crimes in Vietnam* by Bertrand Russell (London: George Allen & Unwin)

*In Retrospect*, by Robert McNamara

For critical articles on *In Retrospect*, see  
<http://www.vva.org/pentagon/links/links2.html>.

For Noam Chomsky on McNamara, see  
<http://www.chomsky.info/books/warfare01.htm>

The Vietnam War was Kennedy's war as well as Johnson's. See *Rethinking Camelot: JFK, the Vietnam War, and US Political Culture*, by Noam Chomsky (South End Press, 1993). And Cf. Robert White (in the Bonus Disk interview) on Robert Kennedy's "affection" for counter-insurgency.

HEARTS AND MINDS is an Academy Award winning documentary film on the Vietnam War, directed by Peter Davis. (see Appendix II for an excerpt from Davis's book on The Contra War in Nicaragua.). It is available on DVD.

## Somoza and the Contra War in Nicaragua

### To learn more

*Our Own Backyard: The United States in Central America, 1977-1992*, by William M. LeoGrande (Chapel Hill: University of North Carolina Press, 1998) A comprehensive, scholarly book, which also deals with El Salvador, where death squads were active during the period, as well as Nicaragua. (Recommended by Philip Brenner)

*Revolution and Counterrevolution in Nicaragua*, by Thomas Walker (Boulder, CO: Westview Press, 1991) A "comprehensive, multidisciplinary overview" of the Sandinista period, according to the Encyclopaedia Britannica.

"Two books that examine the general conflict between the United States and the Sandinistas" (The Encyclopaedia Britannica Online):

*Nicaragua: The Price of Intervention: Reagan's Wars Against the Sandinistas*, by Peter Kornbluh (Institute for Policy Studies, 1987)

*Reagan Versus the Sandinistas: The Undeclared War on Nicaragua*, Thomas Walker, ed. (Boulder, Colorado: Westview, 1987)

Another basic text:

*Nicaragua: The Unfinished Revolution: The New Nicaragua Reader*, by

"The leading academic historian on Nicaragua, Thomas Walker, regularly (several times a year) wrote and sent op-eds to the New York Times — not a single one was published."

*Noam Chomsky\**

\*\*On Globalization, Iraq, and Middle East Studies" Noam Chomsky interviewed by Danilo Mandic on [www.zmag.org](http://www.zmag.org)

### Re Did the Sandinistas Violate Human Rights?

Michael Linfield, "Human Rights." In Thomas Walker, ed., *Revolution and Counterrevolution in Nicaragua*, 275-294, and

Peter Rosset and John Vandermeer, "Nicaragua: A Totalitarian State?" In Rosset and Vandermeer, eds. and

*Where is Nicaragua?* by Peter Davis (New York: Simon & Schuster, 1987), takes the reader on a walking tour through the political landscape of Nicaragua during the Contra war. See **Appendix II**.

### Pro Contras

"Manipulating the Miskitos," by Joshua Muravchik, in *The New Republic*, August 6, 1984. This article discusses atrocities committed against native people by Sandinistas that were mistakenly attributed to the Contras by opponents of the Contra war in the United States. Muravchik, a supporter of the Contras, recommends *Nicaragua: Revolution in the Family* by Shirley Christian, who covered the war for the New York Times.

"In the American continent, there is no regime more barbaric and bloody, no

*continues*

Peter Rosset and John Vandermeer, (New York: Grove Press, 1986)

The National Security Archive <http://www.gwu.edu/~nsarchiv/>, an independent non-governmental research institute and library, which collects and publishes declassified documents acquired through the Freedom of Information Act, has a Nicaragua document collection (info about it can be found at <http://nsarchive.chadwyck.com/niessayx.htm>) which "provides an unparalleled contemporary record of the diplomatic, political, paramilitary and economic developments which turned the small Central American nation of Nicaragua into the most controversial U.S. foreign policy issue of the 1980s. The collection consists of 3,248 cataloged primary source documents totaling approximately 17,500 pages. Most of these documents consist of intra-governmental communications, including State Department communiqués, and memoranda of White House operative Oliver North. Selections from the collection, and commentary, can be found in:

*The Iran-Contra Scandal: The Declassified History*, edited by Peter Kornbluh and Malcolm Byrne (W.W. Norton & Co.)

See Sidebar, a few pages below, for highlights.

An essay providing an overview of Somoza and the Contra War incorporating the information alluded to above appears on the National Security Archive website:

<http://nsarchive.chadwyck.com/niessayx.htm>

See also the three books (named a few paragraphs down) by Noam Chomsky, below, including the online versions of *Deterring Democracy and Necessary Illusions*.

regime that violates human rights in a manner more constant and permanent, than the Sandinista regime."

"The Challenge to Democracy in Central America," a joint document of the State Department and Defense Department, quoted in *The Culture of Terrorism*, by Noam Chomsky (Boston, South End Press, 1988)

"Commenting [on the above], America's Watch observes that civilian noncombatant deaths attributable to government forces in Nicaragua over seven years, in the course of an attack of mounting intensity by the United States and its proxy army, might possibly reach 300, most of them Miskito Indians in 1981-2; in comparison some 40-50,000 Salvadorean civilians were 'murdered by government forces and death squads allied to them' during the same years, along with 'a similar number' during Somoza's last year, 'mostly in indiscriminate attacks on the civilian population by the National Guard,'..."

Chomsky in *The Culture of Terrorism*

In *The Culture of Terrorism* (pp 84f) Chomsky presents evidence that the Sandinistas cleaned up their act with respect to the Miskito Indians after the first couple of years. He cites a Wall Street Journal article (February 6, 1987), headlined "Menagua Tightens Grip on Former Contra Strongholds," which

For a nuanced account of life in Nicaragua during the Contra War, see *Where is Nicaragua?* by Peter Davis (New York: Simon & Schuster, 1987). Davis is the director of *Hearts and Minds*, a brilliant documentary film about the Vietnam War. In this book, he walks the reader through a tour of the political landscape of Nicaragua during the war. For an excerpt, see **Appendix II**.

For **Somoza and his downfall**, see:

*Somoza Falling: A Case Study of Washington at Work*, by Anthony Lake (Houghton Mifflin, 1989)

### **Were the Contras terrorists, and were they acting on directives of the United States?**

See the above books. *Revolution and Counterrevolution in Nicaragua* has a comprehensive chapter on Contra terror. Also the following: Noam Chomsky discusses the Contra war in several books, including *Deterring Democracy* (New York: Hill and Wang, 1992), *Necessary Illusions — Thought Control in Democratic Societies* (Concord, Ontario: Anansi, 1991); and in *The Culture of Terrorism* (Boston: South End Press, 1988). *Deterring Democracy* can be found online at <http://zena.secureforum.com/Znet/chomsky/dd/dd-contents.html> . *Necessary Illusions* is at <http://www.zmag.org/chomsky/ni/ni-contents.html>

Chomsky cites General John Galvin, commander of the U.S. Southern Command, who told Congress and the Boston Globe (see the article by Fred Kaplan in the Globe on May 20, 1987) approvingly that the Contras were doing much better since they started going after "soft targets" instead of trying "to duke it out with the Sandinistas." A close reading of what Galvin said indicates that he did not say that SOUTHCOM ordered or directed the Contras to do this,

"reports how the Sandinistas have proceeded to 'build support by handing state farms over to landless peasants and offering foreign exchange incentives to cattlemen to boost meat production,' and inaugurating new dairy projects, while in the Miskito areas, 'the government is repairing and painting schools and medical clinics and bringing movie projectors for the first time to Indian villages.'"

**Re the 1984 Elections:** Stephen Kinzer, "Action Democracy," Chap. 15 of *Blood of Brothers: Life and War in Nicaragua* (New York: G.P. Putnam's Sons, 1991), 222-250; also see "Nicaragua: A Totalitarian State? (op.cit.)," 62- 107.

but given Galvin's remarks and what is known about the relationship between the United States the Contras, the conclusion seems inescapable that the U.S. command, which armed, trained, and paid the salaries of the Contras, who constituted a mercenary army, was responsible for the conduct of the war.

Chomsky told me, (in an e-mail on February 21, '04), "If you are looking for a statement 'We hereby order you to attack soft targets,' of course you won't find it, any more than you'll find a statement from Hitler saying 'I hereby order you to murder 6 million Jews.' But the evidence we do have would easily suffice to convict any enemy in a legitimate war crimes trial, or a standard criminal trial. That SOUTHCOM directed its mercenary forces to attack soft targets, with State Department official authorization, is about as clear as anything we can say about the responsibility of commanders for those they train, and the responsibility of the top civilian authorities for authorizing these crimes."

Chomsky cites (in the books mentioned above) in support of this the account of Horacio Arce, the Chief of Intelligence of the main Contra force, who later defected, of U.S. training and support for the Contras, and of attacks on "schools, health centers, and those sorts of things." (And Chomsky cites the fact that Arce's story was altogether ignored by the media in the United States.)

Chomsky cites also State Department spokesman Charles Redman defending the soft target strategy at a press briefing on July 1, 1986, and Chomsky remarks that the dependence of the Contras on U.S. support is acknowledged in standard works on the subject—Tom Walker's books, for example.

In *The Culture of Terrorism*, Chomsky quotes former CIA Director Stansfield Turner's characterization of the Contra war "as terrorism, State-sponsored terrorism." (In testimony before the House Subcommittee on Western Hemispheric Affairs, April 16, 1985; cited by Peter Kornbluh in Thomas Walker, ed., *Reagan vs. the Sandinistas: The Undeclared War on Nicaragua*, Thomas Walker, ed. (Boulder, Colorado: Westview, 1987). - Westview, 1987.)

I asked Peter Kornbluh of the National Security Archive for further sources that

would shed light on the issue. He cited the following:

- the reports of the principal international human rights organizations, such as Human Rights Watch–Americas Watch. These, like the several out-of-print books cited in this Guide, should be available in large libraries or through interlibrary loan services.
- The CIA issued two manuals for the Contras, the contents of which were leaked and made public. One was in the form of a comic book, and was less serious than the other, which contained rather explicit passages directing killing local civilian leaders, such as mayors and police chiefs. *Nicaragua: The Price of Intervention* (listed above) has a section on the manuals.
- "Iran-Contra's Untold Story" by Peter Kornbluh and Robert Perry, in *Foreign Policy Journal*, Fall, 1988
- *With the Contras: A Reporter in the Wilds of Nicaragua* (A Touchstone Book), by Christopher Dickey (New York: Simon and Schuster, 1987) Dickey was a correspondent for the Washington Post.
- Duane Claridge, a director of the war from within the CIA, in an internal memo, which he quoted in his autobiography, *A Spy for All Seasons*, referred to the soft target strategy, and justified it.

I asked Peter Kornbluh, "Is the evidence clear that the attacks on soft targets were widespread, and that they characterized the conduct of the war by the Contras?" and he said, "Yes."

### **Who were the Contras?**

Robert White says that the anti-Sandinista forces—who were known as the Contras (i.e. counter-revolutionaries)—were led by thugs, i.e. former members of Somoza's guard. Joshua Muravchik says those comprising the forces were authentic freedom fighters. White told me (Chomsky in *The Culture of Terrorism* confirms this): the rank and file of the Contras included ordinary men (some with legitimate grievances against the Sandinistas), but the leadership was made up of former members of Somoza's Guard. For more info on the background of the Contra leadership in Somoza's National Guard, and on the Contra generals' status as employees (on the payroll) of the United States government (CIA), see *The Culture of Terrorism*, by Noam Chomsky, pp 85 and 95.

## The Contras: Myths and Realities

According to documentation available in this collection, U.S. national security agencies including the CIA, NSC and Department of State, governed virtually every facet of the Contras' political and military operations. The same "control mentality" that dictated broader U.S. policy in the region, manifested itself in the micro-management of the Contra war, and put the lie to the third myth: that the Contras were an autonomous, viable force.

Starting with the FDN in August 1981, every major Contra coalition formed over the next seven years was made-in-the USA. .... Before their first press conference on January 13, 1983, CIA officials counseled new Directorate members to say that they were not trying to overthrow the Sandinistas but instead were "creating the conditions for democracy." ...

Furthermore, the main Contra leaders, including the "Triple A," were on the CIA/NSC payroll. Calero, the FDN's political chieftain, was reported to be a long-time CIA asset. (Through 1988, this relationship would protect Calero from repeated efforts by more moderate Contra factions to oust him as the Contras' preeminent political leader.) ...

Cruz, the most moderate civilian leader—and the most respected on Capitol Hill—had actually [and illegally, given his lobbying activities] been a "CIA asset for several months,"

The Contras depended on Washington for much of their substantive political program as well. U.S. officials participated in the drafting of all major political and diplomatic statements released

by the Contras. The depth of U.S. control over the Contras extended into the military sphere as well. Despite the Administration's official line that the rebels were a viable force deserving of U.S. support, from the outset the CIA supplied the funds, purchased the weapons, established logistical infrastructure, provided intelligence and target lists, coordinated the training programs—in short, ran the paramilitary war.

*The result was a Contra operation wholly dependent on the United States, unable to sustain itself without U.S. support.* "When the CIA left there was no structure left behind for these people to get their own supplies," according to one operative brought in by the NSC to assist the Contras after Congress cut off CIA funding. "I don't think they knew where to go to buy anything because everything had been given to them up to that point."

The Contras did, however, prove adept at carrying out U.S. guerrilla warfare strategies, supplied in *the CIA training manuals, which advised them to "neutralize" civilian leaders, incite mob violence, and attack "soft" targets such as agricultural cooperatives.* But all major acts of sabotage inside Nicaragua were conducted by the CIA itself, including a series of assaults on major port facilities in the fall of 1983 and the now famous mining of Nicaragua's harbors. These attacks were designed as much to foster the myth of the Contras' viability as a paramilitary force as they were to wreak havoc on the Nicaraguan economy. Although the Contras publicly took credit for these attacks, in reality they played no role whatsoever.

## The Cold War

*Recommended by Carl LeVan (co-author with Marcus Raskin of *In Democracy's Shadow*)*

Books of John Lewis Gaddis (Robert A. Lovett Professor of History, Yale University), whose books include: *The United States and the Origins of the Cold War, 1941-1947* (1972); *Strategies of Containment: A Critical Appraisal of Postwar American National Security* (1982); *The Long Peace: Inquiries into the History of the Cold War* (1987); *We Now Know: Rethinking Cold War History* (1997).

*Cold War Triumphalism: The Misuse of History After the Fall of Communism*, edited by Ellen Schrecker (The New Press)

"A new counterattack on right-wing triumphalist propaganda, by the nation's leading historians of the Cold War period."

*Recommended by Joshua Muravchik*

Books of Adam B. Ulam, professor at Harvard, and a leading scholar of the Cold War; particularly *Expansion and Coexistence*. I think it is fair to say that the views of Ulam were supportive of the Cold War and its conventional premises.

## Nuclear Weapons on a Hair Trigger

"The events of September 11 gave President Bush very little time to make a very difficult decision--whether to give orders to shoot down a commercial jetliner filled with passengers. Our current nuclear posture in the U.S. and Russia could provide even less time for each president to decide on a nuclear launch that could destroy our nations." Former Senator Sam Nunn, quoted by Ira Schorr  
[http://www.fpif.org/commentary/2001/0110nuke\\_body.html](http://www.fpif.org/commentary/2001/0110nuke_body.html)

**Re the 1979 and 1980 incidents of false warnings of nuclear attack**  
 Bruce Blair recommends:

*The Limits of Safety: Organizations, Accidents, and Nuclear Weapons*

Scott D. Sagan

Princeton University Press | Paper | 1995

**Winner of the 1993 Best Book Award of the Science, Technology, and Environmental Studies Section of the American Political Science Association**

"...by far the most carefully researched and painstaking study of nuclear weapons safety ever written."—Bruce G. Blair, *Security Studies*

See also Dr. Blair's own book, *The Logic of Accidental Nuclear War*, (Brookings Institution Press, 1993)

**The three false alarms Dr. Blair cites** are summarized, along with 17 other mishaps, in "20 Mishaps That Might Have Started Accidental Nuclear War by Alan F. Phillips, M.D." <http://www.nuclearfiles.org/kinuclearweapons/anwindex.html>. This page has a list of links to books and resources on accidental nuclear war.

There are many resources on nuclear weapons here: <http://www.nuclearfiles.org/kinuclearweapons/index.html>

The website of the Center for Defense Information <http://www.cdi.org/> is a basic source on nuclear weapons issues, with ongoing updates. See especially Bruce Blair's column on the site. <http://www.cdi.org/program/index.cfm?programid=84> (latest column); and <http://www.cdi.org/program/issue/index.cfm?ProgramID=84&issueid=115> (archive)

See also the 1980 Hart/Goldwater report on then recent false alerts from the nation's missile attack warning system. This is available in libraries housing government documents.

*Miscellaneous note from the CDI website*

### "A recipe for disaster"

February 14, 2005

Worst-Case Mentality Clouds  
USAF Space Strategy (Issue Brief )

"Theresa Hitchens, CDI Vice President and director of the Space Security Project, argues in Defense News, that the U.S. strategy to counter emerging threats in space is dangerous and misguided. **U.S. Air Force policy to 'assume attack' when a spacecraft or satellite is damaged** would obviously be a recipe for disaster, raising the likelihood of the United States launching an accidental war."

CDI web links to sites on nuclear weapons from the Department of Defense and the U.S. Strategic Command to numerous NGO's:

<http://www.cdi.org/program/issue/document.cfm?DocumentID=943&IssueID=62&StartRow=11&ListRows=10&appendURL=&Orderby=DateLastUpdated&ProgramID=32&issueID=62>

**On the Russian false alarm** and "the man who saved the world: Soviet Lt. Col. Stanislav Petrov, who recognized a "missile attack" as a false alarm in September 1983: **See Appendix III** and:

<http://www.brightstarsound.com/> There is a lot of material on this excellent site. See for example [http://www.brightstarsound.com/world\\_hero/insight.html](http://www.brightstarsound.com/world_hero/insight.html) and [http://www.brightstarsound.com/world\\_hero/photos.html](http://www.brightstarsound.com/world_hero/photos.html)

See also: Christian Science Monitor, May 06, 2004 edition <http://search.csmonitor.com/2004/0506/p07s01-woeu.html> . The article also has a summary of the hair trigger issue. Highlights:

"It promised to be a quiet evening at the Soviet nuclear early warning center when Lt. Col. Stanislav Petrov settled into the commander's seat on Sept. 26, 1983.

But within minutes, Colonel Petrov was locked in perhaps the most dangerous drama of the cold war. An alarm sounded, warning screens blinked. **A computer map on the wall showed the hostile launch of a US nuclear warhead.**

"Every second counted.... My legs were unsteady, my hands were trembling, my cozy armchair became a hot frying pan," says the former officer. It only got worse. **Within five minutes the computer registered five more launches; the alarm flashed: "Missile Attack."** ...

"After a secret year-long investigation into the 1983 incident, Petrov says the false readings that shocked him and his team were attributed to a rare but predictable reflection off the earth. The system was fooled again in 1995, when Russians briefly thought that a scientific launch from Norway was a nuclear-tipped US missile heading their way. **President Boris Yeltsin reportedly brought out the launch suitcase** called the "nuclear football" - perhaps the closest it's ever come to being used in Soviet or Russian history - before coming to believe there was no need to respond.

"There are examples of weather satellite launches, the full moon rising, flocks of geese - all these horror stories in history," says Mr. Wolfsthal. Part of the solution was meant to be a joint warning center built in Moscow. It was to have been completed years ago.

"When President Bill Clinton and Mr. Yeltsin first announced plans to build the center in 1998, it was heralded as a breakthrough in preventing a "false warning" leading to accidental war. When Russia's new President Vladimir Putin signed the deal in 2000 with Mr. Clinton, the White House touted it as a 'milestone in ensuring strategic stability.'

"Expert advice backed up that view, with compelling findings in the mid-1990s that combining the US and Russian systems would significantly boost results....

"The joint project, first envisioned for completion in mid-2001, has foundered on everyday issues of what Russian taxes should be paid for imported US equipment, and legal concerns about liability...."

**Sources for More Information on Nuclear Weapons issues from *Foreign Policy in Focus***

<http://www.fpif.org/briefs/vol6/v6n34nukes.html>

**Organizations**

Center for Defense Information  
1779 Massachusetts Ave. NW  
Washington, DC 20036  
Website: <http://www.cdi.org/>

Economists Allied for Arms Reduction  
39 E. Central Ave., Suite 1  
Pearl River, NY 10965  
Website: <http://www.ecaar.org/>

International Physicians for the  
Prevention of Nuclear War  
727 Massachusetts Ave.  
Cambridge, MA 02139  
Website: <http://www.ippnw.org/>

Natural Resources Defense Council  
1200 New York Ave. NW, Suite 400  
Washington, DC 20005  
Website: <http://www.nrdc.org/>

Union of Concerned Scientists  
Brattle Square  
Cambridge, MA 02238-9105  
Website: <http://www.ucsusa.org/>

**Publications**

Bruce G. Blair, *The Logic of  
Accidental Nuclear War* (Washington:  
Brookings Institution, 1993).

Lloyd J. Dumas, *Lethal Arrogance:  
Human Fallibility and Dangerous  
Technologies* (New York: St. Martin's  
Press-Palgrave, 1999).

Charles Perrow, *Normal Accidents:  
Living with High-Risk Technologies*  
(Princeton, NJ: Princeton University  
Press, 1999).

Scott Sagan, *The Limits of Safety:  
Organizations, Accidents and  
Nuclear Weapons* (Princeton, NJ:  
Princeton University Press, 1993).

Burns Weston, *Alternative Security:  
Living Without Nuclear Deterrence*  
(Boulder, CO: Westview Press,  
1990).

**Websites**

Global Green USA  
<http://www.globalgreen.org/>

Nuclear Age Peace Foundation  
*Waging Peace in the Nuclear Age*  
<http://www.wagingpeace.org/>

# Preventive War and The Invasion of Iraq

To learn more

## WMD in Iraq Carnegie Endowment Report Summary

"This new study details what the U.S. and international intelligence communities understood about Iraq's weapons programs before the war and outlines policy reforms to improve threat assessments, deter transfer of WMD to terrorists, strengthen the UN weapons inspection process, and avoid politicization of the intelligence process.

"The report distills a massive amount of data into side-by-side comparisons of pre-war intelligence, the official presentation of that intelligence, and what is now known about Iraq's programs."

The "official presentations" include the text of major speeches by President Bush and Secretary of State Colin Powell.

See also *Hoodwinked: The Documents That Reveal How Bush Sold Us a War*, by John Prados (New Press, 2004)

## WMD in Iraq: Evidence and Implications

By Joseph Cirincione , Jessica Tuchman Mathews , George Perkovich , with Alexis Orton

Carnegie Endowment Report, January 2004

This major study by a major NGO (nongovernmental organization) appears to be comprehensive and meticulously researched. Its findings are presented clearly and concisely.

<http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=1435>

**Re The invasion of Iraq and the laws of war** See the section on Mistakes or Crimes? below and **the Appendices** giving selections from the text of the Geneva Conventions of 1949, and the Torture Papers summary.

For a summary of pre-invasion intelligence reports and Administration statements regarding Iraq, with numerous web links:

"They Knew..." by David Sirota and Christy Harvey, published on August 4, 2004 by In These Times  
<http://www.commondreams.org/views04/0804-11.htm> .

Excerpt of fact sheet from the Institute for Policy Studies and Foreign Policy in Focus, based on a study by Phyllis Bennis and the IPS Iraq Task Force; the first comprehensive accounting of the costs of the war on the United States, Iraq, and the World.  
<http://www.ips-dc.org/>

## The Mounting Costs of the Iraq War

As of June 28, 2005

U.S. military killed in Iraq: **1,743**

Number of U.S. troops wounded in combat since the war began: **13,074**

Monthly average before the June 28, 2004 “transition”: **449**

Monthly casualty average (dead and wounded) since the “transition”: **679**

Iraqi police and military deaths in 2005: **2,470**

Iraqi civilians killed: **Estimates range from 22,500 - 100,000**

Number of civilian contractors killed: **248**

Number of insurgents in Iraq:

November 2003 estimate: **5,000 fighters**

June 2005 estimate: **16,000 - 40,000 fighters and 200,000 Iraqi sympathizers**

Average number of attacks by Iraqi resistance per day: **70**

What the Iraq war has created, according to the U.S. National Intelligence Council: **“a training and recruitment ground (for terrorists), and an opportunity for terrorists to enhance their technical skills.”**

Effect on al Qaeda of the Iraq War, according to International Institute for Strategic Studies: **“Accelerated recruitment”**

Percentage of Americans who believe the United States has gotten bogged down in Iraq: **62%**

Percentage of Americans who think the country is well liked in the world: **26%**

Percentage of Iraqis expressing “no confidence” in U.S. civilian authorities or coalition forces: **80%**

Fraction of U.S. soldiers in Iraq who are Guard members or Reservists: **4 out of 10**

Status of Army National Guard recruitment: **missed April 05 target by 42%**

What General James Helmly, the Army Reserve’s commander, told the Pentagon in December 2004: his men were **“degenerating into a broken force”**

Percentage of reserve troops who earn lower salaries while on deployment: **30-40%**

Percentage of U.S. police departments missing officers due to Iraq deployments: **44%**

## The "Downing Street Memos" "Pentagon Papers" of the Iraq War?

Several documents from high levels of the British government surfaced in spring, 2005. The first, which quickly became known first as "the smoking gun memo," and then as the "Downing Street memo" (after the official residence of the British prime minister), was the minutes of a briefing of Prime Minister Tony Blair by the head of British intelligence, Richard Dearlove. (See **Appendix IV**.) In the briefing, which took place well before the invasion, at a time when President Bush did not yet have authorization from congress and was telling the public that war would be only a last resort, Dearlove, who had just met with George Tenet, the Director of the CIA, informed Blair that the Bush administration had already determined to go to war and that although the intelligence to justify the decision was "thin," "intelligence and facts are being fixed around the policy."

Further "Downing Street memos," documents from high levels of the British government, surfaced soon after. Taken together they provide an authoritative and revealing history at odds with what Bush and Blair and their cabinet members were saying publicly. The documents show that the British knew that the impending invasion was illegal, and that the Bush administration had ratcheted up the bombing of Iraq prior to the invasion in an effort to provoke Saddam Hussein into responding in a way that would appear to justify the invasion. "A March 8, 2002, options paper prepared by Blair's national security aides," summarized David Corn <[http://www.davidcorn.com/2005/06/the\\_latest\\_down.php](http://www.davidcorn.com/2005/06/the_latest_down.php)>, "noted that Iraq's nuclear weapons program was 'effectively frozen,' its missile program 'severely restricted,' and its chemical and biological weapons programs 'hindered.' Saddam Hussein, it reported, 'has not succeeded in seriously threatening his neighbors.' This paper also said the intelligence on Iraq's supposed WMD program was 'poor.' It noted that there was no 'recent evidence' of Iraqi ties to al Qaeda."

The Downing Street memos can be found in their entirety at <http://www.downingstreetmemo.com/>. See also <http://www.AfterDowningStreet.org/>

*Further resources on the invasion and occupation of Iraq, and its background*

**To stay current**

<http://www.JuanCole.com> for a well-informed, thoughtful blog on current happenings in Iraq, with an archive.

Baghdad Burning - "Girl blog from Iraq" <http://riverbendblog.blogspot.com/> This weblog by Riverbend, a 25-year old bilingual woman, is astounding. Brilliant, heart-rending, and often hilarious, she sets the reader down in her family's living room in Baghdad with the deftness and aplomb of a network sitcom. It is a narrative of the life of herself and her family, her neighborhood, and her country. For conveying a sense of actual life in Baghdad, it is incomparable.

Historians Against War has **good informational resources:**

<http://haw@historiansagainstwar.org/resources/>

**Historians Against the War teaching resources on the war**—mostly from before the invasion:

<http://haw@historiansagainstwar.org/teaching.html>

**UNDERSTANDING THE U.S.-IRAQ CRISIS:  
A Primer**

By *Phyllis Bennis*

A publication of the Institute for Policy Studies, January 2003. This is from just before the invasion, but is still pretty timely.

It has a page of links to resources

<http://www.ips-dc.org/iraq/primer.htm>

**Reporting on the war**

*Embedded:*

John Burns of the New York Times

*Unembedded:*

Anthony Shadid of the Washington Post

Robert Fisk of The Independent (of London) Current articles and archive are at <http://www.robert-fisk.com>.

Fisk was driving and walking around Baghdad during the days and nights of the bombing (2003), managing to be on hand at the bloody scenes, yet remaining unscratched.

Education for Peace in Iraq Center has an informative website at <http://www.epic-usa.org/> Erik Gustavson, The Executive Director of the Center especially recommends

Recommended by Erik Gustavson, Executive Director of the Education for Peace in Iraq as the single best book on the war: *The Freedom: Shadows and Hallucinations in Occupied Iraq*, by Christian Parenti, The New Press

### Three HumanRights Watch reports

*Background of the Iraq crisis*, at <http://www.hrw.org/campaigns/iraq/>

*Abu Ghraib Only the Tip of the Iceberg*, at <http://hrw.org/english/docs/2005/04/27/usint10545.htm>

*The Conduct of the War and Civilian Casualties in Iraq*. Full text at: <http://hrw.org/reports/2003/usa1203/> A summary appears at [http://www.ccmep.org/2003\\_articles/Iraq/121203\\_cluster\\_bombs.htm](http://www.ccmep.org/2003_articles/Iraq/121203_cluster_bombs.htm)

See also the section on **Mistakes or Crimes?**, below.

### Reporting on the war

*Embedded:*

John Burns of the New York Times

*Unembedded:*

Anthony Shadid of the Washington Post; Patrick Cockburn of The Independent (London); Dahr Jamail. Also:

Robert Fisk of The Independent (of London) Current articles and archive are at <http://www.robert-fisk.com> . Fisk was driving and walking around Baghdad during the days and nights of the bombing (2003), managing to be on hand at the bloody scenes, yet remaining unscratched.

**The National Security Strategy of the Bush administration**, in which the principle of what the Administration calls preventive war is enunciated, can be found at <http://www.whitehouse.gov/nsc/nss.html> . Highlight:

Today, the United States enjoys a position of unparalleled military strength and great economic and political influence. In keeping with our heritage and principles, we do not use our strength to press for unilateral advantage. We seek instead to create a balance of power that favors human freedom....

The gravest danger our Nation faces lies at the crossroads of radicalism and technology. Our enemies have openly declared that they are seeking weapons of mass destruction, and evidence indicates that they are doing so with determination. The United States will not allow these efforts to succeed. We will build defenses against ballistic missiles and other means of delivery. We will cooperate with other nations to deny, contain, and curtail our enemies' efforts to acquire dangerous technologies. And, **as a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed.** [emphasis added] We cannot defend America and our friends by hoping for the best. So we must be prepared to defeat our enemies' plans, using the best intelligence and proceeding with deliberation. History will judge harshly those who saw this coming danger but failed to act. In the new world we have entered, the only path to safety is the path of action.

The boldface passage in itself really is a statement of common sense. But in context it is clear that it refers not only to diplomacy and to the elimination of conditions that engender terrorism, but to violence. It is widely understood abroad as a justification of aggressive war, and in the case of Iraq the principle was invoked where there was no imminent threat.

## Iraqi casualties

The leading British medical journal *Lancet* article estimated 100,000 deaths among Iraqi civilians as a result of the invasion and occupation:

[http://www.thelancet.com/journal/vol364/iss9445/early\\_online\\_publication](http://www.thelancet.com/journal/vol364/iss9445/early_online_publication)

Google the article for critiques and defenses of it. Was it really 100,000? Other estimates start at 25,000. Erik Gustavson: "It was a hell of a lot."

"The Iraq Body Count web site is now reporting 25,000 Iraqi civilians killed since the beginning of the Iraq War in March, 2003. Their methodology is simply to count all reports of Iraqis killed that appear in the Western press. Their estimate is certainly an underestimate, since many more deaths are reported in the Iraqi press in Arabic than in the Western language wire services. Although this New York Times article quotes Brookings as critical of the *Lancet* study last fall that estimated up to 100,000 civilian dead at that time, in fact the *Lancet* article's methodology is the standard one for estimating civilian deaths in post-conflict situations and the statistics we have for, e.g., Bosnia, depend heavily on it."

Juan Cole

The *Lancet* article, which was peer-reviewed, also concluded that 1) violence is the leading cause of death in Iraq; 2) civilians are the main victims; and 3) aerial bombing is the leading cause of civilian deaths.

**On the U.S.-Saddam chemical weapons connection** *Spider's Web: The Secret History of How the White House Illegally Armed Iraq*, by Alan Friedman (New York: Bantam Books, 1993) Friedman is the global economics correspondent of the International Herald Tribune.

*For an interview with Friedman on Democracy Now! with Amy Goodman:* <http://www.democracynow.org/article.pl?sid=03/04/07/0312256&tid=22> The summary appears below

*Thursday, November 14th, 2002*

**"Spider's Web": The Secret History of How the United States Illegally Armed Saddam Hussein; a Conversation with the Journalist Who Broke the Iraqgate Scandal That Involved President George Bush, James Baker and Donald Rumsfeld**

With Iraqi President Saddam Hussein insisting that Iraq no longer has weapons of mass destruction we are going to spend the rest of the hour looking at how the United States helped illegally arm Iraq in the 1980s.

It was a scandal that took on Tom Clancy-like proportions: It involved a president, George Bush the First; future Defense Secretary Donald Rumsfeld; the current FBI head Robert Mueller and, in a minor role, even Henry Kissinger.

Over 10 years ago a reporter for the *Financial Times* named Alan Friedman uncovered the shocking story. He revealed that:

- President Bush and Secretary of State James Baker had committed billions of taxpayer dollars to assist Saddam Hussein.
- Bush and Baker allowed the export of U.S. technology that would directly help Baghdad build a massive arsenal of chemical, biological and possibly nuclear weapons. The arms were given to help Iraq fight Iran.
- The CIA helped orchestrated illegal arms deals that involved Pinochet supporters in Chile, the apartheid regime in South Africa as well as most of the major NATO allies in Europe.

All of this was to prop up a man that President Bush and later his son would compare to Hitler.

"If the United States and its other allies had not provided a steady and thorough and substantial buildup of Iraq through the 1980s and right through Operation Desert Storm, Iraq today would not be a country with vast mobile missile launchers, good inertial navigation missile technology, rough, crude radioactive potential plutonium, chemical and biological weapons technology, and an assortment of other hardware and arsenal they've had," Friedman told Democracy Now!

The scandal was known as Iraqgate. Today it is a mostly forgotten story even though it was a topic of concern of many leading politicians 10 years ago.

"Congressman (Charles) Schumer, today Senator Schumer, was on the vanguard of those investigating the illegal arming of Iraq by George Herbert Walker Bush's foot soldiers and by people connected to the Bush administration," said Friedman. "Al Gore knew and knows what happened, Senator Kerry knows what happened. There are a number of U.S. senators and some prominent Democrats and Republicans who know what happened. Why aren't they speaking out today? I'm the guy who broke the story, that's a question for you people in America to answer."

As weapons inspectors plan to return to Baghdad next week, we will spend the rest of the hour with Alan Friedman as he unravels what he dubbed the spider's web: the secret history of how the White House illegally armed Iraq.

## UNICEF REPORT ON CHILD MORTALITY IN IRAQ

<http://www.unicef.org/newsline/99pr29.htm>

**Home** | UNICEF in Action | Highlights | Information Resources | Donations, Greeting Cards & Gifts | Press Centre | Voices of Youth | About UNICEF

Iraq surveys show 'humanitarian emergency'

Visit UNICEF's Iraq Press Room

Wednesday, 12 August 1999: The first surveys since 1991 of child and maternal mortality in Iraq reveal that in the heavily-populated southern and central parts of the country, children under five are dying at more than twice the rate they were ten years ago. UNICEF Executive Director Carol Bellamy said the findings reveal an ongoing humanitarian emergency.

The surveys, released today by the children's agency, also cover the autonomous northern region of Iraq. They were carried out between February and May 1999 by UNICEF, together with the Government of Iraq in the southern and central parts of Iraq and with local authorities in the autonomous northern region of the country. Technical support for both surveys was provided by the World Health Organization (WHO). As a consequence of the findings, UNICEF recommended an immediate implementation of specific proposals made in United Nations Secretary-General's reports and by the Security Council's Humanitarian Review Panel. Among the specific proposals are the following:

- The international community should provide additional funding for humanitarian efforts in Iraq.
- The Government of Iraq should urgently expedite implementation of targeted nutrition programmes.
- Both the Government of Iraq and the U.N. Sanctions Committee

should give priority to contracts for supplies that will have a direct impact on the well-being of children.

The surveys reveal that in the south and center of Iraq — home to 85 per cent of the country's population — under-5 mortality more than doubled from 56 deaths per 1000 live births (1984-1989) to 131 deaths per 1000 live births (1994-1999). Likewise infant mortality — defined as the death of children in their first year — increased from 47 per 1000 live births to 108 per 1000 live births within the same time frame. The surveys indicate a maternal mortality ratio in the south and center of 294 deaths per 100,000 live births over the ten-year period 1989 to 1999.

Ms. Bellamy noted that if the substantial reduction in child mortality throughout Iraq during the 1980s had continued through the 1990s, there would have been half a million fewer deaths of children under-five in the country as a whole during the eight year period 1991 to 1998. As a partial explanation, she pointed to a March statement of the Security Council Panel on Humanitarian Issues which states: "Even if not all suffering in Iraq can be imputed to external factors, especially sanctions, the Iraqi people would not be undergoing such deprivations in the absence of the prolonged measures imposed by the Security Council and the effects of war."

UNICEF, as a member of the UN family, recognizes that economic sanctions are an instrument intended by the international community to promote peace and security, Ms. Bellamy added. "But our concern is that whenever sanctions are imposed they should be designed and implemented in such a way as to avoid a negative impact on children," she said. "Surveys on the situation of children and women are essential to the ongoing monitoring of the humanitarian situation there."

Ms. Bellamy also said that the surveys' findings cannot be easily dismissed as an effort by Iraq to mobilize opposition to UN sanctions.

"The large sample sizes — nearly 24,000 households randomly selected from all governorates in the south and center of Iraq and 16,000 from the north — helped to ensure that the margin of error for child mortality in both surveys was low," she noted. "Another important factor was the fact that, in the survey completed in the south and center of Iraq, all the interviewers were female and all were medical doctors. In the survey done in the northern autonomous region, fully 80 per cent of interviewers were female — each team had at least one female interviewer - and all interviewers were trained health workers."

UNICEF was involved in all aspects of both surveys, from design to data analysis. The agency had full access to the hard copies of the interview records and the complete data sets for the surveys at all times.

"We are happy with the quality of these surveys. They have been thoroughly reviewed by a panel of independent experts and no major problems were found with either the results or the way the surveys were conducted," Ms. Bellamy stated.

UNICEF also said that a dramatic increase in bottle-feeding of infants has occurred in Iraq. Given the contribution of bottle-feeding to higher levels of malnutrition and child mortality, UNICEF is urging the Government to remove breastmilk substitutes from the rations and replace them with additional food for pregnant and lactating women. UNICEF has also called on the Government to promote exclusive breastfeeding of infants as a national policy.

In addition, the children's agency stressed the need for the full rehabilitation of Iraq's education sector, and urged a focusing on quality of education, infrastructure rehabilitation and planning for the future.

Among the report's additional findings in the south and central areas of Iraq:

- Current levels of under-5 mortality — as between girls and boys — reveal that girls have a slightly lower rate, 125 deaths per 1000 live births as opposed to 136 deaths per 1000 live births among boys.
- Children who live in rural areas have a higher mortality rate than children living in an urban area: 145 deaths per 1000 live births as opposed to 121 deaths per 1000 live births.
- In the autonomous northern region, under-5 mortality rose from 80 deaths per 1000 live births in the period 1984-1989 to 90 deaths per 1000 live births during the years 1989-1994. The under-5 rate fell to 72 deaths per 1000 live births between 1994 and 1999. Infant mortality rates followed a similar pattern. Today's under-5 mortality rate of 131 per 1000 in south and central Iraq is comparable to current rates in Haiti (132) and Pakistan (136).

*Please email [media@unicef.org](mailto:media@unicef.org) with comments or requests for more information, quoting CF/DOC/PR/1999/29*

**Home** / *UNICEF in Action* / *Highlights* / *Information Resources* / *Donations, Greeting Cards & Gifts* / *Press Centre* / *Voices of Youth* / *About UNICEF*

**To what degree were the fatalities cited in the UNICEF report due to the sanctions, and to what degree were they due to the regime?** The sanctions were a major contributing factor, and the actions of the regime were also a factor. And it soon became clear that the sanctions were not weakening the regime, but became a rallying point Saddam Hussein used to consolidate his power.

### Update on Child Mortality in Iraq

## UN Monitor: War on Iraq Has Doubled Malnutrition Among Iraqi Children

Associated Press

March 31st, 2005

GENEVA -- The war in Iraq and its aftermath have almost doubled malnutrition rates among Iraqi children, a UN specialist on hunger has told the world's major human rights body.

Acute malnutrition rates among Iraqi children under five rose late last year to 7.7 per cent from four per cent after the ouster of President Saddam Hussein in April 2003, said Jean Ziegler, the UN Human Rights Commission's special expert on the right to food.

Malnutrition, which is exacerbated by a lack of clean water and inadequate sanitation, is a major child-killer in poor countries. Children who manage to survive are usually physically and mentally impaired for the rest of their lives and more vulnerable to disease.

Acute malnutrition signifies a child is actually wasting away.

The situation facing Iraqi youngsters is "a result of the war led by coalition forces," said Ziegler, a Swiss sociology professor and former legislator whose previous targets have included Swiss banks, China, Brazil and Israeli treatment of Palestinians.

Overall, more than one-quarter of Iraqi children don't have enough to eat, Ziegler told a meeting of the 53-country commission, the top UN rights watchdog, which is halfway through its annual six-week session.

The U.S. delegation and other coalition countries did not respond to the report.

## The Oil Issue

Those who cite Iraq's petroleum reserves as a factor motivating the invasion do not refer to the importance of assuring a *supply* of oil to the United States, but of assuring *control* that will provide the United States with leverage over other nations. For example, Noam Chomsky has spoken of the invasion of Iraq as a chance to gain "control of Iraq's immense oil wealth, a central component of the Persian Gulf resources that the State Department, in 1945, described as 'a stupendous source of strategic power, and one of the greatest material prizes in world history.' US intelligence predicts that these will be of even greater significance in the years ahead. The issue has never been access. The same intelligence analyses anticipate that the US will rely on more secure supplies in the Western hemisphere and West Africa. The same was true after World War II. What matters is control over the 'material prize,' which funnels enormous wealth to the US in many ways, Britain as well, and the 'stupendous source of strategic power...'"

Noam Chomsky, in "Confronting the Empire," a talk delivered at the III World Social Forum, February 2, 2003 <http://www.chomsky.info/talks/20030201.htm>

The "power" referred to at the end is influence or dominance with respect to other oil importing nations, including Japan and the nations of Europe.

Regarding the value of this "greatest material prize," see <http://www.globalpolicy.org/security/oil/2004/0128oilprofit.htm> for a detailed analysis of oil profits to U.S. multinational companies expected to result from the invasion. This web page has many useful-looking links to further sources on this and related subjects.

Highlight:

"... it is useful to know that the worldwide profits of the world's five largest oil companies in 2002 were \$35 billion. Our estimate of the 'most probable' annual profits in Iraq is \$95 billion, three times this sum! Total company profits in Iraq, over time, would be an enormously large sum – ranging from a low of about \$600 billion to a high of about \$9 trillion."

## **14 'enduring bases' set in Iraq**

### **Long-term military presence planned**

**Chicago Tribune**

March 23, 2004

In-Depth Coverage

By Christine Spolar

From the ashes of abandoned Iraqi army bases, U.S. military engineers are overseeing the building of an enhanced system of American bases designed to last for years.

Last year, as troops poured over the Kuwait border to invade Iraq, the U.S. military set up at least 120 forward operating bases. Then came hundreds of expeditionary and temporary bases that were to last between six months and a year for tactical operations while providing soldiers with such comforts as e-mail and Internet access.

Now U.S. engineers are focusing on constructing 14 "enduring bases," long-term encampments for the thousands of American troops expected to serve in Iraq for at least two years. The bases also would be key outposts for Bush administration policy advisers.

As the U.S. scales back its military presence in Saudi Arabia, Iraq provides an option for an administration eager to maintain a robust military presence in the Middle East and intent on a muscular approach to seeding democracy in the region. The number of U.S. military personnel in Iraq, between 105,000 and 110,000, is expected to remain unchanged through 2006, according to military planners.

For the whole article, see [www.globalsecurity.org/org/news/2004/040323-enduring-bases.htm](http://www.globalsecurity.org/org/news/2004/040323-enduring-bases.htm) or the Chicago Tribune online

## Al-Qaeda 'spurred on' by Iraq war

US forces in Iraq present al-Qaeda with "iconic" targets, the report says

**The occupation of Iraq has helped al-Qaeda recruit more members, according to the London-based International Institute for Strategic Studies.**

The influential group's annual report says the network has reconstituted itself after losing its Afghan base.

It adds that Osama Bin Laden's followers have set their sights on attacking the US and its close allies.

They would ideally like future operations to make use of weapons of mass destruction, it reports.

The institute quotes conservative intelligence estimates as saying that the group has 18,000 potential operatives and is present in more than 60 countries.

Recent attacks in Spain, Turkey and Saudi Arabia show its renewed strength, it says.

The report finds the network's finances are in good order....

BBC News World Edition  
story (Tuesday, 25 May,  
2004, 17:55 GMT 18:55  
UK) on a report of the  
International Institute for  
Strategic Studies, a  
London based think tank  
which favors the Iraq War  
[http://news.bbc.co.uk/2/hi/  
middle\\_east/3746205.stm](http://news.bbc.co.uk/2/hi/middle_east/3746205.stm)

## Iraqi Security Tactics Evoke the Hussein Era

### Los Angeles Times

June 19, 2005

#### **Many detainees face beatings and some are killed. U.S. officials are troubled by the reports.**

By Jeffrey Fleishman and Asmaa Waguih, Special to The Times

BAGHDAD — The public war on the Iraqi insurgency has led to an atmosphere of hidden brutalities, including abuse and torture, carried out against detainees by the nation's special security forces, according to defense lawyers, international organizations and Iraq's Ministry of Human Rights.

Up to 60% of the estimated 12,000 detainees in the country's prisons and military compounds face intimidation, beatings or torture that leads to broken bones and sometimes death, said Saad Sultan, head of a board overseeing the treatment of prisoners at the Human Rights Ministry. He added that police and security forces attached to the Interior Ministry are responsible for most abuses.

The units have used tactics reminiscent of Saddam Hussein's secret intelligence squads, according to the ministry and independent human rights groups and lawyers, who have cataloged abuses.

"We've documented a lot of torture cases," said Sultan, whose committee is pushing for wider access to Iraqi-run prisons across the nation. "There are beatings, punching, electric shocks to the body, including sensitive areas, hanging prisoners upside down and beating them and dragging them on the ground.... Many police officers come from a culture of torture from their experiences over the last 35 years. Most of them worked during Saddam's regime."

The ordeal described by Hussam Guheithi is similar to many cases. When Iraqi national guardsmen raided his home last month, the 35-year-old Sunni Muslim imam said they lashed him with cables, broke his nose and promised to soak their uniforms with his blood. He was blindfolded and driven to a military base, where he was interrogated and beaten until the soldiers were satisfied that he wasn't an extremist.

At the end of nine days, Guheithi said, the guardsmen told him, "You have to bear with us. You know the situation now. We're trying to find terrorists."

For full story:

<http://www.latimes.com/news/printedition/la-fg-detainees19jun19,1,5355914.story?ctrack=1&cset=true> or  
<http://www.latimes.com/news/printedition/la-fg-detainees19jun19,1,3266833.full.story?ctrack=2&cset=true>

**Google search****"Saddam Hussein"  
Bush evidence****Bush Disavows Hussein-Sept. 11 Link****Administration Has Been Vague on Issue, but President Says No Evidence Found**

By Dana Milbank  
Washington Post Staff Writer

Thursday, September 18, 2003;  
Page A18

President Bush said there has been no evidence that Iraq's Saddam Hussein was involved in the Sept. 11, 2001 terrorist attacks, disavowing a link that had been hinted at previously by his administration.

"No, we've had no evidence that Saddam Hussein was involved with September the 11th," the president said yesterday after a meeting at the White House with lawmakers.

In stating that position, Bush clarified an issue that has long been left vague by his administration. On Sunday, Vice President Cheney said on NBC's "Meet the Press" that success in Iraq means "we will have struck a major blow right at the heart of the base, if you will, the geographic base of the terrorists who had us under assault now for many years, but most especially on 9/11."

For complete article:

<http://www.washingtonpost.com/ac2/wp-dyn/A25571-2003Sep17?language=printer>

---

**President's Radio Address (June 18, 2005, excerpt)**

"As we work to deliver opportunity at home, we're also keeping you safe from threats from abroad. We went to war because we were attacked, and we are at war today because there are still people out there who want to harm our country and hurt our citizens. Some may disagree with my decision to remove Saddam Hussein from power, but all of us can agree that the world's terrorists have now made Iraq a central front in the war on terror."

For the text of the complete address:

<http://www.whitehouse.gov/news/releases/2005/06/20050618.html>

<http://www.counterpunch.org/wmd05292003.html>

CounterPunch  
May 29, 2003

**Weapons of Mass Destruction: Who Said What When**

CounterPunch Wire

"Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction."

*Dick Cheney August 26, 2002*

"Right now, Iraq is expanding and improving facilities that were used for the production of biological weapons."

*George W. Bush September 12, 2002*

"If he declares he has none, then we will know that Saddam Hussein is once again misleading the world."

*Ari Fleischer December 2, 2002*

"We know for a fact that there are weapons there."

*Ari Fleischer January 9, 2003*

"Our intelligence officials estimate that Saddam Hussein had the materials to produce as much as 500 tons of sarin, mustard and VX nerve agent."

*George W. Bush January 28, 2003*

"We know that Saddam Hussein is determined to keep his weapons of mass destruction, is determined to make more."

*Colin Powell February 5, 2003*

"We have sources that tell us that Saddam Hussein recently authorized Iraqi field commanders to use chemical weapons -- the very weapons the dictator tells us he does not have."

*George Bush February 8, 2003*

"So has the strategic decision been made to disarm Iraq of its weapons of mass destruction by the leadership in Baghdad? I think our judgment has to be clearly not."

*Colin Powell March 8, 2003*

"Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised."

*George Bush March 17, 2003*

"Well, there is no question that we have evidence and information that Iraq has weapons of mass destruction, biological and chemical particularly . . . all this will be made clear in the course of the operation, for whatever duration it takes."

*Ari Fleischer March 21, 2003*

"There is no doubt that the regime of Saddam Hussein possesses weapons of mass destruction. As this operation continues, those weapons will be identified, found, along with the people who have produced them and who guard them."

*Gen. Tommy Franks March 22, 2003*

"I have no doubt we're going to find big stores of weapons of mass destruction."

*Kenneth Adelman, Defense Policy Board, March 23, 2003*

"One of our top objectives is to find and destroy the WMD. There are a number of sites."

*Pentagon Spokeswoman Victoria Clark March 22, 2003*

"We know where they are. They are in the area around Tikrit and Baghdad."

*Donald Rumsfeld March 30, 2003*

'Obviously the administration intends to publicize all the weapons of mass destruction U.S. forces find -- and there will be plenty.'

*Neocoon scholar Robert Kagan April 9, 2003*

*continues*

"I think you have always heard, and you continue to hear from officials, a measure of high confidence that, indeed, the weapons of mass destruction will be found."

*Ari Fleischer April 10, 2003*

"We are learning more as we interrogate or have discussions with Iraqi scientists and people within the Iraqi structure, that perhaps he destroyed some, perhaps he dispersed some. And so we will find them."

*George Bush April 24, 2003*

"There are people who in large measure have information that we need . . . so that we can track down the weapons of mass destruction in that country."

*Donald Rumsfeld April 25, 2003*

"We'll find them. It'll be a matter of time to do so."

*George Bush May 3, 2003*

"I am confident that we will find evidence that makes it clear he had weapons of mass destruction."

*Colin Powell May 4, 2003*

"I never believed that we'd just tumble over

weapons of mass destruction in that country."

*Donald Rumsfeld May 4, 2003*

"I'm not surprised if we begin to uncover the weapons program of Saddam Hussein -- because he had a weapons program."

*George W. Bush May 6, 2003*

"U.S. officials never expected that 'we were going to open garages and find' weapons of mass destruction."

*Condoleeza Rice May 12, 2003*

"I just don't know whether it was all destroyed years ago -- I mean, there's no question that there were chemical weapons years ago -- whether they were destroyed right before the war, (or) whether they're still hidden."

Maj. Gen. David Petraeus,  
*Commander 101st Airborne May 13, 2003*

"Before the war, there's no doubt in my mind that Saddam Hussein had weapons of mass destruction, biological and chemical. I expected them to be found. I still expect them to be found."

*Gen. Michael Hagee, Commandant of the Marine Corps May 21, 2003*

"Given time, given the number of prisoners now that we're interrogating, I'm confident that we're going to find weapons of mass destruction."

*Gen. Richard Myers,  
Chairman Joint Chiefs of Staff May 26, 2003*

"They may have had time to destroy them, and I don't know the answer."

*Donald Rumsfeld May 27, 2003*

"For bureaucratic reasons, we settled on one issue, weapons of mass destruction (as justification for invading Iraq) because it was the one reason everyone could agree on."

*Paul Wolfowitz May 28, 2003*

More -from Daily Kos:

We don't want the smoking gun to be a mushroom cloud.

*Condoleeza Rice, US National Security Advisor CNN Late Edition 9/8/2002*

But for those who say we haven't found the banned manufacturing devices or banned weapons, they're wrong, we found them.

*George W. Bush, President, Interview with TVP Poland 5/30/2003*

We are greatly concerned about any possible linkup between terrorists and regimes that have or seek weapons of mass destruction...In the case of Saddam Hussein, we've got a dictator who is clearly pursuing and already possesses some of these weapons.. A regime that hates America and everything we stand for must never be permitted to threaten America with weapons of mass destruction.

*Dick Cheney, Vice President Detroit, Fund-Raiser 6/20/2002*

There is already a mountain of evidence that Saddam Hussein is gathering weapons for the purpose of using them. And adding additional information is like adding a foot to Mount Everest.

*Ari Fleischer, Press Secretary, Response to Question From Press 9/6/2002*

After eleven years during which we have tried containment, sanctions, inspections, even selected military action, the end result is that Saddam Hussein still has chemical and biological weapons and is increasing his capabilities to make more. And he is moving ever closer to developing a nuclear weapon.

*George W. Bush, President, Cincinnati, Ohio Speech 10/7/2002*

We've also discovered through intelligence that Iraq has a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical or biological weapons across broad areas

*George W. Bush, President, Cincinnati, Ohio Speech 10/7/2002*

## United States Department of Defense News Transcript

<http://www.defenselink.mil/transcripts/2003/tr20030801-depsecdef0526.html>

Media contact: +1 (703) 697-5131

Public contact: <http://www.dod.mil/faq/comment.html> or +1 (703) 428-0711

Presenter: Deputy Secretary of Defense Paul Wolfowitz

Friday, August 1, 2003

### Deputy Secretary Wolfowitz Interview with The Laura Ingraham Show

(Telephone interview with Nancy Collins, The Laura Ingraham Show.)

Q: Hello, hello, hello and welcome to the Laura Ingraham Show on this the first day of August 2003.

My name is Nancy Collins and boy do we have a great show for you tonight. .... the reigning intellect of the Bush Administration, Deputy Secretary of Defense Paul Wolfowitz is here....

Q: But what's the morale among the troops?

Wolfowitz: I think it's high and in some cases very high. There are variations, the 3rd Infantry Division has had the hardest time and have been there the longest and they were getting a little frustrated with what seemed to be changing departure dates but that's been fixed now.

Q: In what way, are they coming home sooner?

Wolfowitz: They're going to be -- well they're going to be coming home -- they're starting home now. I think they'll be out of Iraq by September.

Mr. Wolfowitz where were you on 9/11? How did you hear about the attacks?

Wolfowitz: Well I heard it when the building shook. I was in my office on the River Entrance as we call it and I guess that's sort of the east side of the building and the plane struck on the south side on the west side of the building.

Q: Now did you think right away that Iraq could have been involved in this?

Wolfowitz: Right away the focus was on what do you need to do. And how do you start shutting down flights and we had several false alarms of flights coming in. There was really frankly I'd say for the first 24 hours too much to do to think about who was behind it.

Q: And when did you start to think that perhaps Iraq had something to do with it?

Wolfowitz: I'm not sure even now that I would say Iraq had something to do with it. I think what the realization to me is -- the fundamental point was that terrorism had reached the scale completely different from what we had thought of it up until then. And that it would only get worse when these people got access to weapons of mass destruction which would be only a matter of time....

**How effective were the UN weapons inspections that were curtailed for the invasion?**

"An interview with David Kay" by Arms Control Today, the journal of the Arms Control Association.

"U.S President Bush directed in June 2003 that the hunt for Iraqi weapons of mass destruction be transferred from the Defense Department to the Central Intelligence Agency and the Director of the Central Intelligence Agency appointed Dr. David Kay to lead that search and direct the activities of the 1,400 hundred member Iraq Survey Group. In January 2004, having concluded that there had been no stockpiles of weapons of mass destruction in Iraq at the time of the war, Dr. Kay reported that conclusion and resigned his position." *From his bio on the website of the Potomac Institute for Policy Studies (not to be confused with the Institute for Policy Studies)*

<http://www.armscontrol.org/aca/midmonth/2004/March/Kay.asp?print>

Excerpts at:

[http://www.howardlabs.com/4-04/  
Searching%20for%20the%20Truth%20About%20Iraq's%20WMD.html](http://www.howardlabs.com/4-04/Searching%20for%20the%20Truth%20About%20Iraq's%20WMD.html)

This is a highly informative interview regarding the effectiveness of the inspections, and it also deals with the effectiveness of the economic sanctions that were in place before the invasion in 2003.

## The War in Colombia

### To learn more

Adam Isacson recommends "two outstanding books":

*MORE TERRIBLE THAN DEATH*, by Robin Kirk

Kirk was Human Rights Watch's researcher on Colombia for ten years. The book covers among other things, links between the military and the paramilitaries.

*WALKING GHOSTS*, by Stephen Dudley. Historical background, centered on the Patriotic Union, the united front of progressive organizations, the members of which were systematically murdered over a period of years.

Isacson also recommends:

*LAW IN A LAWLESS LAND*, by Michael Taussig.

Taussig is an anthropologist, and the book is set in the southwest corner of the country, an area controlled by paramilitaries.

For a synopsis of the war in Colombia and the United States role in it, see

<http://www.chomsky.info/books/roquestates08.htm>

For a most informative blog on Colombia, see <http://ciponline.org/colombia/blog/> .  
The entry for today ( 3/30/05), posted by Adam Isacson, was remarkable:

### **The State Department's new coca data**

In a press release dated March 25 (Good Friday), a document so little-noticed that I only stumbled upon it this afternoon, the office of the Drug Czar (White House Office of National Drug Control Policy) is forced to admit some very bad news.

The release reveals that **coca cultivation in Colombia did not decrease in 2004, despite a record-high level of aerial herbicide fumigation.**

State Department estimates show a total of 114,000 hectares of coca planted in Colombia at the end of last year – just 8,000 hectares less than Colombia had in 1999, the year before Plan Colombia began. This is statistically about the same as the 113,850 hectares measured in 2003.

### **Colombian coca cultivation in hectares, 1999-2004:**

	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total coca cultivation</b>	165,746	183,571	254,051	267,145	246,667	250,555
<b>Herbicide fumigation</b>	43,246	47,371	84,251	122,695	132,817	136,555
<b>Coca left over</b>	122,500	136,200	169,800	144,400	113,850	114,000

Let's just pause and consider these two numbers from the above table:

- **Total fumigation 1999-2004: 566,935 hectares** (more than half the size of the state of Rhode Island).
- **Reduction in Colombian coca 1999-2004: 8,500 hectares.**

That's right: one hectare reduced for every 67 hectares sprayed.

## Mistakes or Crimes?

"International law is not some etherial thing."

Anthony Lake, former National Security Advisor

### Google search

"United States  
Constitution"

### United States Constitution

#### Article VI

Clause 2: This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land...

### Google search

"United Nations  
Charter"

The UN Charter is a ratified treaty, as are the Geneva Conventions, the Hague Convention, and the Convention Against Torture.

### United Nations Charter

<http://www.un.org/aboutun/charter/>

From Chapter One, Article Two: Principles 2, 3, and 4

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

**Google search****"Nuremberg  
Principles"**<http://www.nuclearfiles.org/etinternationallaw/nurembergprinciples.html>**The Nuremberg Principles**

**Principle I.** Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.

**Principle II.** The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

**Principle III.** The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible government official does not relieve him from responsibility under international law.

**Principle IV.** The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

**Principle V.** Any person charged with a crime under international law has the right to a fair trial on the facts and law.

**Principle VI.** The crimes hereinafter set out are punishable as crimes under international law:

(a) **Crimes against peace:**

- (i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;
- (ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

**(b) War Crimes:**

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation of slave-labour or for any other purpose of the civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

**(c) Crimes against humanity:**

Murder, extermination, enslavement, deportation and other inhumane acts done against any civilian population, or persecutions on political, racial, or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

**Principle VII.** Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.

---

## Google search

**"War Crimes Act"** The number one Google result was the actual statute, as amended in 1996 (see right column). It is a U.S. federal law; passed by a Republican congress and signed by Bill Clinton.

[http://straylight.law.cornell.edu/uscode/html/uscode18/usc\\_sec\\_18\\_00002441----000-.html](http://straylight.law.cornell.edu/uscode/html/uscode18/usc_sec_18_00002441----000-.html)

TITLE 18 > PART I > CHAPTER 118 > § 2441

### § 2441. War crimes

*Release date: 2004-08-06*

**(a) Offense.**— Whoever, whether inside or outside the United States, commits a war crime, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

**(b) Circumstances.**— The circumstances referred to in subsection (a) are that the person committing such war crime or the victim of such war crime is a member of the Armed Forces of the United States or a national of the United States (as defined in section 101 of the Immigration and Nationality Act).

**(c) Definition.**— As used in this section the term "war crime" means any conduct—

**(1)** defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party;

**(2)** prohibited by Article 23, 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907;

**(3)** which constitutes a violation of common Article 3 of the international conventions signed at Geneva, 12 August 1949, or any protocol to such convention to which the United States is a party and which deals with non-international armed conflict; or

(4) of a person who, in relation to an armed conflict and contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended at Geneva on 3 May 1996 (Protocol II as amended on 3 May 1996), when the United States is a party to such Protocol, willfully kills or causes serious injury to civilians.

## Google search "Hague Convention"

<http://www.yale.edu/lawweb/avalon/lawofwar/hague04.htm>

*Laws of War :*

*Laws and Customs of War on Land (Hague IV); October 18, 1907*

### **Article 4**

Prisoners of war are in the power of the hostile Government, but not of the individuals or corps who capture them.

They must be humanely treated.

### **Article 23**

In addition to the prohibitions provided by special Conventions, it is especially forbidden -

To employ poison or poisoned weapons...

To declare abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party. A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war....

### **Article 25**

The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited.

### **Art. 27.**

In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments,

hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

It is the duty of the besieged to indicate the presence of such buildings or places by distinctive and visible signs, which shall be notified to the enemy beforehand.

**Art. 28.**

The pillage of a town or place, even when taken by assault, is prohibited.

## Google search

### "Geneva Conventions"

<http://www.genevaconventions.org/>

"The Reference Guide to the Geneva Conventions is a resource for journalists and others looking for an easy-to-use guide to the Conventions. It contains interpretive material and the complete text of the Conventions.

Excerpts of the Geneva Conventions of 1949 appear in the **Appendix V** of this Viewer Guide.

## Re Agent Orange...

and Robert McNamara's statement that its use is not clearly proscribed, see the text of Article 23, Paragraph 2 of the Hague Convention, above, and Article 35, Paragraph 3 of PROTOCOL I of the Geneva Conventions of 1949, in **Appendix V**.

## Re free fire zones

"At the time of Tet [the major Communist offensive, in spring, 1968,] with the Vietcong entering the cities for the first time, we dropped the restraints we had previously imposed on the use of helicopter gunships and artillery in populated areas. For a period of several months, almost all of Vietnam became a free-fire zone."

Daniel Ellsberg in  
*Papers on the War*

## To learn more about the International Criminal Court

"The Pitfalls of Universal Jurisdiction," by Henry Kissinger, in *Foreign Affairs*, July-August, 2001

"The Case for Universal Jurisdiction" by Kenneth Roth, in *Foreign Affairs*, September-October, 2001

"The Case Against Henry Kissinger" by Christopher Hitchens, in *Harper's Magazine*, February, 2001. This is a shorter version of a book on the subject by Hitchens.

## To learn more about war crimes in The Vietnam War

See also the sources and discussion under The Vietnam War, above, especially:

*Papers on the War*, by Daniel Ellsberg—one of the several important papers in this volume is "The Responsibility of Officials in a Criminal War"

*Nuremberg and Vietnam: An American Tragedy*, by Telford Taylor

*Washington Plans an Aggressive War*, by Ralph Stavins, Richard Barnet, and Marcus Raskin

*In the Name of America*, op. cit.

*War Crimes in Vietnam*, by Bertrand Russell  
(London: George Allen & Unwin)

<http://www.crimesofwar.org/> A very informative site

## **Re aggressive war**

### **War critics astonished as US hawk admits invasion was illegal**

**The Guardian**

Thursday November 20, 2003

Oliver Burkeman and Julian Borger in Washington

International lawyers and anti-war campaigners reacted with astonishment yesterday after the influential Pentagon hawk Richard Perle conceded that the invasion of Iraq had been illegal.

In a startling break with the official White House and Downing Street lines, Mr Perle told an audience in London: "I think in this case international law stood in the way of doing the right thing."

President George Bush has consistently argued that the war was legal either because of existing UN security council resolutions on Iraq - also the British government's publicly stated view - or as an act of self-defence permitted by international law.

But Mr Perle, a key member of the defence policy board, which advises the US defence secretary, Donald Rumsfeld, said that "international law ... would have required us to leave Saddam Hussein alone", and this would have been morally unacceptable.

For complete article: <http://www.afterdowningstreet.org/?q=node/505>

## **Re civilian casualties**

For an update on the situation in Fallujah, which was subjected to heavy bombing and attack: "We Regard Falluja As a Large Prison," By David Enders, July 27, 2005

<http://www.mojones.com/news/update/2005/07/falluja.html>

## Re civilian casualties; protection of the civilian population; protection of medical units

### Geneva Convention Protocol I

Article. 12 Paragraph 1. Medical units shall be respected and protected at all times and shall not be the object of attack.

### Google search

"Fallujah" and  
"hospital"

(the first four of 241,000  
listings)

Also search using the  
spelling, "Falluja"

For a summary of the  
bombing and attacks on the  
Iraqi city of **Fallujah**, see  
*The Guardian*, Wednesday  
April 27, 2005  
[http://www.guardian.co.uk/  
comment/story/  
0,3604,1471011,00.html](http://www.guardian.co.uk/comment/story/0,3604,1471011,00.html)

"This is our Guernica" by  
Jonathan Steele and Dahr  
Jamail

BBC NEWS | World | Middle East | US strikes raze Falluja **hospital**

A **hospital** is reduced to rubble in US air raids preparing a ground assault on the rebel-held Iraqi city of Falluja.

[news.bbc.co.uk/1/hi/world/middle\\_east/3988433.stm](http://news.bbc.co.uk/1/hi/world/middle_east/3988433.stm) - 42k - 12 Apr 2005 - Cached -

Similar pages

US troops seize **Fallujah hospital** - Iraq - [www.theage.com.au](http://www.theage.com.au)

**Fallujah hospital** falls without a fight in what appears to be the first phase of an all-out offensive on the rebel-held city. - The Age Online.

[www.theage.com.au/news/Iraq/US-troops-seize-Fallujah-hospital/2004/11/08/  
1099781302248.html](http://www.theage.com.au/news/Iraq/US-troops-seize-Fallujah-hospital/2004/11/08/1099781302248.html) - Similar pages

[theage.com.au](http://theage.com.au) - The Age

... US soldier drags a captured man by the leg after US troops entered **Fallujah hospital**. US soldiers walk down a corridor after entering **Fallujah hospital**. ...

[www.theage.com.au/photogallery/2004/11/08/1099781304986.html](http://www.theage.com.au/photogallery/2004/11/08/1099781304986.html) - Similar pages

[ More results from [www.theage.com.au](http://www.theage.com.au) ]

The President's Lawyer and **Fallujah's Hospital** —RW/OR ONLINE

... attack on **Fallujah**, Green Berets stormed **Fallujah's** main civilian **hospital**. ...

... justification for this pre-emptive attack on **Fallujah** General **Hospital**. ...

[rwor.org/a/1259/iraq-fallujah-hospital-bush.htm](http://rwor.org/a/1259/iraq-fallujah-hospital-bush.htm) - 5k - Cached - Similar pages

## Re Inhumane weapons; Iraq War

For statute re inhumane weapons, see Geneva Conventions, for example Protocol I, Article 35, Paragraph 2, in **Appendix V**

### U.S. Lied About 'Napalm' Use in Iraq

Britain's Armed Forces Minister Adam Ingram has admitted that the Bush administration lied to British officials about the use of napalm-type firebombs in Iraq. In a private letter obtained by The Independent newspaper of London, Ingram says the US originally told him they had not used so-called MK77s in Iraq at any time but then writes "I regret to say that I have since discovered that this is not the case and must now correct the position." The MK77 bombs are an evolution of the napalm used in Vietnam and Korea. They carry kerosene-based jet fuel and polystyrene so that the gel sticks to structures and to its victims. The bombs lack stabilizing fins, making them far from precise. Ingram said 30 MK77 firebombs were used by the 1st Marine Expeditionary Force in the invasion of Iraq between March 31 and April 2, 2003. The Independent said that the revelation raises new questions about allegations that the napalm-like firebombs were used in the US assault on Fallujah last year, charges denied by the US.

Democracy Now online headline stories, June 17,2005  
<http://www.democracynow.org/article.pl?sid=05/06/17/1425207>

## Officials confirm dropping firebombs on Iraqi troops

"We napalmed both those (bridge) approaches," said Col. Randolph Alles in a recent interview. He commanded Marine Air Group 11, based at Miramar Marine Corps Air Station, during the war. "Unfortunately, there were people there because you could see them in the (cockpit) video.

... During the war, Pentagon spokesmen disputed reports that napalm was being used, saying the Pentagon's stockpile had been destroyed two years ago.

... Apparently the spokesmen were drawing a distinction between the terms "firebomb" and "napalm." If reporters had asked about firebombs, officials said yesterday they would have confirmed their use.

"Incendiaries create burns that are difficult to treat," said Robert Musil, executive director of Physicians for Social Responsibility, a Washington group that opposes the use of weapons of mass destruction. Musil described the Pentagon's distinction between napalm and <http://www.fas.org/man/dod-101/sys/dumb/mk77.htm> Mark 77 firebombs as "pretty outrageous." "That's clearly Orwellian," he added.

James W. Crawley. in the San Diego Union-Tribune, August 5, 2003  
[http://www.signonsandiego.com/news/military/20030805-9999\\_1n5bomb.html](http://www.signonsandiego.com/news/military/20030805-9999_1n5bomb.html)

## Re Civilian casualties in the Iraq War; inhumane weapons

An article in *Lancet*, a leading medical journal, estimated 100,000 deaths among Iraqi civilians as a result of the invasion and occupation:

[http://www.thelancet.com/journal/vol364/iss9445/early\\_online\\_publication](http://www.thelancet.com/journal/vol364/iss9445/early_online_publication)

Google the article for critiques and defenses of it. Was it really 100,000? Erik Gustavson: "It was a hell of a lot." See <http://www.commondreams.org/news2005/0719-01.htm> for an analysis of Iraq civilian casualties by the Oxford Research Group.

The peer-reviewed article in *Lancet* also concluded that 1) violence is the leading cause of death in Iraq; 2) civilians are the main victims; and 3) aerial bombing is the leading cause of civilian deaths.

*The Conduct of the War and Civilian Casualties in Iraq*, a report from Human Rights Watch. Full text at: <http://hrw.org/reports/2003/usa1203/> A summary appears at [http://www.ccmep.org/2003\\_articles/Iraq/121203\\_cluster\\_bombs.htm](http://www.ccmep.org/2003_articles/Iraq/121203_cluster_bombs.htm)

*Published on Friday, December 12, 2003 by OneWorld.net*

## Cluster Bombs, Decapitation Bombing Killed Hundreds, Says Human Rights Watch

by **Jim Lobe**

WASHINGTON — Hundreds of civilians were killed by Coalition cluster bombs and air strikes designed to decapitate the Iraqi leadership, according to a new report by New York-based Human Rights Watch (HRW), which said the high cost in civilian casualties caused by the two tactics may have violated the laws of war.

The report, which found that U.S.-led Coalition forces in Iraq generally tried to comply with international humanitarian law, nonetheless concluded that U.S. ground forces were too eager to use cluster munitions in populated areas, and that 50 decapitation attacks failed to hit a single one of their targets, but caused dozens of civilian deaths and injuries.

An Iraqi man stands near an unexploded cluster bomb in Najaf. Misguided military tactics by US forces in Iraq resulted in hundreds of preventable civilian deaths, Human Rights Watch said in a report. (AFP/Karim Sahib)

Coalition forces generally tried to avoid killing Iraqis who weren't taking part in combat, said Kenneth Roth, HRW's executive director. But the deaths of hundreds of civilians could have been prevented.

The 147-page report, *Off Target: The Conduct of the War and Civilian Casualties in Iraq*, also details numerous violations of international humanitarian law by Iraqi forces, including their use of human shields, the abuse of Red Cross and Red Crescent emblems, the use of anti-personnel landmines, and the deployment of weapons and other military equipment in mosques, hospitals and archaeological and cultural sites.

## Re Torture

### *AT A GLANCE*

Getting Away with Torture?

Command Responsibility for the U.S. Abuse of Detainees

### **A Human Rights Watch report**

April, 2005

The following is an abridged version of the Executive Summary. The summary and the report in full can be found at <http://www.hrw.org/reports/2005/us0405/index.htm>.

It has now been one year since the appearance of the first pictures of U.S. soldiers humiliating and torturing detainees at Abu Ghraib prison in Iraq. Shortly after the photos came out, President George W. Bush vowed that the “wrongdoers will be brought to justice.”

In the intervening months, it has become clear that torture and abuse have taken place not solely at Abu Ghraib but rather in dozens of U.S. detention facilities worldwide, that in many cases the abuse resulted in death or severe trauma, and that a good number of the victims were civilians with no connection to al-Qaeda or terrorism. There is also evidence of abuse at U.S.-controlled “secret locations” abroad and of U.S. authorities sending suspects to third-country dungeons around the world where torture was likely to occur.

To date, however, the only wrongdoers being brought to justice are those at the bottom of the chain-of-command. The evidence demands more. Yet a wall of impunity surrounds the architects of the policies responsible for the larger pattern of abuses.

As this report shows, evidence is mounting that high-ranking U.S. civilian and military leaders — including Secretary of Defense Donald Rumsfeld, former CIA Director George Tenet, Lieutenant

General Ricardo Sanchez, formerly the top U.S. commander in Iraq, and Major General Geoffrey Miller, the former commander of the prison camp at Guantánamo Bay, Cuba — made decisions and issued policies that facilitated serious and widespread violations of the law. The circumstances strongly suggest that they either knew or should have known that such violations took place as a result of their actions. There is also mounting data that, when presented with evidence that abuse was in fact taking place, they failed to act to stem the abuse....

We know that some detainees in the “global war on terror” have even been “disappeared” after entering U.S. custody: the U.S. Central Intelligence Agency (CIA) continues to hold al-Qaeda suspects in prolonged incommunicado detention in “secret locations,” reportedly outside the United States, with no notification to their families, no access to the International Committee of the Red Cross (ICRC) or oversight of any sort of their treatment, and in some cases no acknowledgement that they are even being held. It is widely reported that some of these “disappeared detainees” have been tortured through techniques such as “waterboarding,” in which the prisoner’s head is submerged into water or covered with a wet cloth until he believes that he is drowning.

We also know that some 100-150 detainees have been “rendered” by the United States for detention and interrogation by governments in the Middle East such as Syria and Egypt, which, according to the U.S. State Department, practice torture routinely. Such rendition is, again, a violation of U.S. and international law. In an increasing number of cases, there is now credible evidence that rendered detainees have in fact been tortured.

Despite these revelations and findings, the United States has not engaged in a serious process of accountability....

*Report continues on next page*

*Human Rights Watch report, continued*

While it is true that the Pentagon established no fewer than seven investigations in the wake of Abu Ghraib, not one has had the independence or the breadth to get to the bottom of the prisoner-abuse issue. All but one involved the military investigating itself, and was focused on only one aspect or another of the treatment of detainees. None took on the task of examining the role of civilian leaders who might have had ultimate authority over detainee treatment policy. None looked at the issue of renditions. The CIA has reportedly also initiated a number of self-investigations, but no details have been made public.

What is more, these investigations effectively defined detainee abuse as any treatment not approved by higher authorities. To the Pentagon's investigators, treatment that followed approved policies and techniques could not, by definition, have been torture. With this logical sleight of hand, they thus rendered themselves incapable of finding any connections between policies approved by senior officials and acts of abuse in the field. But that does not mean such connections did not exist.

*Grounds for Investigation*

This report provides a new look at the evidence made public to date about the role played by senior leaders most responsible for setting U.S. interrogation policies, including Secretary Rumsfeld, CIA Director Tenet, Gen. Sanchez, and Gen. Miller. Human Rights Watch expresses no opinion about the ultimate guilt or innocence of these or other officials, particularly because so much evidence has been withheld and so many questions remain unanswered. We also do not purport to offer a comprehensive account of the possible culpability of these men, let alone a legal brief. More evidence is needed for that. What we do conclude, a conclusion that we believe

is compelled by the evidence, is that a criminal investigation is warranted with respect to each.

Secretary Rumsfeld may bear legal liability for war crimes and torture by U.S. troops in Afghanistan, Iraq, and Guantánamo under the doctrine of “command responsibility” — the legal principle that holds a superior responsible for crimes committed by his subordinates when he knew or should have known that they were being committed but fails to take reasonable measures to stop them. Having created the conditions for U.S. troops to commit war crimes and torture by sidelining and disparaging the Geneva Conventions, approving interrogation techniques for Guantánamo that violated the Geneva Conventions and the U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“Convention against Torture”), and hiding detainees from the ICRC, Secretary Rumsfeld should have been alert to the possibility that troops would commit these crimes.

Indeed, from the early days of the war in Afghanistan, Secretary Rumsfeld must have been on notice through briefings, ICRC reports, human rights reporting, and press accounts that some U.S. troops were committing war crimes and acts of torture.

Nevertheless, there is no indication that at any time over a three-year period of mounting evidence of abuse did he exert his authority and warn those under his command that the mistreatment of prisoners must stop. Had he done so, many of the crimes committed by U.S. forces certainly could have been avoided.

Secretary Rumsfeld might also, in addition to command responsibility, bear direct legal liability as the instigator of crimes against detainees if the illegal interrogation techniques that he approved for Guantánamo were actually used to inflict inhumane treatment on detainees there before he rescinded his blanket approval and required that he be consulted before the techniques

were used. Similarly, if Secretary Rumsfeld approved a secret program that encouraged physical coercion and sexual humiliation of Iraqi prisoners, as alleged by the journalist Seymour Hersh, Secretary Rumsfeld would bear direct legal liability.

Under George Tenet's direction, and reportedly with his specific authorization, the CIA is said to have tortured detainees using waterboarding and by withholding medicine. Other tactics reportedly used include feigning suffocation, "stress positions," light and noise bombardment, sleep deprivation, and making a detainee believe that he was being interrogated by a government known to practice torture. Under Director Tenet's direction, the CIA also: "disappeared" detainees, holding them in long-term incommunicado detention in secret locations without informing or letting anybody know about their fate or whereabouts; "rendered" detainees to countries in which they were apparently tortured; hid detainees from the ICRC; and transferred detainees out of Iraq for interrogation in violation of the Geneva Conventions.

Lt. Gen. Ricardo Sanchez, the top U.S. commander in Iraq with command responsibility for Abu Ghraib and other detention centers in Iraq, approved illegal interrogation methods — again including the use of guard dogs to frighten prisoners — which were then applied by soldiers at Abu Ghraib. As reports of abuse mounted, Gen. Sanchez failed to intervene to stop soldiers under his direct command from commissioning war crimes and torture. This potentially exposes him to liability under the command responsibility doctrine.

Gen. Geoffrey Miller, as commander at Guantánamo Bay, may bear responsibility for the war crimes and acts of torture and other inhuman treatment of detainees that took place there, particularly since the tightly-controlled nature of that prison camp made it likely that the commander was acutely aware of what his troops were

doing.

There is also evidence that other officers may have been complicit in the crimes. For the crimes at Abu Ghraib alone, such individuals include Major General Walter Wojdakowski, Brigadier General Janis Karpinski, Major General Barbara Fast, Colonel Marc Warren, Colonel Stephen Boltz, Colonel Thomas Pappas, and Lieutenant Colonel Stephen L. Jordan. This list is not intended to be exhaustive.

The material compiled in this report is drawn from publicly available evidence including the official inquiries described above, Human Rights Watch's own field reports, press accounts, and documents declassified by the government or released pursuant to litigation under the Freedom of Information Act (FOIA).

-----  
[1] Thom Shanker and Jacques Steinberg, "Bush Voices 'Disgust' at Abuse of Iraqi Prisoners," *The New York Times*, May 1, 2004.

[2] Donald Rumsfeld, "Congressional Testimony of Secretary of Defense Donald Rumsfeld," Hearing of the Senate Armed Services Committee on Mistreatment of Iraqi Prisoners, Federal News Service, May 7, 2004.

[3] "Abuse Scandal 'Terrible' for U.S., Powell Concedes," MSNBC, May 17, 2004 [online], <http://www.msnbc.msn.com/id/4855930/>.

[4] On March 29, 2005, Secretary Rumsfeld was asked on National Public Radio (NPR) "whether it's right or wrong ... that no senior military official has been disciplined, fired or prosecuted for the allegations of abuse and torture in Iraq and elsewhere?" The interview continued:

Rumsfeld: I mean I think the fact that the United States has had over nine or ten or eleven different investigations, there have been over 300 investigations or prosecutions, in some cases convictions. Not 300 convictions. But there have been people of varying ranks that have been punished for wrongdoing.

*Human Rights Watch report, continued*

NPR: Mostly lower ranks.

Rumsfeld: The Inspector General of the Army still has the obligation of looking at the people in the more senior ranks and making a judgment and recommendation or not recommendation to his superiors and that process is yet to play out.

(“Secretary Rumsfeld Interview with National Public Radio’s Steve Inskeep for ‘Morning Edition,’” news transcript, U.S. Department of Defense, March 29, 2005 [online], <http://www.defenselink.mil/transcripts/2005/tr20050329-secdef2401.html>.)

Secretary Rumsfeld had a similar exchange on NBC’s “Meet the Press” the previous month:

NBC: Did you think you had done something wrong?

Rumsfeld: No. Obviously the country has to be deeply concerned that people were not treated right. And I was secretary of defense when that happened. And we’ve had eight or 10 investigations. We have had dozens of criminal trials, and people have pled guilty to doing things they shouldn’t do. And obviously you just feel terrible about that. That is not the way our country behaves. And it was a most unfortunate thing that it happened. And I was secretary of Defense [sic].

(“Secretary Rumsfeld Interview with NBC, Meet the Press,” news transcript, U.S. Department of Defense, February 6, 2005 [online], <http://www.defenselink.mil/transcripts/2005/tr20050206-secdef2102.html>.)

**AT A GLANCE**

The **Convention Against Torture** and Other Cruel, Inhuman or Degrading Treatment or Punishment was ratified, subject to certain qualifications,\* by the United States, and it entered into force in 1987. Highlights of the treaty:

Article 2

**1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.**

**2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political in stability or any other public emergency, may be invoked as a justification of torture....**

Article 3 General comment on its implementation

**1. No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture....**

\* See the note at the end of the next page.

*Report continues on next page*

## The **Convention Against Torture** *continued*

### Article 4

1. Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.
2. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.

### Article 10

1. Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment.
2. Each State Party shall include this prohibition in the rules or instructions issued in regard to the duties and functions of any such person.

### Article 11

Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture.

### Article 13

Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be

taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

### Article 15

Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

### Article 16

1. Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment.

---

For further information and analysis of the convention, with respect to its relevance to U.S. practices and policies, and to the reservations subject to which it was ratified, see Congressional Research Service - The Library of Congress, Report for Congress The U.N. Convention Against Torture: Overview of U.S. Implementation Policy Concerning the Removal of Aliens, March 11, 2004, Michael John Garcia, Legislative Attorney, American Law Division. [www.au.af.mil/au/awc/awcgate/crs/rl32276.pdf](http://www.au.af.mil/au/awc/awcgate/crs/rl32276.pdf) Bottom line: "under U.S. law the removal or extradition of all aliens from the United States must be consistent with U.S. obligations under CAT."

## Re Torture - continued

For a good overview of the institutionalization of torture in the United States, see Part 3 of "A Chronology of US War Crimes and Torture, 1975-2005," by Tom Stephens at <http://www.counterpunch.orgstephens05132005.html>. There is a footnoted edition, which I will supply on request.

## Is it really "torture"?

The full article presents detailed and graphic accounts of torture at Bagram in Afghanistan. It is available at the New York Times website, and can be found at a number of other sites, for example <http://www.veteransforcommonsense.org/index.cfm?page=Article&ID=3296>, by Googling a key phrase from the article.

## In US Report, Brutal Details of 2 Afghan Inmates' Deaths

By Tim Golden

### The New York Times

Friday 20 May 2005

Even as the young Afghan man was dying before them, his American jailers continued to torment him.

The prisoner, a slight, 22-year-old taxi driver known only as Dilawar, was hauled from his cell at the detention center in Bagram, Afghanistan, at around 2 a.m. to answer questions about a rocket attack on an American base. When he arrived in the interrogation room, an interpreter who was present said, his legs were bouncing uncontrollably in the plastic chair and his hands were numb. He had been chained by the wrists to the top of his cell for much of the previous four days.

Mr. Dilawar asked for a drink of water, and one of the two interrogators, Specialist Joshua R. Claus, 21, picked up a large plastic bottle. But first he punched a hole in the bottom, the interpreter said, so as the prisoner fumbled weakly with the cap, the water poured out over his orange prison scrubs. The soldier then grabbed the bottle back and began squirting the water forcefully into Mr. Dilawar's face.

"Come on, drink!" the interpreter said Specialist Claus had shouted, as the prisoner

**GENEVA CONVENTION III  
Relative to the Treatment of  
Prisoners of War, Geneva, 12  
August 1949.  
Part II. General Protection of  
Prisoners of War**

Art. 12. Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Art. 13. Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

For extensive excerpts of the text of the Geneva Conventions, see **Appendix V.**

gagged on the spray. "Drink!"

At the interrogators' behest, a guard tried to force the young man to his knees. But his legs, which had been pummeled by guards for several days, could no longer bend. An interrogator told Mr. Dilawar that he could see a doctor after they finished with him. When he was finally sent back to his cell, though, the guards were instructed only to chain the prisoner back to the ceiling.

"Leave him up," one of the guards quoted Specialist Claus as saying.

Several hours passed before an emergency room doctor finally saw Mr. Dilawar. By then he was dead, his body beginning to stiffen. It would be many months before Army investigators learned a final horrific detail: Most of the interrogators had believed Mr. Dilawar was an innocent man who simply drove his taxi past the American base at the wrong time.

The story of Mr. Dilawar's brutal death at the Bagram Collection Point - and that of another detainee, Habibullah, who died there six days earlier in December 2002 - emerge from a nearly 2,000-page confidential file of the Army's criminal investigation into the case, a copy of which was obtained by The New York Times.

Like a narrative counterpart to the digital images from Abu Ghraib, the Bagram file depicts young, poorly trained soldiers in repeated incidents of abuse. The harsh treatment, which has resulted in criminal charges against seven soldiers, went well beyond the two deaths....

Yet the Bagram file includes ample testimony that harsh treatment by some interrogators was routine and that guards could strike shackled detainees with virtual impunity. Prisoners considered important or troublesome were also handcuffed and chained to the ceilings and doors of their cells, sometimes for long periods, an action Army prosecutors recently classified as criminal assault....

Even though military investigators learned soon after Mr. Dilawar's death that he had been abused by at least two interrogators, the Army's criminal inquiry moved slowly. Meanwhile, many of the Bagram interrogators, led by the same operations officer, Capt. Carolyn A. Wood, were redeployed to Iraq and in July 2003 took charge of interrogations

**Geneva Convention Protocol I,  
Part III, Section II  
Combatants and Prisoners of War**

Art. 45. Protection of persons who have taken part in hostilities

1. A person who takes part in hostilities and falls into the power of an adverse Party shall be presumed to be a prisoner of war, and therefore shall be protected by the Third Convention, if he claims the status of prisoner of war, or if he appears to be entitled to such status, or if the Party on which he depends claims such status on his behalf by notification to the detaining Power or to the Protecting Power. **Should any doubt arise as to whether any such person is entitled to the status of prisoner of war, he shall continue to have such status and, therefore, to be protected by the Third Convention and this Protocol until such time as his status has been determined by a competent tribunal.**[emphasis added]

2. If a person who has fallen into the power of an adverse Party is not held as a prisoner of war and is to be tried by that Party for an offence arising out of the hostilities, he shall have the right to assert his entitlement to prisoner-of-war status before a judicial tribunal and to have that question adjudicated.

Whenever possible under the applicable procedure, this adjudication shall occur before

at the Abu Ghraib prison. According to a high-level Army inquiry last year, Captain Wood applied techniques there that were "remarkably similar" to those used at Bagram....

Military spokesmen maintained that both men had died of natural causes, even after military coroners had ruled the deaths homicides....

The company received basic lessons in handling prisoners at Fort Dix, N.J., and some police and corrections officers in its ranks provided further training. That instruction included an overview of "pressure-point control tactics" and notably the "common peroneal strike" - a potentially disabling blow to the side of the leg, just above the knee.

The M.P.'s said they were never told that peroneal strikes were not part of Army doctrine. Nor did most of them hear one of the former police officers tell a fellow soldier during the training that he would never use such strikes because they would "tear up" a prisoner's legs.

But once in Afghanistan, members of the 377th found that the usual rules did not seem to apply. The peroneal strike quickly became a basic weapon of the M.P. arsenal. "That was kind of like an accepted thing; you could knee somebody in the leg," former Sgt. Thomas V. Curtis told the investigators.

**Senator Richard Durbin (D-IL); Excerpts of speech on the floor of the Senate, June 14, 2005**

"When you read some of the graphic descriptions of what has occurred here -- I almost hesitate to put them in the record, and yet they have to be added to this debate. Let me read to you what one FBI agent saw. And I quote from his report:

'On a couple of occasions, I entered interview rooms to find a detainee chained hand and foot in a fetal position to the floor, with no chair, food or

the trial for the offence. The representatives of the Protecting Power shall be entitled to attend the proceedings in which that question is adjudicated, unless, exceptionally, the proceedings are held in camera in the interest of State security. In such a case the detaining Power shall advise the Protecting Power accordingly.

**3. Any person who has taken part in hostilities, who is not entitled to prisoner-of-war status and who does not benefit from more favourable treatment in accordance with the Fourth Convention shall have the right at all times to the protection of Article 75 of this Protocol.** [emphasis added] In occupied territory, any such person, unless he is held as a spy, shall also be entitled, notwithstanding Article 5 of the Fourth Convention, to his rights of communication under that Convention.

water. Most times they urinated or defecated on themselves, and had been left there for 18-24 hours or more. On one occasion, the air conditioning had been turned down so far and the temperature was so cold in the room, that the barefooted detainee was shaking with cold....On another occasion, the [air conditioner] had been turned off, making the temperature in the unventilated room well over 100 degrees. The detainee was almost unconscious on the floor, with a pile of hair next to him. He had apparently been literally pulling his hair out throughout the night. On another occasion, not only was the temperature unbearably hot, but extremely loud rap music was being played in the room, and had been since the day before, with the detainee chained hand and foot in the fetal position on the tile floor.'

"If I read this to you and did not tell you that it was an FBI agent describing what Americans had done to prisoners in their control, you would most certainly believe this must have been done by Nazis, Soviets in their gulags, or some mad regime -- Pol Pot or others -- that had no concern for human beings. Sadly, that is not the case. This was the action of Americans in the treatment of their prisoners...."

The quote from former Vietnam POW Pete Peterson that Durbin included in his floor speech speaks to the dangers to American soldiers:

"From my 6 1/2 years of captivity in Vietnam, I know what life in a foreign prison is like. To a large degree, I credit the Geneva Conventions for my survival . . . This is one reason the United States has led the world in upholding treaties governing the status and care of enemy prisoners: because these standards also protect us . . . We need absolute clarity that America will continue to set the gold standard in the treatment of prisoners in wartime."

For complete text of Senator Durbin's speech on the senate floor:

<http://www.senate.gov/~durbin/gitmo.cfm>

The Associated Press has reported that at least 108 prisoners have been killed while in the custody of U.S. forces in Iraq and Afghanistan, most of them violently. The Pentagon has admitted to at least 26 deaths.

See for example, [www.cbsnews.com/stories/2005/03/16/terror/main680658.shtml](http://www.cbsnews.com/stories/2005/03/16/terror/main680658.shtml)

"Amnesty International is concerned by prima facie evidence that senior members of the US administration, including President Bush and Secretary of Defense Rumsfeld, have authorized human rights violations including 'disappearances' and torture or other cruel, inhuman or degrading treatment."

From the Amnesty International report

## **U.S. Military Says 26 Inmate Deaths May Be Homicide**

By Douglas Jehl and Eric Schmitt

### **The New York Times**

Wednesday 16 March 2005

Washington - At least 26 prisoners have died in American custody in Iraq and Afghanistan since 2002 in what Army and Navy investigators have concluded or suspect were acts of criminal homicide, according to military officials.

## **Guantánamo and beyond: The continuing pursuit of unchecked executive power**

### **A report released by Amnesty International USA**

c. May 13, 2005

<http://www.amnestyusa.org/news/document.do?id=4494BC984C8C552280256FE3004228E2>

From the AI media advisory: "A year after the Abu Ghraib torture scandal broke, the conditions remain in place for torture and ill-treatment in US custody to occur. While the US government is pursuing a public relations exercise to persuade the world that what the Abu Ghraib photographs revealed was a small problem that has now been fixed, thousands of detainees in US custody in Iraq, Afghanistan, Guantánamo Bay, and secret locations elsewhere remain at risk of torture or ill-treatment. This is because of the USA's continuing pick and choose approach to international law and standards, and the systematic use of incommunicado detention and denial of judicial review, a basic safeguard against arbitrary detention, torture and 'disappearance'."

## **Bush, Cheney Attack Amnesty International**

by Jim Lobe

June 1, 2005

<http://www.antiwar.com/lobe/?articleid=6173>

WASHINGTON - Stung by Amnesty International's condemnation of U.S. detention facilities in Iraq and elsewhere overseas, the administration of President George W. Bush is reacting with indignation and even suggestions that terrorists are using the world's largest human rights organization.

The latest denunciation came from Bush himself during a White House press conference Tuesday. "I'm aware of the Amnesty International report, and it's absurd. The United States is a country that promotes freedom around the world," he said, adding that Washington had "investigated every single complaint against [sic] the detainees."

"It seemed like [Amnesty] based some of their decisions on the word and allegations by people who were held in detention, people who hate America, people had been trained in some instances to disassemble [sic] – that means not tell the truth," Bush went on. "And so it was an absurd report. It just is."

At issue is an Amnesty report released last Thursday that assailed U.S. detention practices. Since its release, a succession of top administration officials and their right-wing backers in the major media has denounced the London-based group in what appears increasingly like an orchestrated effort to discredit independent human rights critics. A similar campaign appeared to target Newsweek magazine earlier this month.

"It looks like a campaign," Human Rights Watch advocacy chief Reed Brody said Tuesday. "There's been a real drumbeat since Amnesty published the report. It seems like there's an attempt to silence critics."

Bush's reaction Tuesday largely mirrored that of Vice President Dick Cheney in an interview taped on Friday and broadcast Sunday evening by CNN.

"For Amnesty International to suggest that somehow the United States is a violator of human rights, I frankly just don't take them seriously," the vice president said in response to Amnesty's report.

"Frankly, I was offended by it. I think the fact of the matter is, the United States has done more to advance the cause of freedom, has liberated more people from tyranny over the course of the 20th century

and up to the present day than any other nation in the history of the world."

As to allegations of mistreatment of detainees, Cheney argued that "if you trace those back, in nearly every case, it turns out to come from somebody who has been inside and been released to their home country and now are peddling lies about how they were treated."

Other senior officials have also weighed in. Like Bush, Secretary of State Condoleezza Rice called the Amnesty report "absurd," while the military Joint Chiefs of Staff Chairman, Air Force Gen. Richard Myers, said it was "absolutely irresponsible" and insisted that the detention camp at Guantanamo Bay, Cuba, was a "model facility" where prisoners have been treated "humanely." . . .

Amnesty, however, has stood its ground. "At Guantanamo, the U.S. has operated an isolated prison camp in which people are confined arbitrarily, held virtually incommunicado, without charge, trial, or access to due process. Not a single Guantanamo detainee has had the legality of their detention reviewed by a court," despite a Supreme Court ruling last year that provided grounds to do so.

"Guantanamo is only the visible part of the story. Evidence continues to mount that the U.S. operates a network of detention centers where people are held in secret or outside any proper legal framework – from Afghanistan to Iraq and beyond," it added, noting that Bush had failed to respond to these "long-standing concerns."

"It is worth also worth noting," stressed Schulz, "that this administration never finds it 'absurd' when we criticize Cuba or China, or when we condemned the violations in Iraq under Saddam Hussein."

Bush's and Cheney's insistence that the detainees themselves concocted the reported abuses also drew criticism.

"You really don't have to look further than the Pentagon's own reports," said Elisa Massimino, Washington director of Human Rights First, formerly the Lawyers Committee for Human Rights. "There's ample substantiation of serious abuses," she said, adding that the administration's "ostrich approach" was "dangerous. The problems are there, and they're going to continue to pose a risk to U.S. lives and policy until they're dealt with."

HRW's Brody echoed that view. "What is sad is that this effort at damage control may work in the U.S.," he said, "but unless the administration addresses the real issues of concern – torture, rendition, disappearances, systematic humiliation of Muslim prisoners – then the U.S. image in the world will continue to erode."

(Inter Press Service)

"The book is necessary, if grueling, reading for anyone interested in understanding the back story to those terrible photos from Saddam Hussein's former prison, and abuses at other American detention facilities."

The New York Times,  
February 8, 2005

A fuller version of this Introduction can be found at <http://www.commondreams.org/views05/0201-22.htm>

## **The Torture Papers: The Road to Abu Ghraib**

edited by Karen J. Greenberg and Joshua L. Dratel  
Cambridge University Press, 2005

Karen J. Greenberg is the Executive Director of the Center on Law and Security at the New York University School of Law. Joshua L. Dratel is the President of the New York State Association of Criminal Defense Lawyers, and is currently assisting in the defense of Guantanamo detainees.

"The Torture Papers document the so-called 'torture memos' and reports which US government officials wrote to prepare the way for, and to document, coercive interrogation and torture in Afghanistan, Guantanamo, and Abu Ghraib. These documents present for the first time a compilation of materials that prior to publication have existed only piecemeal in the public domain. The Bush Administration, concerned about the legality of harsh interrogation techniques, understood the need to establish a legally viable argument to justify such procedures. The memos and reports document the systematic attempt of the US Government to prepare the way for torture techniques and coercive interrogation practices, forbidden under international law, with the express intent of evading legal punishment in the aftermath of any discovery of these practices and policies."

### **Highlights of Joshua L. Dratel's Introduction to *The Torture Papers***

"The policies that resulted in rampant abuse of detainees first in Afghanistan, then at Guantanamo Bay, and later in Iraq, were the product of three pernicious purposes designed to facilitate the unilateral and unfettered detention, interrogation, abuse, judgment, and punishment of prisoners:

- "(1) the desire to place the detainees beyond the reach of any court or law;
- "(2) the desire to abrogate the Geneva Convention with respect to the treatment of persons seized in the context of armed hostilities; and
- "(3) the desire to absolve those implementing the policies of any liability for war crimes under U.S. and international law....

"The chronology of the memoranda also demonstrates the increasing rationalization and

**Many of the government torture documents are available online at the ACLU website: <http://www.aclu.org/International/International.cfm?ID=13962&c=36%0D%0D>**

strained analysis as the objectives grew more aggressive and the position more indefensible--in effect, rationalizing progressively more serious conduct to defend the initial decisions and objectives, to the point where, by the time the first images of Abu Ghraib emerged in public, the government's slide into its moral morass, as reflected in the series of memos published in this volume, was akin to a criminal covering up a parking violation by incrementally more serious conduct culminating in murder.

"The memos also reflect what might be termed the "corporatization" of government lawyering: a wholly result-oriented system in which policy makers start with an objective and work backward, in the process enlisting the aid of intelligent and well-credentialed lawyers who, for whatever reason--the attractions of power, careerism, ideology, or just plain bad judgment--all too willingly failed to act as a constitutional or moral compass that could brake their client's descent into unconscionable behavior constituting torture by any definition, legal or colloquial. That slavish dedication to a superior's imperatives does not serve the client well in the end and reduces the lawyer's function to that of a gold-plated rubber stamp.

"Nor does any claim of a "new paradigm" provide any excuse, or even a viable explanation. The contention, set forth with great emphasis in these memoranda, that al Qaeda, as a fanatic, violent, and capable international organization, represented some unprecedented enemy justifying abandonment of our principles is simply not borne out by historical comparison. The Nazi party's dominance of the Third Reich is not distinguishable in practical terms from al Qaeda's influence on the Taliban government as described in these memos.

"Al Qaeda's record of destruction, September 11th notwithstanding--and as a New Yorker who lived, and still lives, in the shadow of the Twin Towers, which cast a long shadow over lower Manhattan even in their absence, I am fully cognizant of the impact of that day--pales before the death machine assembled and operated by the Nazis. Yet we managed to eradicate Nazism as a significant threat without wholesale repudiation of the law of war, or a categorical departure from international norms, even though National Socialism, with its fascist cousins, was certainly a violent and dangerous international movement--even with a vibrant chapter here in the United States.

"As citizens, we surely enjoy rights, but just as surely responsibilities as well. We cannot look the other way while we implicitly authorize our elected officials to do the dirty work, and then, like Capt. Renault in Casablanca, be "shocked" that transgressions have occurred under our nose. The

panic-laden fear generated by the events of Sept. 11th cannot serve as a license--for our government in its policies, or ourselves in our personal approach to grave problems--to suspend our constitutional heritage, our core values as a nation, or the behavioral standards that mark a civilized and humane society. That type of consistency in the face of danger, in the face of the unknown, defines courage, and presents a road map for a future of which we can be proud.

### The legal case

The case that responsibility for the torture and crimes extends to the top of the command chain at the Department of Defense (i.e. to Secretary of Defense Rumsfeld) is made both in the Human Rights Watch report cited above, <http://www.hrw.org/reports/2005/us0405/index.htm> , and at the website of Human Rights First, formerly the Lawyers Committee for Human Rights, which, along with the American Civil Liberties Union, filed suit in Federal Court on behalf of men who were tortured at the hands of U.S. forces under Secretary Rumsfeld's command: [http://www.humanrightsfirst.org/us\\_law/etn/lawsuit/index.asp](http://www.humanrightsfirst.org/us_law/etn/lawsuit/index.asp)

For a **clear and concise summary** of the chain of responsibility for the institutionalization of torture by the United States government, and associated legal issues, see the full article by Matthew Rothschild, an excerpt of which appears at the right.

Stripping Rumsfeld and Bush of Impunity

by Matthew Rothschild

The Progressive, July, 2005.

<http://www.progressive.org/july05/roth0705.php> .

When Lieutenant General Ricardo Sanchez testified before the Senate Armed Services Committee last year, he was asked whether he "ordered or approved the use of sleep deprivation, intimidation by guard dogs, excessive noise, and inducing fear as an interrogation method for a prisoner in Abu Ghraib prison." Sanchez, who was head of the Pentagon's Combined Joint Task Force-7 in Iraq, swore the answer was no. Under oath, he told the Senators he "never approved any of those measures to be used."

But a document the American Civil Liberties Union (ACLU) obtained from the Pentagon flat out contradicts Sanchez's testimony. It's a memorandum entitled "CJTF-7 Interrogation and Counter-Resistance Policy," dated September 14, 2003. In it, Sanchez approved several methods designed for "significantly increasing the fear level in a detainee." These included "sleep management"; "yelling, loud music, and light control: used to create fear, disorient detainee, and prolong capture shock"; and "presence of military working dogs: exploits Arab fear of dogs."

On March 30, the ACLU wrote a letter to Attorney General Alberto Gonzales, urging him "to open an investigation into whether General Ricardo A. Sanchez committed perjury in his sworn testimony."

The problem is, Gonzales may himself have committed perjury in his Congressional testimony this January. According to a March 6 article in The New York Times, Gonzales submitted written testimony that said: "The policy of the United States is not to transfer individuals to countries where we believe they likely will be tortured, whether those individuals are being transferred from inside or outside the United States." He added that he was "not aware of anyone in the executive branch authorizing any transfer of a detainee in violation of that policy."

"That's a clear, absolute lie," says Michael Ratner, executive director of the Center for Constitutional Rights, who is suing Administration officials for their involvement in the torture scandal. "The Administration has a policy of sending people to countries where there is a likelihood that they will be tortured."

The New York Times article backs up Ratner's claim. It says "a still-classified directive signed by President Bush within days of the September 11 attacks" gave the CIA broad authority to transfer suspected terrorists to foreign countries for interrogations. Human Rights Watch and Amnesty International estimate that the United States has transferred between 100 and 150 detainees to countries notorious for torture.

So Gonzales may not be the best person to evaluate the allegation of perjury against Sanchez.

But going after Sanchez or Gonzales for perjury is the least of it. Sanchez may be personally culpable for war crimes and torture, according to Human Rights Watch. And Gonzales himself was one of the legal architects of the torture policies. As such, he may have been involved in "a conspiracy to immunize U.S. agents from criminal liability for torture and war crimes under U.S. law," according to Amnesty International's recent report: "Guantanamo and Beyond: The Continuing Pursuit of Unchecked Executive Power."

As White House Counsel, Gonzales advised President Bush to not apply Geneva Convention protections to detainees captured in Afghanistan, in part because this "substantially reduces the threat of domestic criminal prosecution under the War Crimes Act," Gonzales wrote in his January 25, 2002, memo to the President.

Gonzales's press office refused to provide comment after several requests from The Progressive. In

his Senate confirmation testimony, Gonzales said, "I want to make very clear that I am deeply committed to the rule of law. I have a deep and abiding commitment to the fundamental American principle that we are a nation of laws, and not of men."

Pentagon spokesperson Lieutenant Colonel John Skinner says the ACLU's suggestion that Sanchez committed perjury is "absolutely ridiculous." In addition, Skinner pointed to a recent Army inspector general report that looked into Sanchez's role. "Every senior-officer allegation was formally investigated," the Army said in a May 5 summary. Sanchez was investigated, it said, for "dereliction in the performance of duties pertaining to detention and interrogation operations" and for "improperly communicating interrogation policies." The inspector general "found each of the allegations unsubstantiated."

The Bush Administration's legal troubles don't end with Sanchez or Gonzales. They go right to the top: to Secretary of Defense Donald Rumsfeld and President Bush himself. Both Human Rights Watch and Amnesty International USA say there is "prima facie" evidence against Rumsfeld for war crimes and torture. And Amnesty International USA says there is also "prima facie" evidence against Bush for war crimes and torture. (According to Random House Webster's Unabridged Dictionary, "prima facie evidence" is "evidence sufficient to establish a fact or to raise a presumption of fact unless rebutted.") ....

---

## **Pentagon Docs Show Officials Feared Prison Over Gitmo Tactics**

ABC News is reporting that the interrogation techniques used at Guantanamo in 2002 triggered concerns among senior Pentagon officials that they could face criminal prosecution under U.S. anti-torture laws. ABC obtained notes from a series of meetings at the Pentagon in early 2003 showing that Alberto Mora, General Counsel of the Navy, warned his superiors that they might be breaking the law. During a January 2003 meeting involving top Pentagon lawyer William Haynes and other officials, the memo shows that Mora warned that the "use of coercive techniques ... has military, legal, and political implication ... has international implication ... and exposes us to liability and criminal prosecution." Mora's concerns about interrogations at Guantanamo have been known, but not his warning that top officials could go to prison. In another meeting held March 8, 2003, the group of top Pentagon lawyers concluded "we need a presidential letter approving the use of the controversial interrogation to cover those who may be called upon to use them." No such letter was issued.

[http://  
www.democracynow.org/  
article.pl?sid=05/06/  
16/1355255](http://www.democracynow.org/article.pl?sid=05/06/16/1355255)

See also the memo to the President of January 25, 2002 by White House Counsel (now Attorney General), Alberto Gonzales, mentioned on the preceding page.

## Why do States Pursue Homicidal Policies?

*Gene Sharp: There is almost a religion of violence.*

***Marcus Raskin: The right of the sovereign to kill is a tradition that has been taught in schools from the time of Plato to the present.***

"Thinkers with as different a view of the world as Sigmund Freud and Mikhail Bakunin have been struck by the fact that the role of the state is to assert a monopoly on crime. Individuals get medals, promotions, and honors by committing the same acts for the state for which they would be hanged or imprisoned in any other circumstance."

Richard J. Barnet in *The Roots of War - The Men and Institutions Behind U.S. foreign Policy*

"If we did for ourselves what we did for our country, what rascals we should all be."

Cavour

"Most of you know what it means to see 100 bodies lying by the side of the road, or 500, or 1000. To be able to withstand the sight and still remain decent men has made us tough."

Heinrich Himmler, in a speech to his SS generals, in Posnan, October 4, 1943; quoted in *Hitler's Henchmen*, by Henk van Capelle and Peter van de Bovenkamp (New York: Gallery Books, 1990)

"...my Harry,  
Be it thy course to busy giddy minds  
With foreign quarrels..."

The dying Henry IV to his son, the future Henry V, in Henry IV, Part II; Act IV, Scene 5, by William Shakespeare

### To learn more

*The Roots of War - The Men and Institutions Behind U.S. foreign Policy*, by Richard Barnet (New York: Atheneum, 1972; reprinted by Penguin Books, 1972) is a study of "why those who have been in charge of defining and meeting threats facing the United States have determined that the national interest must be pursued by war and preparation for war. It [traces] the roots of war within various elements of American society—the state, the economy, the political process, and the public."

## It's Your Future

The reader/viewer is referred to A Portal to Social Change at <http://www.greenworldcenter.org/portal.html>.

## BONUS DISK INTERVIEWS

### Outlines

#### James Loewen

##### Lies My Teacher Told Me

1. Revenge on my high school basketball coach
2. Reconstruction was when blacks took over the southern states and screwed up (not)
3. We get almost everything about Christopher Columbus wrong
4. The most important Christopher Columbus date is not 1492
5. Columbus started the trans-Atlantic slave trade
6. They had military superiority, so they believed they had cultural and religious superiority
7. The native population of Haiti went from about 3,000,000 to zero in about 65 years
8. None of this is taught in most textbooks
9. The purchase of Manhattan Island for \$24: a coast to coast myth
10. A typical example of the rhetorical mistake textbooks make
11. Why we learn what Lincoln and Douglas *wore* at their debates, but not what they said
12. The tools students need to understand the past are removed
13. Does the United States government always do the right thing? In textbooks, yes.
14. Six foreign actions since World War Two; none are taught
15. The ultimate result of our taking history in school is to make us stupider
16. College textbooks are better; *no* textbooks would be better still
17. History textbooks don't even *try* to get it right
18. Our history textbooks aren't *patriotic*; they're *nationalistic*
19. The most important Indian wars are ones nobody ever heard of
20. Thanksgiving: instead of the most important fact, we get the silly details
21. The biggest lie of all
22. The nadir of race relations: 1890 to 1940
23. Sundown towns
24. The Civil War ended in 1865, but the South won it in 1890
25. Woodrow Wilson....*Did you know this?*

## Lawrence Eagleburger

### Foreign Policy and Sausage

Lawrence Eagleburger served as Secretary of State under President George H.W. Bush

1. What do foreign policy and sausage have in common?
2. What do foreign policy elites really want?
3. "You cannot run a foreign policy in this democracy without the support of the American people."
4. The Iraq War is not unwinnable. We've won it.
5. Whether the war is winnable or not—Iraq is a bankrupt country

**To what extent is the impoverishment of Iraq due to Saddam Hussein, and to what extent is it due to the economic sanctions that were in place before the invasion?**

See the UNICEF REPORT and the interview with David Kay in Preventive War and the Invasion of Iraq, above.

6. How the Iraq War was sold

**Was the "linkage" of Iraq to international terrorism legitimate?**

See the CARNEGIE REPORT in Preventive War and the Invasion of Iraq, above.

7. What was the context in which Secretary Eagleburger said that President Bush should be impeached if he invades Syria?
8. "A perfectly legitimate argument"

**How did Saddam Hussein manufacture chemical weapons?**

See Spider's Web: The Secret History of How the White House Illegally Armed Iraq, Alan Fedman (New York: Bantam Books, 1993). Fedman is the global economic correspondent for the International Herald Tribune. (See the interview with Friedman in Preventive War and the Invasion of Iraq, above. See also *Sanctioning Saddam:*

*The Politics of Intervention in Iraq*, by Sara Graham Brown (1999)

**Did he still have these weapons at the time of the invasion?**

See the Carnegie Endowment Report, op. cit. and the interview with David Kay in Preventive War and the Invasion of Iraq, above.

9. A case for preventive war

**Is "preventive war," as enuciated in President Bush's National Security Strategy, legal?**

**If it isn't legal, what would have to be done to make it so?**

See the United Nations Charter, the United States Constitution, and The Nuremberg Principles in Mistakes or Crimes?, above.

10. Wasn't Saddam Hussein more of a threat after the invasion than before?

11. Who has cast the most important vetoes in the United Nations?

**Another perspective on voting Sudan onto the UN Human Rights Commission:** "As is the practice in most UN agencies, regional groups determine nominees for Commission membership. Certainly Africa could have nominated a country less egregiously symbolic of human rights violations than Sudan. But the Africa Group is far more democratic than the Western Group; it rotates virtually all its countries onto the Commission in turn..." (Phyllis Bennis, in *Before and After: US Foreign Policy and the September 11th Crisis* (New York: Olive Branch Press, 2003))

**Who has cast what vetos in the Security Council?** A story published by the Associated Press on March 11, 2003, has a summary. "In the United Nations' 58-year history, the Soviet Union and its successor state, the Russian Federation, have used the veto 117 times - most coming during Cold War decades.

"The United States is second with 73. Since 1990, America has cast more Security Council vetoes than any country, many of them

favoring Israel, a longtime ally."

<http://www.commondreams.org/headlines03/0311-10.htm>

In other international forums, and on a host of issues (for example the Kyoto Accords, the treaty on land mines, the treaty on the international criminal court, and the treaty on the rights of children, all of which it opposes) the United States is often outside the international consensus. A list of nearly 150 votes in the UN General Assembly from 1978 through 1987, with the United States in a minority of one, two, or three, is given in *ROGUE STATE*, by William Blum (op. cit.)

12. Did Saddam Hussein cooperate with UN weapons inspectors?

**Did he?**

See "An interview with David Kay" by Arms Control Today, the journal of the Arms Control Association.

"U.S President Bush directed in June 2003 that the hunt for Iraqi weapons of mass destruction be transferred from the Defense Department to the Central Intelligence Agency and the Director of the Central Intelligence Agency appointed Dr. David Kay to lead that search and direct the activities of the 1,400 hundred member Iraq Survey Group. In January 2004, having concluded that there had been no stockpiles of weapons of mass destruction in Iraq at the time of the war, Dr. Kay reported that conclusion and resigned his position." (From Kay's bio on the website of the Potomac Institute for Policy Studies [not to be confused with the Institute for Policy Studies])

*continues*

<http://www.armscontrol.org/aca/midmonth/2004/March/Kay.asp?print>

Excerpts at:

<http://www.howardlabs.com/4-04/>

[Searching%20for%20the%20Truth%20About%20Iraq's%20WMD.html](http://www.howardlabs.com/4-04/Searching%20for%20the%20Truth%20About%20Iraq's%20WMD.html)

This is a highly informative interview regarding the effectiveness of the inspections, and it also deals with the effectiveness of the economic sanctions that were in place before the invasion in 2003.

### **Why did the UN weapons inspectors leave Iraq?**

They withdrew on the eve of U.S. Bombing.

13. The Vietnam War
14. The human cost of American foreign policy: Latin America

"We did get out of the Phillipenes"

What was the human cost  
of the conquest  
of the Phillipenes?

15. "Economic imperialism"
16. The aftermath of World War Two — A resevoir of good will toward America
17. The overthrow of Mossadegh

Mossadegh was deposed in 1953 not 1954.

See notes for The Overthrow of the Government of Iran, above

18. The best country that the world has seen so far

### **Should we have fought the Revolutionary war?**

See **Appendix VI**, Nonviolent Action in the American Revolution

19. Mistakes of American foreign policy — Reprise
20. The haves and the have-nots

**How and why does capital flow from the poor nations of the South to the financial institutions of the rich nations of the North?**

See "Beginners' Guide to the Debt Crisis," at [http://www.jubileeplus.org/analysis/reports/beginners\\_guide/debt.htm](http://www.jubileeplus.org/analysis/reports/beginners_guide/debt.htm)

See also "Frequently Asked Questions About IMF/World Bank," at <http://www.50years.org/factsheets/> and other publications at this site, such as <http://www.50years.org/factsheets/debt.html>

21. Support for dictators — Reprise - Indonesia

For East Timor and Indonesia, see [http://www.thirdworldtraveler.com/Chomsky/East\\_Timor\\_RSChom.html](http://www.thirdworldtraveler.com/Chomsky/East_Timor_RSChom.html)

Also: *EAST TIMOR: GENOCIDE IN PARADISE*, by Matthew Jardine; Introduction by Noam Chomsky, 2nd Edition (Odonian Press, Distributed through common courage Press/LPC Group)

22. Should public officials be held accountable to an international court of justice for war crimes?
23. Should Pinochet be tried in an international court of justice?
24. Aftertakes

Lawrence Eagleburger recommends John Bolton's analysis regarding U.S. participation in the International Criminal Court. For an article in a law review, see <http://www.law.duke.edu/journals/lcp/articles/lcp64dWinter2001p167.htm>; for two speeches, see <http://www.state.gov/t/us/rm/15158.htm>; and <http://www.state.gov/t/us/rm/25818.htm>.

## Rear Admiral Gene La Rocque, USN, (Ret.)

Creating Terrorists

Admiral La Rocque is the founder of the Center for Defense Information  
<http://www.cdi.org>

### I WAS PROUD TO BE A NAVAL OFFICER

#### TERRORISTS AREN'T BORN; THEY'RE CREATED

1. They wanted us to get the heck out of their country
2. We've done a magnificent job of creating terrorists around the world.
3. After 50 years, we're still in Korea
4. We created terrorists in Lebanon
6. If your shells landed on my family and killed my mother and my wife. . .

#### PREVENTIVE WAR AND PREVENTING WAR

7. Preventive war
8. Wars can be evaded and avoided

**Winston Churchill said, "there never was a war easier to stop," i.e. to prevent, than World War Two. Could that war have been avoided, and if so how?**

See the discussion in The Overthrow of the Government of Iran, above, and for the background of the Japanese attack on Pearl Harbor, <http://www.chomsky.info/books/dissent03.htm> .

9. *Our weapons are weapons of mass destruction*

#### VIETNAM AND IRAQ

1. I just want to avoid war; that's done with diplomacy

2. I supported the Vietnam War initially
3. Iraq is a repeat of Vietnam
4. Better sooner than later I
5. You can make broad generalizations about freedom and democracy...
6. Better sooner than later II
7. The first thing we ought to do
8. No one seems to favor getting out of Iraq
9. We made the decision to go in; we can make the decision to go out

**Is the United States the most powerful nation in the world industrially? And in every other way?**

See *Profits Without Production*, by Seymour Melman

10. I was briefing the Secretary of Defense. . .
11. One of the two senators with guts enough to speak out
12. I think we need a march now
13. I had an overcoat on or I would have been court-martialed

### **THE ARMY PUT A RIFLE IN MY HAND WHEN I WAS 17**

1. The army put a rifle in my hand when I was 17
2. I was ordered to Pearl Harbor. . . .The Japanese struck us early in the morning
3. War in the Pacific for me was four long years and 13 different battles
4. I *hated* the Japanese....War vulgarizes us
5. No music, no lights, no books, and no girls
6. We have somehow glamourized war
7. It's boring most of the time

### **MILITARISM**

1. Every war is close to civilized savagery
2. We have come to militarize American society
3. Do Americans care about the number of people killed on the other side?

4. We're the biggest arms seller in the world
5. Talk, trade, travel, cooperate
6. We have threatened to use nuclear weapons many times
7. Politicians use war to strengthen their own position
8. We are ignorant with respect to foreign countries
9. Take our military forces out of foreign countries
10. Professional killers are highly respected in our society
11. Improving relations is even more important than nuclear disarmament

### **KILLING WAS ABSOLUTELY NORMAL FOR EVERYBODY**

1. In the Pacific I fought on island after island
2. At Kwajelain I volunteered to lead the marines onto the beach
3. The man standing next to me was hit in the head with a bullet and he just crumpled
4. Killing was absolutely normal for everybody
5. That's what's happening now; we talk openly about killing people
6. Some things I'm not proud of myself for; I became mean and vicious
7. What was going through your mind when you volunteered to lead the landing?
8. The spirit of killing; it's like two snarling animals

### **MAKING PEACE**

1. Three issues bothered me: militarism, nuclear war, and Vietnam; so I borrowed some money and rented an office
2. We can speak out and be heard through nonprofit groups
3. The essence of democracy
4. I pay Mr. Bush's salary; he works for me.
5. If we're going to spread democracy around the world, we better learn to practice it here in America
6. Get out and work in the precinct
7. There is essential goodness in the American people
8. If you don't like your senators and representatives, kick them out of office!
9. Thou shalt not kill

10. The idea that God is on our side is a misconception
11. It's not just Americans

## **SUPPORT OUR TROOPS**

**INSANITY IS RARE IN INDIVIDUALS, BUT IN GOVERNMENTS IT'S THE RULE**

**ANY JACKASS CAN KICK DOWN A BARN**

**THE LONGER WE STAY, THE MORE TERRORISTS WE'RE GOING TO CREATE**

**TREATIES ARE THE SUPREME LAW OF THE LAND**

**EVERY COUNTRY IN THE WORLD CAN TEACH US SOMETHING**

**I'M FOR COOPERATION RATHER THAN CONFRONTATION**

## **VIETNAM AND IRAQ – REPRISE**

1. They put me in charge of ten admirals and a general
2. We thought we could capture North Vietnam; but then what would we do with it?
3. They were prepared to fight on for 40 years
4. After my report, Secretary McNamara announced his resignation
5. We looked at what was objectively best for the country—none of this silly stuff about "winning"
6. It's the same thing in Iraq; there's no rationale for the war
7. Some people might think that the war in Iraq is over...

**IT'S REALLY AMAZING WE GOT THROUGH THE NUCLEAR ERA  
WITHOUT USING NUCLEAR WEAPONS**

## RAY McGOVERN

We called them "the crazies"

Ray McGovern writes articles for publication on the Internet frequently. They often focus on issues pertaining to the politicization of intelligence. The articles are easily available by doing a search for "Ray McGovern" AND articles.

McGovern's article of May 4, 2005, "The Smoking Gun," is given in **Appendix IV**. It was published on the Internet, for example at TomPaine.com and on Common Dreams at <http://www.commondreams.org/views05/0504-34.htm>.

1. Intelligence and virginity
2. We called them "the crazies"
3. Today "the crazies" are making policy
4. The first President Bush kept "the crazies" at arm's length
5. Both James Baker and Brent Scowcroft wrote strong op-eds opposing the war
6. Why George Bush the First did not invade Iraq to overthrow Saddam Hussein
7. I often wonder what George Herbert Walker Bush thinks  
See sidebar, page after next, for a clue.  
Brent Scowcroft is one of Bush the First's closest associates.
8. Veteran Intelligence Professionals for Sanity
9. The cardinal sin of intelligence  
See **Appendix IV**, "The Smoking Gun"
10. We warned the President about forgeries
11. The folly of the march toward war
12. We issued a call to our colleagues who are still on the inside  
See "The Responsibility of Officials in a Criminal War," in *Papers on the War*, by Daniel Ellsberg (New York: Simon and Schuster, 1972)
13. The Administration came up with a forgery
14. A Constitutional crisis
15. A grave situation

## Bush Disavows Hussein-Sept. 11 Link

### Administration Has Been Vague on Issue, but President Says No Evidence Found

By Dana Milbank

Washington Post Staff Writer

Thursday, September 18, 2003; Page A18

President Bush said there has been no evidence that Iraq's Saddam Hussein was involved in the Sept. 11, 2001, terrorist attacks, disavowing a link that had been hinted at previously by his administration.

"No, we've had no evidence that Saddam Hussein was involved with September the 11th," the president said yesterday after a meeting at the White House with lawmakers.

In stating that position, Bush clarified an issue that has long been left vague by his administration. On Sunday, Vice President Cheney said on NBC's "Meet the Press" that success in Iraq means "we will have struck a major blow right at the heart of the base, if you will, the geographic base of the terrorists who had us under assault now for many years, but most especially on 9/11."

<http://www.washingtonpost.com/ac2/wp-dyn/A25571-2003Sep17?language=printer>

16. "This is what this war is all about"  
See *WMD in Iraq - Carnegie Endowment Report Summary*, Op.cit., and the compilations of Administration statements, both in the chapter on Preventive War and the Invasion of Iraq, above.
17. Terrorists are not terrorists because they hate democracy
18. Al Qaeda sees this as a wonderful opportunity
19. I hate to see the U.S. as the occupying power—as in Vietnam
20. People completely misunderstood the situation in Vietnam
21. There are striking analogies between Iraq and Vietnam
22. It's crazy. It really is crazy.
23. McNamara and Rumsfeld
24. There were "crazies" during the Cuban missile crisis too
25. If the North Koreans wanted to cause some problems. . .
26. Neo-conservative agenda: We've got the weight. Throw it around!
27. Why do so many Americans believe that Saddam Hussein and Iraq had something to do with 9-11?  
  
**Correction:** The Washington Post story McGovern cites apparently appeared on page A 18, not A 28. (See column to the left.)
28. Most Americans get their news from TV
29. When the U.S. Air Force bombs, nobody gets hurt
30. August, 1939

## Scowcroft Is Critical of Bush

Ex-National Security Adviser Calls Iraq a 'Failing Venture'

*By Glenn Kessler*

Washington Post Staff Writer

Saturday, October 16, 2004; Page A02

Brent Scowcroft, national security adviser to President George H.W. Bush, was highly critical of the current president's handling of foreign policy in an interview published this week, saying that the current President Bush is "mesmerized" by Israeli Prime Minister Ariel Sharon, that Iraq is a "failing venture" and that the administration's unilateralist approach has harmed relations between Europe and the United States.

Scowcroft's remarks, reported in London's Financial Times, are unusual coming from a leading Republican less than three weeks before a highly contested election. In the first Bush administration, Scowcroft was a mentor to Condoleezza Rice, the current national security adviser, and he is regarded as a close associate of the president's father.

Scowcroft declined a request for an interview yesterday. When asked if he had been quoted correctly, his office responded with a statement: "He has been and is a supporter of President Bush and thinks he is the best qualified to lead our country."

Scowcroft's remarks to the Financial Times reflect a sense of unease among some GOP foreign policy experts about the White House's handling of foreign policy....Generally, such concerns have been muted and voiced privately...

*This article appeared about three weeks before the 2004 presidential election. For the complete article see: <http://www.washingtonpost.com/wp-dyn/articles/A36644-2004Oct15.html>*

## Robert White

### The United States and Central America

*"For far too long the US has had a far too aggressive foreign policy; it's really not much more complicated than that"*

Recommended by Adam Isacson  
as one of two "classic works on Latin America":  
*Inevitable Revolutions* by Walter Lafeber

See also: *Turning the Tide* Op. cit., by Noam Chomsky

Robert White is the president of the Center for International Policy whose website, <http://www.ciponline.org/> is a trove of information

#### 1. In times of crisis, the hardline security people seem to win out

The relations between the United States and its southern neighbors are, perhaps surprisingly, little known by the general public. International relations are, among other things, political relations, and in political relations power plays a key role. In terms of wealth and military power, the United States is by far the most powerful nation in the Western Hemisphere.

What are the least powerful nations in the Western hemisphere? What were some of the times of crisis of which Robert White speaks, in which the hardliners won out? Were there any times of crisis in which the "hardliners" did not win out?

#### 2. The Alliance for Progress

#### 3. What killed the Alliance for Progress...

Bobby Kennedy was a liberal Democrat. Is this congruous with his "affection" for counter-insurgency programs? What should we learn from the Kennedy Administration's sponsorship and support of counter-insurgency programs? Which of those programs were the most fateful? Does the United States government today sponsor and support counter-insurgency programs, and if so where, and in what ways, specifically?

#### 4. The theory was. . .

The theory was that you strengthen the military and the police to protect the governments from radicalism. . .

**5. But in the end, the only surviving program was the counter-insurgency program**

Eventually the tail wagged the dog. Comment on the process whereby the counter-insurgency programs were the only ones that survived. How does this compare with Plan Colombia? (See The War in Colombia, above.)

**7. The worst error the United States has made in modern times in Latin America.**

What does or did your American History textbook say about this "worst error"?

**8. Covert actions and military missions**

Should U.S. relations with other countries in Central America and the Caribbean be dominated by military-to-military relationships? What do you think about Robert White's assertion that governments of other countries are expected to "tow the line" or else? Can you give some examples? Is Noreiga of Panama a fair example? Is Saddam Hussein? Chavez of Venezuela? Aristide of Haiti?

What covert actions did the United States engage in in the Western Hemisphere? What have been the most recent covert actions? What have been the results of these actions? Have they benefited the people of the United States? Have they benefited the people in the countries in which the actions were undertaken? Why were they undertaken covertly? Did any Latin American nations undertake covert actions against the United States? If that were to happen, how should we respond?

Are there any covert actions underway at the present time? What are some good ways to research the role of the United States in Venezuela, Haiti, and Brazil, presently and in recent years?

What about *overt* military missions today? In what countries do we have them? What form does our support take? Do we need such missions? What are some good ways to research these questions? Here are a few research ideas: talk with a reference librarian, find a government depository library and talk with its reference librarian, look at the annual reports of the State Department and Defense Department, and at Congressional reports and at transcripts of Congressional hearings. And of course: Google.

**9. The question that was never answered**

Were the insurgencies in Latin America and Southeast Asia local phenomena, or were they related to the Cold War, and if so how? What intellectual or political or economic dynamic might have led policy-makers in the United States to interpret insurgencies in terms of the Cold War? Whose interests, if anyone's, were served by U.S. support of counter-revolutionary forces, i.e. armies whose mission was to oppose or prevent insurgency? Is it fair to describe most of the military establishments of Latin America as counter-revolutionary? Was the United States role in Vietnam one of counterinsurgency? What about the role of United States forces in Iraq? Is there such a thing as good guys and bad guys in a counter-insurgency war, and if so, how do you tell who is who?

Should the United States ever support and arm military establishments whose mission is internal, i.e. to defend a government from revolt or revolution? If you think so, please give examples.

#### **10. The Soviet Union had only marginal interest in Latin America**

By what criteria can the truth of this statement be measured? Can the statement be reconciled with the assertions of Lawrence Eagleburger, Stansfield Turner, and Joshua Muravchik about how the Cold War shaped U.S. policy?

#### **11. One of the great tragedies of United States policy during the 60's and 70's**

Does it surprise you that the United States "unstintingly" supported and armed dictatorships—anti-democratic regimes? Would you argue with this characterization of U.S. policy? Does it apply today? What dictatorships has the United States supported? What dictatorships does it support today? Check out United States policy toward Uzbekistan, for example at <http://billmon.org/archives/001863.html> . What do you think of it? Does it surprise you? Is it justified?

Over the course of history, what other democracies have opposed democracy for people in foreign countries? Ancient Athens? Does United States policy today primarily support or oppose democratic forces throughout the world? What do democratic forces look like? What is democracy? Are U.S. policies with respect to democracy abroad consistent with our own values, as professed? Is it consistent with *your* values? Is there a discrepancy between what the United States practices and what it preaches? How does our record compare with that of other countries?

#### **12. El Salvador - 1972 was the year many people in El Salvador said, "The electoral route is fruitless"**

Why did the United States support the military coup against José Napoleon Duarte? What people and institutions favored it, and who and what opposed it? Why was U.S. policy so close to that of Anastasio Somoza of Nicaragua? What was the chain of consequences of U.S. support of the coup in El Salvador?

*To learn more about El Salvador:*

*Our Own Backyard: The United States in Central America, 1977-1992*, by William M. LeoGrande (Chapel Hill: University of North Carolina Press, 1998) A comprehensive, scholarly book, which deals with El Salvador, where death squads were active during the period, as well as Nicaragua. (Recommended by Philip Brenner)

*An informative-looking article on the web:* <http://www.markdanner.com/elsalvado.htm>

The Crucifixion of El Salvador," by Noam Chomsky:  
[http://www.thirdworldtraveler.com/Chomsky/ChomOdon\\_ElSalvador.html](http://www.thirdworldtraveler.com/Chomsky/ChomOdon_ElSalvador.html)

### **13. The tragedy of El Salvador**

In what countries today does the United States arm and train and enjoy close relations with the army and the air and naval forces? How many such countries are there? Who is benefitting and who is opposed to these arrangements? In world history and in American history, is there a historic pattern of support of foreign militaries for the purpose of internal population control?

What are some good ways to research this? Hints: Comparing House and Senate Appropriations Committee reports, with State Dept and human rights NGO reports on human rights.

### **14. How does it come about that the United States of America is involved in such policies as its support of Colonel Garcia?**

Do you think Ambassador White's answer is true or plausible, or not, and if so why, or on what evidence? What would be some good ways to research this, or to learn more about the historic role of the United States in Latin America? Are there any foreign peoples who are regarded by Americans today as having doubtful capability of democracy? Are Iraqis and Arabs so regarded in the United States today? Evidence?

To learn more about the forces that influence and determine United States foreign policy, see the section on Why do States Pursue Homicidal Policies?, above, and *The Roots of War*, by Richard Barnett, op. cit.

### **15. The tragedy of Guatemala**

What are your feelings and thoughts about the content of this clip? How can we ensure that such events and policies are not repeated or continued? For sources, including the UN report and the CIA Inspector General report, see Intervention and Genocide in Guatemala, above.

### **16. The Cold War was fought in Central America and elsewhere at the fringes**

Did Guatemala pose a threat to the United States at that time? Did the Soviet Union somehow pose a threat to the United States by way of Central America and the Caribbean? If so how? What was the relevance of the Cold War to the genocide in Guatemala? What is genocide? Does the word "genocide" fairly describe the totality of Guatemalan massacres?

### **17. I challenge anyone to find any appreciable Soviet influence in Central America during this period**

Can you find any?

### **18. Even the interventions of Fidel Castro. . .**

In what countries did Castro intervene? On whose side did he intervene? What sort of threat did Castro pose to whom?

**19. The amusing thing**

Is White correct: do revolutionaries and insurgents fight better than the armies of US allies? If so, why might this be?

What are the countries in which insurgents have opposed, or today oppose, forces and oligarchies backed by the United States? If you were a citizen of one of those countries, would you favor the insurgents or the oligarchs or neither?

**20. Soviet threat reprise**

"There is no evidence of any real Soviet threat?" Are you inclined to agree or disagree? What are some good ways to research this?

**21. There was a simple way to help move these countries away from dictatorship and toward democracy.**

What is Ambassador White referring to? Give some examples of those he means by "reactionary, bloodthirsty groups." Is this a fair characterization?

Compare White's remark about funds not being spent on political objectives, with Sanho Tree's observation in The War on Colombia that when President Pastrana of Colombia came to Washington, the Clinton Administration gave him to understand that there was "no money in this congress for tax-and-spend liberal programs, but if you want money to fight drugs, we'll get you that."

**22. It was difficult to find actual Communists in Central America**

Joshua Muravchik has a markedly conflicting view of the threat or significance of Communism in Central America. How might one resolve this conflict?

**23. Communist influence was superficial**

Does it surprise you that some former revolutionaries became conservatives or "reactionaries? Why, or why not?

**24. If you suppress democracy, then you can't be surprised when people take up arms**

Is White correct? Did those who controlled or influenced foreign policy in the United States label people and movements as Communists not because that was accurate, but in order to de-legitimize them? What is Communism, or Marxism-Leninism?

Who was Senator Joseph McCarthy? What did he do? During the early 1950's, it was widely held that political life in the United States was strongly affected by either a) the Communist threat, or b) anti-Communist hysteria, depending on your point of view. In what sense was there an actual threat? Was there hysteria? Did McCarthy and politicians allied to him exploit people's fears? The word McCarthyism was widely used to denote false accusations of Communism and character assassination. Did McCarthyism play a role in the overthrow of Arbenz and Mossadegh? Did the early architects of the Cold War bear some responsibility for the rise of McCarthyism?

### **25. But weren't the Sandinistas of Nicaragua Communists?**

What are some salient facts about Anastasio Somoza and his rule of Nicaragua? Was he a tyrant? Why did the United States support him and stick with him for so long?

White says that the anti-Sandinista forces—who were known as the Contras (i.e. counter-revolutionaries)—were led by thugs, i.e. former members of Somoza's guard. Joshua Muravchik says those comprising the forces were authentic freedom fighters. White told me: indeed the rank and file of the Contras included ordinary men, but the leadership was made up of former members of Somoza's Guard. For more info on the background of the Contra leadership in Somoza's National Guard, and on their status as employees of the United States government (CIA), see *THE CULTURE OF TERRORISM*, by Noam Chomsky, pp 85 and 95.

### **26. The U.S. made the cardinal error of not withdrawing support from Somoza while there was still a democratic opposition**

The United States also supported dictators and military rulers in Haiti, Cuba, Brazil, Argentina, Uruguay, Paraguay, Panama, and numerous other countries in both hemispheres. Was this unwise? Was it immoral? Were these mistakes? Or were these policies justified, and if so how?

### **27. The Sandinistas were about as moderate a revolutionary force as you could hope for**

Note the evidence White cites in support of his arguments that the Sandinistas were "moderate revolutionaries." Are you convinced? What other facts might he have cited in support for his view? Muravchik says that the Contras were totalitarians. He was referring at least in part to collective farming experiments, which are among what White alludes to as "wartime measures," and as "stupidities and sins." What about the elections held by the Sandinistas? Were they fair or unfair? What was the role of the United States in those elections? What are the implications of the willingness of the Sandinistas to relinquish power after they lost an election—even with interference in the election by Washington? See the section of this Viewer Guide on Somoza and the Contra War in Nicaragua.

### **28. During the 1970's and '80's, the United States resorted to war when peaceful means of achieving the same objectives were available**

Was this true in the '90's too? What about since 2000? Were there adequate peaceful means for settling the Iraqi takeover of Kuwait, and Serbian aggression in Kosovo? The answer to this requires examining the diplomatic situation on the eve of the wars. What about earlier wars in U.S. history?

### **29. I can think of nothing better designed to destroy world order. . .**

Is White right? Do covert actions and overthrow of foreign governments tend to destroy world order?

### **30. Throughout most of its history, the United States tended to act with restraint in the conduct of foreign policy**

True? Make a case for or against this.

White says that bureaucracies exaggerate threats so that Congress will appropriate more money to them. Give some examples. What other factors lead to exaggeration of threats?

**31. There has never been a successful intervention**

Has there ever been a successful intervention, covert or overt, of United States forces in the internal affairs of another country? What's wrong with this question?

**32. During the Cold War, the United States demanded total adherence to its policies**

Should a powerful nation demand total adherence to its policies? Why? or Why not?

**33. Our military aid was designed to provide other countries with the means of suppressing internal dissent, not to meet external threats**

White says that helping foreign governments suppress internal dissent betrays our democratic values. Do you agree?

**34. Imperial power is contradictory to our Constitution, it's contradictory to our traditions**

What were the circumstances surrounding the "near-genocide" with respect to Indonesia and East Timor? What were the relations between the United States and President Suharto over the years of massacres? What forms did U.S. support for Suharto take before, during, and after, the years of genocide? Did support for Suharto by the United States mean that the United States and its policy-makers at the time share responsibility for what happened? Did Americans know what was going on? Which Americans knew what? Did the mass media in the United States share responsibility? Did Americans generally?

To learn more about East Timor and Indonesia, see [http://www.thirdworldtraveler.com/Chomsky/East\\_Timor\\_RSChom.html](http://www.thirdworldtraveler.com/Chomsky/East_Timor_RSChom.html)

Also: *EAST TIMOR: GENOCIDE IN PARADISE*, by Matthew Jardine; Introduction by Noam Chomsky, 2nd Edition (Odonian Press, Distributed through common courage Press/LPC Group)

Is Ambassador White correct? Is empire contrary to the constitution and traditions of the United States?

**35. The problem is we have overfunded the military to the point that there are no effective checks and balances on it**

Either a) give at least one dramatic illustration of how the United States overfunds the military, or b) tell why you disagree with White on this.

The military expenditures of the United States are close to those of all the rest of the world combined:  
<http://www.globalsecurity.org/military/world/spending.htm>

Regarding "Roughly 15 percent of the military budget is secret," see **Appendix VII**

**36. That's a license to get the United States into trouble around the world**

Does the "military machine" of the United States have more money than it needs? If so, what have been the most important effects of this overfunding?

For brilliant analysis of the effect of military spending on the economy, see the works of Seymour Melman, especially *Pentagon Capitalism*, and *Profits Without Production*.

**37. We always seem to identify with the most reactionary elements**

Give examples, or else explain why this is not true. Were the rulers of Indonesia "reactionary"?

**38. Corruption comes before brutality; military establishments become corrupt before they become brutal****39. What might make this nightmare worthwhile**

What does White mean by the "imperial pretensions" of the United States? What is White referring to when he says "the terrible nightmare," and why do you suppose he uses those words? Do you agree that it is a terrible nightmare?

**40. The Testosterone Doctrine**

Do you agree that the United States is too aggressive abroad, and that if it weren't, then many of our problems would straighten themselves out?

**41. The last thing we should do is manufacture pretexts for interfering in the internal affairs of other countries**

Has the United States "manufactured pretexts" for intervening abroad? If so, give an example.

**42. President Strossner never said that about me....**

Were relations between Ambassador White and President Strossner typical of relations between the United States and Paraguay, or did they go against the grain? Were they typical of relations between the United States and Latin American dictators generally?

**43. Relations between a dictatorship and a democracy should be strained**

Do you agree?

**44. There is no excuse for the United States to be supporting dictatorships when a viable democratic opposition exists**

Do you agree?

**45. That is the kind of policy we should have!**

Why don't we have such policies today?

Marcus Raskin is the co-founder and a distinguished fellow of the Institute for Policy Studies  
<http://www.ips-dc.org>

## MARCUS RASKIN

"Institutional Insanity is approximately what we have."

See The Cold War: Cynics and Believers, and Why do States Pursue Homicidal Policies?, above.

### Highlights

Rulers and leaders are accorded licence to act in ways that would be criminal in other contexts.

Between the two World Wars, there was a current in American political thinking that looked for ways to do away with the war system. Raskin: "One could look at all this and say it was all silly. I don't think it was silly. I think it was very, very important."

Moral vision and power politics.

Woodrow Wilson - The reality and the myth. Cf. the James Loewen interview, last episode.

The right of the sovereign to kill and to lie to the people goes back at least to Plato, 2400 years ago, and is a tradition that is taught in schools.

The International Criminal Court.

There are people who are *educated not to know better*. "In the United States, there are two groups of people who really know what goes on. One is rulers, a ruling class, if you will, and the other is the poor. Those are the two who really know how things operate. People in the middle don't. People in the middle are educated to believe in a kind of passivity and acceptance; and this means they sign a separate peace, they believe what they see on television, and so forth."

People think that it was educated people who opposed the Vietnam War, but actually it was poor people who were opposed. The more education people had, the more they tended to support it.

"Our army that now remains in Vietnam is in a state approaching collapse, with individual units avoiding or having refused combat, murdering their officers and noncommissioned officers, drug-ridden, and dispirited where not near-mutinous.[C]onditions [exist] among American forces in Vietnam that have only been exceeded in this century by...the collapse of the Tsarist armies in 1916 and 1917."

"The Collapse of the Armed Forces," by Colonel Robert D. Heinl, Jr., in *Armed Forces Journal*, June 7, 1971, reprinted in Marvin Gettleman, et al., *Vietnam and America: A Documented History* (New York: Grove Press, 1995), p. 327, and quoted by Joel Geier in *International Socialist review* - Online Edition. [http://www.isreview.org/issues/09/soldiers\\_revolt.shtml](http://www.isreview.org/issues/09/soldiers_revolt.shtml)

In Vietnam, soldiers were "fragging" or killing their officers. This was so widespread that it may have been what ended the war. David Cortright, *Soldiers in Revolt: The American Military Today* (Garden City, NY: Doubleday, 1975)

The United States has been involved in hundreds of wars since its beginning. "*Hundreds?*" "Yes."

Now the Bush administration is telling us we are in a war without end.

In the United States, citizens do not have the right to vote; voting is not a right.

Nor is there a right to education, or to economic justice, or to health care, or to water.

Rights are for people who are powerless.

In the United States, there are people who want to do something about injustice. There are movements that start here and spread to other countries. For example: "We shall overcome."

Within the United States the struggle for decency and dignity is a long tradition, and it is one that goes on.

Our understanding of the world is mediated through the ideology of triumphalism and "we can do no wrong."

We have a kind of *crackpot pragmatism*, that is, the belief that whatever happens, we have the technique to make things come out OK.

Terrorism and war are built into the way humanity does business. So the question is, how do we get out of that? There has got to be a transformation and a re-thinking of the American covenant.

Fascism: you have a lower-middle class that believes in triumphalism and that is linked to the oligarchy.

Today the military itself is frightened of the Bush II people, who think they can do things they can't do, and so are out of touch with reality.

They knew there were no weapons of mass destruction, that Iraq presented no danger to the United States. In other words, it was an elective war, as Wesley Clark said. In terms of the Nuremberg case, it was an aggressive war.

## Guidelines for Videotaping

Viewers of the Democracy Dialogues videos are invited to videotape their contributions to the Dialogues and submit them for use in future videos.

What would be most helpful and most likely to be used are head shots of sound bite length. Ten seconds is better than 20; 20 is better than 30, and so on.

Some people can easily speak in soundbites; others can't without some practice. Few of the cast of Deadly Mistakes? did. The advantage of doing so is that you control your words; not the editor. Learning to speak in soundbites is part of learning media savvy.

If you prefer, just speak any way that is comfortable to you, as concisely as possible.

Longer clips, such as may be required to answer complex questions, should be especially well thought out. Where appropriate, you may include source citations for the study guide.

It is generally best to look and speak directly into the camera, but it's up to you. Be creative!

Getting good sound is harder than getting a good picture. Get the microphone close to you when you are speaking. Best are usually boom microphones or lapel microphones or hand held microphones, but if necessary you can get often get acceptable sound with a microphone that is built into, or attached to, the camera, if you are careful and are not too far away. On the other hand, if the camera is too close to the subject, the face may appear distorted.

If you shoot indoors, you should probably adjust the light or lights so that the shadows, especially the eye shadows, are not too deep. Fancy lighting is not necessary. You can use an ordinary lamp or lamps, but it is usually best to avoid fluorescent lighting, which can yield unpleasant colors. If you shoot outdoors, try to avoid direct sunlight, which casts harsh shadows.

Shoot a test, and see how it looks and sounds.

Please don't send e-mail with attachments, but send the videos to me at the address below.

Mini DV and DV format is best, but vhs is OK. Other formats are difficult for me, so send an e-mail inquiry before sending any other format, since I may not be able to use them. And by all means send an e-mail if you have questions.

With the tape, I'll need a signed, dated [release](#). If you are under 18, have your parent or guardian sign too.

Walter Miale  
Green World Center  
889 Old Notch Road  
Sutton, Quebec  
J0E 2K0 Canada  
waltermiale "at" greenworldcenter.org

## Appendix I

---

Re: The Cuban  
Missile Crisis

# The Meeting Between Robert Kennedy and Soviet Ambassador Anatoly Dobrynin

[http://wwics.si.edu/index.cfm?topic\\_id=1409&fuseaction=library.document&id=508](http://wwics.si.edu/index.cfm?topic_id=1409&fuseaction=library.document&id=508) or  
[http://www.gwu.edu/~nsarchiv/nsa/cuba\\_mis\\_cri/moment.htm](http://www.gwu.edu/~nsarchiv/nsa/cuba_mis_cri/moment.htm)

"Anatomy of a Controversy: Anatoly F. Dobrynin's Meeting  
With Robert F. Kennedy, Saturday, 27 October 1962"  
(Excerpts)

From

THE COLD WAR INTERNATIONAL  
HISTORY PROJECT BULLETIN

Issue 5, Spring 1995, pp. 75, 77-80

by Jim Hershberg

### **Robert F. Kennedy's (edited) Description**

I telephoned Ambassador Dobrynin about 7:15 P.M. and asked him to come to the Department of Justice. We met in my office at 7:45. I told him first that we knew that work was continuing on the missile bases in Cuba and that in the last few days it had been expedited. I said that in the last few hours we had learned that our reconnaissance planes flying over Cuba had been fired upon and that one of our U-2s had been shot down and the pilot killed. That for us was a most serious turn of events.

President Kennedy did not want a military conflict. He had done everything possible to avoid a military engagement with Cuba and with the Soviet Union, but now they had forced our hand.

Because of the deception of the Soviet Union, our photographic reconnaissance planes would have to continue to fly over Cuba, and if the Cubans or Soviets shot at these planes, then we would have to shoot back. This would inevitably lead to further incidents and to escalation of the conflict, the implications of which were very grave indeed.

He said the Cubans resented the fact that we were violating Cuban air space. I replied that if we had not violated Cuban air space, we would still be believing what Khrushchev had said— that there would be no missiles placed in Cuba. In any case, I said, this matter was far more serious than the air space of Cuba—it involved the peoples of both of our countries and, in fact, people all over the globe.

The Soviet Union had secretly established missile bases in Cuba while at the same time proclaiming privately and publicly that this would never be done. We had to have a commitment by tomorrow that those bases would be removed. I was not giving them an ultimatum but a statement of fact. He should understand that if they did not remove those bases, we would remove them. President Kennedy had great respect for the Ambassador's country and the courage of its people. Perhaps his country might feel it necessary to take retaliatory action; but before that was over, there would be not only dead Americans but dead Russians as well.

He asked me what offer the United States was making, and I told him of the letter that President Kennedy had just transmitted to Khrushchev. He raised the question of our removing the missiles from Turkey. I said that there could be no quid pro quo or any arrangement made under this kind of threat or pressure and that in the last analysis this was a decision that would have to be made by NATO. However, I said, President Kennedy had been anxious to remove those missiles from Italy and Turkey for a long period of time. He had ordered their removal some time ago, and it was our judgment that, within a short time after this crisis was over, those missiles would be gone.

I said President Kennedy wished to have peaceful relations between our two countries. He wished to resolve the problems that confronted us in Europe and Southeast Asia. He wished to move forward on the control of nuclear weapons. However, we could make progress on these matters only when the crisis was behind us. Time was running out. We had only a few more hours—we needed an answer immediately from the Soviet Union. I said we must have it the next day.

I returned to the White House....

[Robert F. Kennedy, *Thirteen Days: A Memoir of the Cuban Missile Crisis* (New York: New American Library, 1969), 107-109.]

\* \* \* \* \*

### **Khrushchev's Description**

The climax came after five or six days, when our ambassador to Washington, Anatoly Dobrynin, reported that the President's brother, Robert Kennedy, had come to see him on an unofficial visit. Dobrynin's report went something like this:

"Robert Kennedy looked exhausted. One could see from his eyes that he had not slept for days. He himself said that he had not been home for six days and nights. 'The President is in a grave situation,' Robert Kennedy said, 'and does not know how to get out of it. We are under very severe stress. In fact we are under pressure from our military to use force against Cuba. Probably at this very moment the President is sitting down to write a message to Chairman Khrushchev. We want to ask you, Mr. Dobrynin, to pass President Kennedy's message to Chairman Khrushchev through unofficial channels. President Kennedy implores Chairman Khrushchev to accept his offer and to take into consideration the peculiarities of the American system. Even though the President himself is very much against starting a war over Cuba, an irreversible chain of events could occur against his will. That is why the President is appealing directly to Chairman Khrushchev for his help in liquidating this conflict. If the situation continues much longer, the President is not sure that the military will not overthrow him and seize power. The American army could get out of control.'"

[Khrushchev Remembers, intro., commentary, and notes by Edward Crankshaw, trans. and ed. by Strobe Talbott (Boston: Little, Brown, 1970; citation from paperback edition, New York: Bantam, 1971), pp. 551-52]

\* \* \* \* \*

### **From Sorensen's "Confession"**

...the president [Kennedy] recognized that, for Chairman Khrushchev to withdraw the missiles from Cuba, it would be undoubtedly helpful to him if he could say at the same time to his colleagues on the Presidium, "And we have been assured that the missiles will be coming out of Turkey." And so, after the ExComm meeting [on the evening of 27 October 1962], as I'm sure

almost all of you know, a small group met in President Kennedy's office, and he instructed Robert Kennedy—at the suggestion of Secretary of State [Dean] Rusk—to deliver the letter to Ambassador Dobrynin for referral to Chairman Khrushchev, but to add orally what was not in the letter: that the missiles would come out of Turkey.

Ambassador Dobrynin felt that Robert Kennedy's book did not adequately express that the "deal" on the Turkish missiles was part of the resolution of the crisis. And here I have a confession to make to my colleagues on the American side, as well as to others who are present. I was the editor of Robert Kennedy's book. It was, in fact, a diary of those thirteen days. And his diary was very explicit that this was part of the deal; but at that time it was still a secret even on the American side, except for the six of us who had been present at that meeting. So I took it upon myself to edit that out of his diaries, and that is why the Ambassador is somewhat justified in saying that the diaries are not as explicit as his conversation.

[Sorenson comments, in Bruce J. Allyn, James G. Blight, and David A. Welch, eds., *Back to the Brink: Proceedings of the Moscow Conference on the Cuban Missile Crisis, January 27-28, 1989* (Lanham, MD: University Press of America, 1992), pp. 92-93]

\* \* \* \* \*

### **Jim Hershberg's commentary on Sorenson's comments**

Sorenson's version of events is borne out by a "top secret" memo from Robert Kennedy to Secretary of State Rusk, in which, according to Jim Hershberg, who collected and edited these accounts, "Kennedy appears to have penciled out a sentence noting that 'per [Rusk's] instructions' he had told Dobrynin that the Turkish missile issue 'could be resolved satisfactorily' in 'four or five months.' Instead, in a blatant falsification of the historical record, the revised memo would leave unmodified the assertion that RFK had affirmed that it was 'completely impossible for NATO to take such a step under the present threatening position of the Soviet Union' and 'there could be no deal of any kind' regarding the Jupiters.

"Robert Kennedy's abhorrence of the idea of leaving a written trace of the under-the-table 'understanding' on the Turkish missiles emerges even more clearly from Dobrynin's account, printed [here], of his 30 October 1962 meeting at which the Attorney General insisted on handing back to Dobrynin a letter from Khrushchev to Kennedy which had explicitly affirmed the private deal. (See Dobrynin cable of 30 October 1962.) Robert Kennedy, for his part, had no

compunctions about confirming, repeatedly, that a private oral 'understanding' existed between the Soviet and U.S. leaderships on the dismantling of the Jupiter missiles in Turkey 'within the period of time indicated earlier,' i.e., 4-5 months. However, he added, such a sensitive understanding could not be put down on paper, even in confidential correspondence between heads of state: 'Speaking in all candor, I myself, for example, do not want to risk getting involved in the transmission of this sort of letter, since who knows where and when such letters can surface or be somehow published--not now, but in the future--and any changes in the course of events are possible. The appearance of such a document could cause irreparable harm to my political career in the future.'"

[From More on Bobby and the Cuban Missile Crisis, by Jim Hershberg - Cold War International History Project Virtual Archive]

[http://wwics.si.edu/index.cfm?topic\\_id=1409&fuseaction=library.document&id=171](http://wwics.si.edu/index.cfm?topic_id=1409&fuseaction=library.document&id=171) )

\* \* \* \* \*

### **Dobrynin's Cable to the Soviet Foreign Ministry**

27 October 1962:

TOP SECRET Making Copies Prohibited Copy No. I

CIPHERED TELEGRAM

Late tonight R. Kennedy invited me to come see him. We talked alone....

The USA government is determined to get rid of those bases—up to, in the extreme case, of bombing them, since, I repeat, they pose a great threat to the security of the USA. But in response to the bombing of these bases, in the course of which Soviet specialists might suffer, the Soviet government will undoubtedly respond with the same against us, somewhere in Europe. A real war will begin, in which millions of Americans and Russians will die. We want to avoid that any way we can, I'm sure that the government of the USSR has the same wish. However, taking time to find a way out [of the situation] is very risky (here R. Kennedy mentioned as if in passing that there are many unreasonable heads among the generals, and not only among the generals, who are itching for a fight'). The situation might get out of control, with irreversible consequences."

"In this regard," R. Kennedy said, 'the president considers that a suitable basis for regulating the

entire Cuban conflict might be the letter N.S. Khrushchev sent on October.26 and the letter in response from the President. which was sent off today to N.S. Khrushchev through the US Embassy in Moscow. The most important thing for us,' R. Kennedy stressed, "is to get as soon as possible the agreement of the Soviet government to halt further work on the construction of the missile bases in Cuba and take measures under international control that would make it impossible to use these weapons. In exchange the government of the USA is ready, in addition to repealing all measures on the "quarantine," to give the assurances that there will not be any invasion of Cuba and that other countries of the Western Hemisphere are ready to give the same assurances—the US government is certain of this."

"And what about Turkey?" I asked R. Kennedy.

"If that is the only obstacle to achieving the regulation I mentioned earlier, then the president doesn't see any unsurmountable difficulties in resolving this issue," replied R. Kennedy. "The greatest difficulty for the president is the public discussion of the issue of Turkey. Formally the deployment of missile bases in Turkey was done by a special decision of the NATO Council. To announce now a unilateral decision by the president of the USA to withdraw missile bases from Turkey—this would damage the entire structure of NATO and the US position as the leader of NATO, where, as the Soviet government knows very well, there are many arguments. In short. if such a decision were announced now it would seriously tear apart NATO."

"However, President Kennedy is ready to come to agree on that question with N.S. Khrushchev, too. I think that in order to withdraw these bases from Turkey," R. Kennedy said, 'we need 4-5 months. This is the minimal amount of time necessary for the US government to do this, taking into account the procedures that exist within the NATO framework. On the whole Turkey issue," R. Kennedy added, "if Premier N.S. Khrushchev agrees with what I've said, we can continue to exchange opinions between him and the president, using him, R. Kennedy and the Soviet ambassador. "However, the president can't say anything public in this regard about Turkey," R. Kennedy said again. R. Kennedy then warned that his comments about Turkey are extremely confidential; besides him and his brother, only 2-3 people know about it in Washington.

I should say that during our meeting R. Kennedy was very upset; in any case, I've never seen him like this before. ...

27/X-62 A. DOBRYNIN

[Source: Russian Foreign Ministry archives, translation from copy provided by NHK, in Richard Ned Lebow and Janice Gross Stein, *We All Lost the Cold War* (Princeton, NJ: Princeton University Press, 1994), appendix, pp. 523-526, with minor revisions.]

\*\*\*\*\*

### **Lebow and Stein comment**

*We All Lost the Cold War* (excerpt):

The cable testifies to the concern of John and Robert Kennedy that military action would trigger runaway escalation. Robert Kennedy told Dobrynin of his government's determination to ensure the removal of the Soviet missiles in Cuba, and his belief that the Soviet Union "will undoubtedly respond with the same against us, somewhere in Europe." Such an admission seems illogical if the administration was using the threat of force to compel the Soviet Union to withdraw its missiles from Cuba. It significantly raised the expected cost to the United States of an attack against the missiles, thereby weakening the credibility of the American threat. To maintain or enhance that credibility, Kennedy would have had to discount the probability of Soviet retaliation to Dobrynin. That nobody in the government was certain of Khrushchev's response makes Kennedy's statement all the more remarkable.

It is possible that Dobrynin misquoted Robert Kennedy. However, the Soviet ambassador was a careful and responsible diplomat. At the very least, Kennedy suggested that he thought that Soviet retaliation was likely. Such an admission was still damaging to compellence. It seems likely that Kennedy was trying to establish the basis for a more cooperative approach to crisis resolution. His brother, he made clear, was under enormous pressure from a coterie of generals and civilian officials who were "itching for a fight." This also was a remarkable admission for the attorney general to make. The pressure on the president to attack Cuba, as Kennedy explained at the beginning of the meeting, had been greatly intensified by the destruction of an unarmed American reconnaissance plane. The president did not want to use force, in part because he recognized the terrible consequences of escalation, and was therefore requesting Soviet assistance to make it unnecessary.

This interpretation is supported by the president's willingness to remove the Jupiter missiles as a quid pro quo for the withdrawal of missiles in Cuba, and his brother's frank confession that the only obstacle to dismantling the Jupiters were political. "Public discussion" of a missile exchange would damage the United States' position in NATO. For this reason, Kennedy

revealed, "besides himself and his brother, only 2-3 people know about it in Washington." Khrushchev would have to cooperate with the administration to keep the American concession a secret.

Most extraordinary of all is the apparent agreement between Dobrynin and Kennedy to treat Kennedy's de facto ultimatum as "a request, and not an ultimatum." This was a deliberate attempt to defuse as much as possible the hostility that Kennedy's request for an answer by the next day was likely to provoke in Moscow. So too was Dobrynin's next sentence: "I noted that it went without saying that the Soviet government would not accept any ultimatum and it was good that the American government realized that."

Prior meetings between Dobrynin and Kennedy had sometimes degenerated into shouting matches. On this occasion, Dobrynin indicates, the attorney general kept his emotions in check and took the ambassador into his confidence in an attempt to cooperate on the resolution of the crisis. This two-pronged strategy succeeded where compellence alone might have failed. It gave Khrushchev positive incentives to remove the Soviet missiles and reduced the emotional cost to him of the withdrawal. He responded as Kennedy and Dobrynin had hoped.

---

**Re: Somoza and  
the Contra war in  
Nicaragua**

## Appendix II

### WHERE IS NICARAGUA?

By  
Peter Davis

Excerpt

The opposition to the Sandinistas was that strong, that unyielding. It was not disagreement with the Sandinistas that was so striking, it was the wish, as the foreign businessman said, "to eradicate them—like weeds." Did the Sandinistas in their hearts, in their *Marxist* hearts, also wish to eradicate the business community? Surely this could continue the Nicaraguan tradition of noncomity, of solving problems by not granting your opponents the right to exist. It would also conform to the Western stereotype of Communists.

As good politicians, the Sandinistas naturally denied they harbored any such wish. "We need them," one could hear in any government ministry. "All you have to do is look at the tin shacks and barefoot kids and empty shelves, the queues for milk in stores even in the countryside where the cows are. We need the managerial and commercial experience of every Nicaraguan." It was the party line. But were they making conditions hospitable for business to proceed, or was activity in the private sector becoming, as the COSEP [Supreme Council of Private Enterprise, the president of which, Enrique Bolanos Geyer, is now president of Nicaragua] officials and the implacable foreigner maintained, impossible?

From *Where is Nicaragua?* by Peter Davis (New York: Simon and Schuster, 1987), pp. 176-180

Like every other group in Nicaragua, business itself was divided. In the comfortable though not extravagant ease of his home in an upper-class residential section of Managua, a semi-retired industrialist had no doubts about living with the Sandinistas. "Business now is better than it was last year, and it was better last year than it was the year before," said Ramiro Lacayo, former head of the Nicaraguan subsidiary of Pennwalt, the Giant chemical manufacturer. "The government helps the private sector and encourages us as much as possible. When there are problems with the workers, the government helps settle them, but it does not impose settlements."

Ramiro Lacayo was sixty-nine, retired from Pennwalt but still an active investor in that company as well as others. His son-in-law was the current general manager of Pennwalt and was also finding it possible to do business with and under the Sandinista government....

An article in *Life* magazine had featured Ramiro Lacayo as one of "the nervous rich of Nicaragua." By Nicaraguan standards he was certainly rich....He was nervous, however, only about the United States, not about the Sandinistas. "We wait to see what Reagan will do," he said, "and we pray for him not to do it to us." ....I asked him how his response to the Sandinistas could be so different from that of COSEP.

"[They] are no longer even trying to do business. They are now only doing politics. They don't know cotton and bananas anymore, they know only political maneuvering. You know what happened when we had private financial control? The banks would lend huge amounts to their favorite customers at eight percent; later on it went up to about fourteen percent. They wouldn't lend anything to the people who only needed to borrow a little. But the big borrowers, meanwhile would turn around and lend their borrowed money to the small farmers and tradesmen at sixty percent interest. That's right, sixty. The end result was that the tradespeople and smaller landowners would lose their property and become vassals to the big landowners. Was that capitalism or was it feudalism? Perhaps it was capitalism in a sense, but the form capitalism took in Nicaragua was a feudal form. Do Reagan and [Secretary of State] Schultz understand what we had here under Somoza? All systems have some corruption, but this one *ran* on corruption. Corruption was the oil that made all the parts move."

I asked whether private enterprise had guarantees that it could survive under the Sandinistas.

"Ah, you have to know how to live with this government. Some of the businessmen don't even want to try. Government controls drive them crazy. But look at the Pellas family, the second-richest family in Nicaragua after Somoza. They were in banks, rum, cattle, beer, sugar, coffee, automobile distribution. The revolution came, and some of them left for Miami. But others stayed. Carlos Pellas decided to do business with the Sandinistas even after they nationalized his banks. He still has the largest sugar refinery in Central

America, and he is now expanding it. All business is inhibited by the lack of foreign currency, but we're still in business....North American pressure makes it harder to do business and encourages Marxism...."

I asked if he thought the government should negotiate with the contras. Theoretically, he said, any two parties at war should negotiate. The contras made this difficult in the context of the war against Somoza, a context all Nicaraguans still lived within. "They keep on committing crimes against humanity," Lacayo said, "the kind of crimes the Guardia [Somoza's Guard] was known for. They are not making war so much as making murder, attacking farmers and teachers who have nothing to do with any war. The government would lose support if it negotiated with such people. My second daughter's first husband was tortured to death by the Guardia in 1972. Almost every family in Nicaragua has a story like that somewhere. These are difficult things to forget, especially when it is the same Guardia members leading the contras."

Has the revolution been hard on you personally?

"Personally, no. Economically, *absolutamente*. I used to go to Europe every year, and every year I bought two new cars. I have no new cars since 1979, and I have been to Europe only once."

How do you support a government that forces you to give that up?

"The government didn't force me to give that up. My country has very hard times, and I am part of my country."

---

## Appendix III

---

Re: The Nuclear  
Hair Trigger

### The Moments Between September 25 & 26, 1983

by  
Glen Pedersen

"Most of the world is unaware anything unusual happened at this time, yet these moments nearly led to the most devastating catastrophe in the history of humanity. The actions and exceptional judgment of Stanislav Petrov, a Soviet military officer, averted a worldwide nuclear war, preventing what could have become the tragedy of the ages. The audio recording *World Hero* and the article *Stanislav Petrov - World Hero* tell of this incident."

**World Hero was produced by Glen Pederson who made and edited the following compilation**, which appears at [http://www.brightstarsound.com/world\\_hero/insight.html](http://www.brightstarsound.com/world_hero/insight.html)

There is more on the incident and on Commander Petrov at <http://www.brightstarsound.com/>

---

#### *Chilling Realization*

"I think that this is the closest we've come to accidental nuclear war." - *Bruce Blair, Cold War nuclear strategy expert, Dateline NBC, Nov. 12, 2000*

---

#### *Unheralded Hero*

Even though Lieutenant Colonel Stanislav Petrov's quick thinking and sound judgment averted a worldwide nuclear war in 1983, ironically he was not rewarded for his actions. In an interview in 1998 Stanislav Petrov said, "The first reaction of my commander-general was, 'We will honor you.' But then a commission was launched into what had gone wrong. My commanders were blamed. And if the commanders were to blame, then the subordinates like me could not be innocent. It's an old thing we have in Russia. The subordinate cannot be cleverer than the boss, so there was no honor or credit for me . . . . Once I would have liked to have been given some credit for what I did. But it is so long ago and today everything is emotionally burned out inside me." - *Daily Mail, Oct. 7, 1998*

---

#### *In the Words of Stanislav Petrov . . .*

Soviet Lieutenant Colonel Stanislav Petrov averted a worldwide nuclear war in 1983, holding firm while alarms around him were indicating that his country was under attack, with U.S. missiles

launched and heading toward Soviet territory. By declaring a false alarm, he prevented any possibility of a nuclear "retaliation" against the West by the Soviet Union. In the past several years he has been interviewed and quoted by many journalists:

"I wish I could say there is no chance of [an accidental nuclear launch today]. But when we deal with space - when we [play] God - who knows what will be the next surprise?" - *Stanislav Petrov in 2004, The Christian Science Monitor, reported by Scott Peterson*

In the false nuclear attack warning in 1983, Stanislav Petrov's decision to disobey procedure was intuitive: "The thought crossed my mind that maybe someone had really launched a strike against us. That made it even harder to lift the receiver and say it was just a false alarm. I understood that I was taking a big risk." - *BBC News, reported by Allan Little*

"Political relations with the United States couldn't have been any worse at the time. But to launch such an attack, one would have to be completely crazy." - *Knight Ridder Newspapers, reported by Mark McDonald*

"You can't possibly analyze things properly within a couple of minutes. All you can rely on is your intuition. I had two arguments to fall back on. First, missile attacks do not start from just one base. Second, the computer is, by definition, brainless. There are lots of things it can mistake for a missile launch." - *The Moscow News, reported by Yuri Vasilyev*

"I had a funny feeling in my gut. I didn't want to make a mistake. I made a decision, and that was it." - *Washington Post, reported by David Hoffman*

"I reported it was a false alarm, despite what the screens were showing. I just believed in my judgment and experience, and I trusted those around me." - *Daily Mail, reported by Ian Thomas*

Although Stanislav Petrov reported a false alarm, personally he was not certain. "Not 100 percent sure. Not even close to 100 percent," he said. Waiting the next 15 minutes to see what would happen was unnerving: "Yes, terrifying. Most unpleasant." - *Knight Ridder Newspapers, reported by Mark McDonald*

"I had obviously never dreamt that I would ever face that situation. It was the first and, as far as I know, also the last time that such a thing had happened, except for simulated practice scenarios. In a general way I had wondered if the Americans would actually attack us. We were trained by the military system to believe that the Americans easily might decide to do that. We had no way of judging by ourselves. We learned written English, but not the spoken language, because we were not supposed to be able to speak to anyone from the West. As a military man I never traveled outside the country; I did not even have a passport. The Cold War was ice cold in 1983," he says thoughtfully, closing his eyes. - *Weekendavisen, reported by Anna Libak*

A thought on Stanislav Petrov's mind every time he was on duty: "I

imagined if I'd assume the responsibility for unleashing the Third World War - and I said, no, I wouldn't." - *MosNews.com, reported by Anastasiya Lebedev*

---

Regarding the false nuclear attack warning in 1983: "Foreigners tend to exaggerate my heroism. [I simply did my duty.] I was in the right place at the right moment." - *The Moscow News, reported by Yuri Vasilyev*

---

"All the 20 years that passed since that moment, I didn't believe I had done something extraordinary. I was simply doing my job and I did it well." - *USA TODAY (Associated Press)*

---

"It is nice of them to consider me a hero. I don't know that I am. Since I am the only one in this country who has found himself in this situation, it is difficult to know if others would have acted differently." - *Weekendavisen, reported by Anna Libak*

---

#### *Massive Destruction*

"If the Soviet Union had overreacted, it could have gone very badly. If war had come, Soviet missiles would have destroyed Britain entirely, at least half of Germany and France, and America would have lost maybe 30 percent of its cities and infrastructure." - *Former KGB officer Oleg A. Gordievsky, later a British agent, quoted in an article by Scott Shane in the Baltimore Sun, Aug. 31, 2003*

---

"Had Petrov cracked and triggered a response, Soviet missiles would have rained down on U.S. cities. In turn, that would have brought a devastating response from the Pentagon." - *From an article by Ian Thomas in the Daily Mail, Oct. 7, 1998*

---

#### *Unbelievable*

Since no one has ever experienced a massive nuclear attack, it seems natural to assume it will never happen. For many people, the idea of a nuclear attack is an abstraction - something so extreme and so unrealistic that it seems it can happen only in motion pictures or in novels. Many people assume that world leaders would never be so irresponsible as to let an all-out nuclear war actually take place. Little do they know . . . - *Glen Pederson*

---

#### *Leadership Judgment in the Past*

Soviet leader Nikita Khrushchev spoke with U.S. President John F. Kennedy at the Vienna summit June 4, 1961. Afterward President Kennedy said, "I never met a man like this. I talked about how a nuclear exchange would kill 70 million people in 10 minutes, and he just looked at me as if to say, 'So what?'" - *From the biography Khrushchev, the Man and His Era by William Taubman, as quoted in Time, April 7, 2003*

---

#### *Other Leadership Judgment in the Past . . .*

On April 25, 1972, Secretary of State Henry Kissinger talked with President Nixon about stepping up the Vietnam war effort, with actions such as attacking power plants and docks:

*NIXON: "I'd rather use the nuclear bomb."*

*KISSINGER: "That, I think, would just be too much."*

*NIXON: "The nuclear bomb. Does that bother you? I just want you to think big."*

*It is unclear whether President Nixon was serious or half-serious, or whether he was just seeing what kind of response he would get from the Secretary of State.*

---

### *Agreement*

U.S. President George Bush and Russian President Vladimir Putin signed a nuclear pact May 24, 2002, which will reduce the number of their nuclear warheads by about two-thirds, leaving between 1,700 and 2,200 for each country. However, even this number of remaining warheads is enough to devastate major U.S. and Russian cities many times over. Also, the removed warheads may be stored rather than destroyed, which will enable continued use in the future. The reduction goal does not have to be met until 2012. -

*Information excerpted and paraphrased from an Associated Press article May 24, 2002*

*Though this pact appears to be a positive gesture on the part of both nations, its practical effects and benefits are questionable. (Glen Pederson)*

---

### *Increased Risks*

In the past, any thought of nuclear war implied just one scenario: "The U.S. versus the U.S.S.R." But this is no longer true. Altogether seven countries are presently known for certain to possess nuclear weapons. These countries, in addition to the United States and Russia, are France, China, United Kingdom, India and Pakistan. Israel also reportedly possesses nuclear weapons. North Korea has

admitted pursuing a nuclear weapons program. Countries suspected of developing nuclear weapons have included Iran and Iraq (at the time of this analysis in 2002) and Libya. A number of other countries reportedly have the means to produce nuclear weapons. - *Statistics from the Federation of American Scientists, reported in an Associated Press article Sept. 11, 2002; the North Korean admission was reported in an Associated Press article Oct. 18, 2002*

---

### *Implications*

"Maybe the tension is no longer apparent, but the threat is still real.

"The nuclear attack warning experienced by Stanislav Petrov in 1983 may seem like old news now. Because of its implications, however, there is no way it can be considered 'old news' anytime in the foreseeable future. The large-scale nuclear weapons threat may now seem greatly diminished, but it must be remembered that much of the Cold War era nuclear arsenal still exists - still capable of substantial overkill and still ready for use at a moment's notice. However, fewer people seem openly concerned about nuclear war, with their attention now shifted toward terrorism. But one thing must be understood: Large-scale nuclear danger has not been 'replaced' by terrorism. What is especially disturbing is that the high risk of nuclear war will almost certainly return - possibly by surprise and even by accident - unless it is put completely out of existence. If we don't resolve the nuclear weapons problem, ultimately our descendants will have to deal with it. And the worst of it is this: Those future generations may not be so lucky as we were in September of 1983." - *Glen Pedersen, producer of the recording World Hero*

---

**Re: Preventive War  
and the Invasion of  
Iraq; Mistakes or  
Crimes?; and the  
Ray McGovern  
interview**

## Appendix IV

### The Smoking Gun

By  
Ray McGovern

As a CIA analyst for 27 years, Ray McGovern gave the top national security officials of the Reagan administration their morning intelligence briefings. Among these officials were then vice president George H.W. Bush, the Chairman of the Joint Chiefs of Staff, and the president's National Security Advisor. After retiring, McGovern, who is on the Steering Group of Veteran Intelligence Professionals for Sanity, worked for a program for disadvantaged young people in inner city Washington, and he now works for Tell the Word, the publishing arm of the ecumenical Church of the Saviour.

The document discussed here, the minutes, of a briefing of prime minister Tony Blair by the head of British intelligence, Richard Dearlove, became known as the first of the "Downing Street Memso" (after the official residence of the British prime minister), and can be found in its entirety at <http://www.downingstreetmemo.com/>. For a summary of the other documents, see the section on Preventive War and the Invasion of Iraq, above.

#### **"Intelligence and facts are being fixed around the policy."**

Never in our wildest dreams did we think we would see those words in black and white—and beneath a SECRET stamp, no less. For three years now, we in Veteran Intelligence Professionals for Sanity (VIPS) have been saying that the CIA and its British counterpart, MI-6, were ordered by their countries' leaders to "fix facts" to "justify" an unprovoked war on Iraq. More often than not, we have been greeted with stares of incredulity.

It has been a hard learning—that folks tend to believe what they want to believe. As long as our evidence, however abundant and persuasive, remained circumstantial, it could not compel belief. It simply is much easier on the psyche to assent to the White House

spin machine blaming the Iraq fiasco on bad intelligence than to entertain the notion that we were sold a bill of goods.

Well, you can forget circumstantial. Thanks to an unauthorized disclosure by a courageous whistleblower, the evidence now leaps from official documents—this time authentic, not forged. Whether prompted by the open appeal of the international Truth-Telling Coalition or not, some brave soul has made the most explosive "patriotic leak" of the war by giving London's Sunday Times the official minutes of a briefing by Richard Dearlove, then head of Britain's CIA equivalent, MI-6. Fresh back in London from consultations in Washington, Dearlove briefed Prime Minister Blair and his top national security officials on July 23, 2002, on the Bush

administration's plans to make war on Iraq.

Blair does not dispute the authenticity of the document, which immortalizes a discussion that is chillingly amoral. Apparently no one felt free to ask the obvious questions. Or, worse still, the obvious questions did not occur.

### **Juggernaut Before The Horse**

In emotionless English, Dearlove tells Blair and the others that President Bush has decided to remove Saddam Hussein by launching a war that is to be "justified by the conjunction of terrorism and weapons of mass destruction." Period. What about the intelligence? Dearlove adds matter-of-factly, "The intelligence and facts are being fixed around the policy."

At this point, Foreign Secretary Jack Straw confirms that Bush has decided on war, but notes that stitching together justification would be a challenge, since "the case was thin." Straw noted that Saddam was not threatening his neighbors and his WMD capability was less than that of Libya, North Korea or Iran.

In the following months, "the case" would be buttressed by a well-honed U.S.-U.K. intelligence-turned-propaganda-machine. The argument would be made "solid" enough to win endorsement from Congress and Parliament by conjuring up:

- \* Aluminum artillery tubes misdiagnosed as nuclear related;
- \* Forgeries alleging Iraqi attempts to obtain uranium in Africa;
- \* Tall tales from a drunken defector about mobile biological weapons laboratories;
- \* Bogus warnings that Iraqi forces could fire WMD-tipped missiles within 45 minutes of an order to do so;
- \* Dodgy dossiers fabricated in London; and
- \* A U.S. National Intelligence Estimate thrown in for good measure.

All this, as Dearlove notes dryly, despite the fact that "there was

little discussion in Washington of the aftermath after military action." Another nugget from Dearlove's briefing is his bloodless comment that one of the U.S. military options under discussion involved "a continuous air campaign, initiated by an Iraqi *casus belli*"—the clear implication being that planners of the air campaign would also see to it that an appropriate *casus belli* was orchestrated.

The discussion at 10 Downing St. on July 23, 2002 calls to mind the first meeting of George W. Bush's National Security Council (NSC) on Jan. 30, 2001, at which the president made it clear that toppling Saddam Hussein sat atop his to-do list, according to then-Treasury Secretary Paul O'Neil, who was there. O'Neil was taken aback that there was no discussion of why it was necessary to "take out" Saddam. Rather, after CIA Director George Tenet showed a grainy photo of a building in Iraq that he said might be involved in producing chemical or biological agents, the discussion proceeded immediately to which Iraqi targets might be best to bomb. Again, neither O'Neil nor the other participants asked the obvious questions. Another NSC meeting two days later included planning for dividing up Iraq's oil wealth.

### **Obedience School**

As for the briefing of Blair, the minutes provide further grist for those who describe the U.K. prime minister as Bush's "poodle." The tone of the conversation bespeaks a foregone conclusion that Blair will wag his tail cheerfully and obey the learned commands. At one point he ventures the thought that, "If the political context were right, people would support regime change." This, after Attorney General Peter Goldsmith has already warned that the desire for regime change "was not a legal base for military action,"—a point Goldsmith made again just 12 days before the attack on Iraq until he was persuaded by a phalanx of Bush administration lawyers to change his mind 10 days later.

The meeting concludes with a directive to "work on the

assumption that the UK would take part in any military action."

I cannot quite fathom why I find the account of this meeting so jarring. Surely it is what one might expect, given all else we know. Yet seeing it in bloodless black and white somehow gives it more impact. And the implications are no less jarring.

One of Dearlove's primary interlocutors in Washington was his American counterpart, CIA director George Tenet. (And there is no closer relationship between two intelligence services than the privileged one between the CIA and MI-6.) Tenet, of course, knew at least as much as Dearlove, but nonetheless played the role of accomplice in serving up to Bush the kind of "slam-dunk intelligence" that he knew would be welcome. If there is one unpardonable sin in intelligence work, it is that kind of politicization. But Tenet decided to be a "team player" and set the tone.

### **Politicization: Big Time**

Actually, politicization is far too mild a word for what happened. The intelligence was not simply mistaken; it was manufactured, with the president of the United States awarding foreman George Tenet the Medal of Freedom for his role in helping supervise the deceit. The British documents make clear that this was not a mere case of "leaning forward" in analyzing the intelligence, but rather mass deception—an order of magnitude more serious. No other conclusion is now possible.

Small wonder, then, to learn from CIA insiders like former case officer Lindsay Moran that Tenet's malleable managers told their minions, "Let's face it. The president wants us to go to war, and our job is to give him a reason to do it."

Small wonder that, when the only U.S. analyst who met with the alcoholic Iraqi defector appropriately codenamed "Curveball" raised strong doubt about Curveball's reliability before then-Secretary of

State Colin Powell used the fabrication about "mobile biological weapons trailers" before the United Nations, the analyst got this e-mail reply from his CIA supervisor:

"Let's keep in mind the fact that this war's going to happen regardless of what Curveball said or didn't say, and the powers that be probably aren't terribly interested in whether Curveball knows what he's talking about."

When Tenet's successor, Porter Goss, took over as director late last year, he immediately wrote a memo to all employees explaining the "rules of the road"—first and foremost, "We support the administration and its policies." So much for objective intelligence insulated from policy pressure.

Tenet and Goss, creatures of the intensely politicized environment of Congress, brought with them a radically new ethos—one much more akin to that of Blair's courtiers than to that of earlier CIA directors who had the courage to speak truth to power.

Seldom does one have documentary evidence that intelligence chiefs chose to cooperate in both fabricating and "sexing up" (as the British press puts it) intelligence to justify a prior decision for war. There is no word to describe the reaction of honest intelligence professionals to the corruption of our profession on a matter of such consequence. "Outrage" does not come close.

### **Hope In Unauthorized Disclosures**

Those of us who care about unprovoked wars owe the patriot who gave this latest British government document to The Sunday Times a debt of gratitude. Unauthorized disclosures are gathering steam. They need to increase quickly on this side of the Atlantic as well—the more so, inasmuch as Congress—controlled by the president's party—cannot be counted on to discharge its constitutional prerogative for oversight.

In its formal appeal of Sept. 9, 2004 to current U.S. government officials, the Truth-Telling Coalition said this:

We know how misplaced loyalty to bosses, agencies, and careers can obscure the higher allegiance all government officials owe the Constitution, the sovereign public, and the young men and women put in harm's way. We urge you to act

on those higher loyalties...Truth-telling is a patriotic and effective way to serve the nation. The time for speaking out is now.

If persons with access to wrongly concealed facts and analyses bring them to light, the chances become less that a president could launch another unprovoked war—against, say, Iran.

---

## Appendix V

**Re: Mistakes or  
Crimes?**

# Excerpts of the text of the Geneva Conventions of 1949

## CONVENTION I

Programs & Committees > **International Journalism** > Geneva Conventions >  
Convention I

### **For the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Geneva, 12 August 1949.**

#### **Chapter III. Medical Units and Establishments**

Art. 19. Fixed establishments and mobile medical units of the Medical Service may in no circumstances be attacked, but shall at all times be respected and protected by the Parties to the conflict. Should they fall into the hands of the adverse Party, their personnel shall be free to pursue their duties, as long as the capturing Power has not itself ensured the necessary care of the wounded and sick found in such establishments and units.

#### **Chapter VI. Medical Transports**

Art. 35. Transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units.

#### **Chapter VIII. Execution of the Convention**

Art. 45. Each Party to the conflict, acting through its Commanders-in-Chief, shall ensure the detailed execution of the preceding Articles, and provide for unforeseen cases, in conformity with the general principles of the present Convention.

#### **Chapter IX. Repression of Abuses and Infractions**

Art. 49. The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. ...

Art. 50. Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

Art. 51. No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

## CONVENTION III

Programs & Committees > **International Journalism** > **Geneva Conventions** > **Convention III**

# Relative to the Treatment of Prisoners of War, Geneva, 12 August 1949.

## Part II. General Protection of Prisoners of War

Art. 12. Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Art. 13. Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

Art. 14. Prisoners of war are entitled in all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.

## Part III. Captivity

### Section 1. Beginning of Captivity

Art. 17. Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information....

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

### Section II. Internment of Prisoners of War

#### Chapter I. General Observations

Art. 22. Prisoners of war may be interned only in premises located on land and affording every guarantee of hygiene and healthfulness. Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.

#### Chapter II. Quarters, Food and Clothing of Prisoners of War

Art. 25. Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area...

#### Chapter III. Hygiene and Medical Attention

Art. 29. The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics.

Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them.

Also, apart from the baths and showers with which the camps shall be furnished

prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and time shall be granted them for that purpose.

Art. 30. Every camp shall have an adequate infirmary where prisoners of war may have the attention they require, as well as appropriate diet....

Prisoners of war shall have the attention, preferably, of medical personnel of the Power on which they depend and, if possible, of their nationality.

Prisoners of war may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon request, issue to every prisoner who has undergone treatment, an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment received. A duplicate of this certificate shall be forwarded to the Central Prisoners of War Agency.

Art. 31. Medical inspections of prisoners of war shall be held at least once a month. They shall include the checking and the recording of the weight of each prisoner of war.

## Chapter V. Religious, Intellectual and Physical Activities

Art. 36. Prisoners of war who are ministers of religion, without having officiated as chaplains to their own forces, shall be at liberty, whatever their denomination, to minister freely to the members of their community. For this purpose, they shall receive the same treatment as the chaplains retained by the Detaining Power.

Art. 38. While respecting the individual preferences of every prisoner, the Detaining Power shall encourage the practice of intellectual, educational, and recreational pursuits, sports and games amongst prisoners, and shall take the measures necessary to ensure the exercise thereof by providing them with adequate premises and necessary equipment.

Prisoners shall have opportunities for taking physical exercise, including sports and games, and for being out of doors. Sufficient open spaces shall be provided for this purpose in all camps.

## Chapter VIII. Transfer of Prisoners of War

### after their Arrival in Camp

Art. 46. ....The transfer of prisoners of war shall always be effected humanely and in conditions not less favourable than those under which the forces of the Detaining Power are transferred. Account shall always be taken of the climatic conditions to which the prisoners of war are accustomed and the conditions of transfer shall in no case be prejudicial to their health.

The Detaining Power shall supply prisoners of war during transfer with sufficient food and drinking water to keep them in good health, likewise with the necessary clothing, shelter and medical attention. The Detaining Power shall take adequate precautions especially in case of transport by sea or by air, to ensure their safety during transfer, and shall draw up a complete list of all transferred prisoners before their departure.

Art. 47. Sick or wounded prisoners of war shall not be transferred as long as their recovery may be endangered by the journey, unless their safety imperatively demands it.

### Section III. Labour of Prisoners of War

Art. 51. Prisoners of war must be granted suitable working conditions, especially as regards accommodation, food, clothing and equipment; such conditions shall not be inferior to those enjoyed by nationals of the Detaining Power employed in similar work; account shall also be taken of climatic conditions.

The Detaining Power, in utilizing the labour of prisoners of war, shall ensure that in areas in which such prisoners are employed, the national legislation concerning the protection of labour, and, more particularly, the regulations for the safety of workers, are duly applied.

Prisoners of war shall receive training and be provided with the means of protection suitable to the work they will have to do and similar to those accorded to the nationals of the Detaining Power. Subject to the provisions of Article 52, prisoners may be submitted to the normal risks run by these civilian workers.

Conditions of labour shall in no case be rendered more arduous by disciplinary measures.

Art. 52. Unless he be a volunteer, no prisoner of war may be employed on labour which is of an unhealthy or dangerous nature.

No prisoner of war shall be assigned to labour which would be looked upon as humiliating for a member of the Detaining Power's own forces.

The removal of mines or similar devices shall be considered as dangerous labour.

## **Section V. Relations of Prisoners of War With the Exterior**

Art. 70. Immediately upon capture, or not more than one week after arrival at a camp, even if it is a transit camp, likewise in case of sickness or transfer to hospital or to another camp, every prisoner of war shall be enabled to write direct to his family...

Art. 71. Prisoners of war shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each prisoner of war, the said number shall not be less than two letters and four cards monthly

Art. 72. Prisoners of war shall be allowed to receive by post or by any other means individual parcels or collective shipments containing, in particular, foodstuffs, clothing, medical supplies and articles of a religious, educational or recreational character which may meet their needs, including books, devotional articles, scientific equipment, examination papers, musical instruments, sports outfits and materials allowing prisoners of war to pursue their studies or their cultural activities.

The only limits which may be placed on these shipments shall be those proposed by the Protecting Power in the interest of the p

## **Section VI. Relations Between Prisoners of War**

## **and the Authorities**

### **Chapter III. Penal and Disciplinary Sanctions**

#### **Section I. General Provisions**

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

#### **Section II. Disciplinary Sanctions**

Art. 97. Prisoners of war shall not in any case be transferred to penitentiary establishments (prisons, penitentiaries, convict prisons, etc.) to undergo disciplinary punishment therein.

#### **Section III. Juridical Proceedings**

No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit himself guilty of the act of which he is accused.

No prisoner of war may be convicted without having had an opportunity to present his defence and the assistance of a qualified advocate or counsel.

Art. 105. The prisoner of war shall be entitled to assistance by one of his prisoner comrades, to defence by a qualified advocate or counsel of his own choice, to the calling of witnesses and, if he deems necessary, to the services of a competent interpreter. He shall be advised of these rights by the Detaining Power in due time before the trial.

## CONVENTION IV

Programs & Committees > **International Journalism** > **Geneva Conventions** > **Convention IV**

# Relative to the Protection of Civilian Persons in Time of War , 12 August 1949.

## Preamble

## Part II. General Protection of Populations Against Certain Consequences of War

Art. 13. The provisions of Part II cover the whole of the populations of the countries in conflict, without any adverse distinction based, in particular, on race, nationality, religion or political opinion, and are intended to alleviate the sufferings caused by war.

Art. 16. The wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect.

Art. 18. Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack but shall at all times be respected and protected by the Parties to the conflict.

Article 140, and shall decide in consultation with it how to ensure the fulfilment of their obligations under the best possible conditions, in particular with the cooperation of the National Red Cross (Red Crescent, Red Lion and Sun) Societies.

If the Parties to the conflict deem it necessary to restrict family correspondence, such restrictions shall be confined to the compulsory use of standard forms containing twenty-five freely chosen words, and to the limitation of the number of these forms despatched to one each month.

Art. 26. Each Party to the conflict shall facilitate enquiries made by members of families dispersed owing to the war, with the object of renewing contact with one another and of meeting, if possible. It shall encourage, in particular, the work of organizations engaged on this task provided they are acceptable to it and conform to its security regulations.

## Part III. Status and Treatment of Protected Persons

### Section I. Provisions common to the territories of the parties to the conflict and to occupied territories

Art. 27. Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

Art. 31. No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

Art. 55. To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.

# PROTOCOL I

Programs & Committees > **International Journalism** >  
**Geneva Conventions**> **Protocol I**

## **Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 8 June 1977.**

### **PART I. GENERAL PROVISIONS**

Art. 1. General principles and scope of application

3. This Protocol, which supplements the Geneva Conventions of 12 August 1949 for the protection of war victims, shall apply in the situations referred to in Article 2 common to those Conventions.

4. The situations referred to in the preceding paragraph include armed conflicts which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

Art. 10 Protection and care

1. All the wounded, sick and shipwrecked, to whichever Party they belong, shall be respected and protected.

2. In all circumstances they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition....

Art. 11 - Protection of persons

1. The physical or mental health and integrity of persons who are in the power of the adverse Party or who are interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1 shall not be endangered by any unjustified act or omission....

Art. 12 Protection of medical units

1. Medical units shall be respected and protected at all times and shall not be the object of attack.

2. Paragraph 1 shall apply to civilian medical units, provided that they: (a) belong to one of the Parties to the conflict; (b) are recognized and authorized by the competent authority of one of the Parties to the conflict; or (c) are authorized in conformity with Article 9, paragraph 2, of this Protocol or Article 27 of the First Convention....

Art. 14 - Limitations on requisition of civilian medical units

1. The Occupying Power has the duty to ensure that the medical needs of the civilian population in occupied territory continue to be satisfied.

Art. 15. Protection of civilian medical and religious personnel....

2. If needed, all available help shall be afforded to civilian medical personnel in an area where civilian medical services are disrupted

by reason of combat activity.

3. The Occupying Power shall afford civilian medical personnel in occupied territories every assistance to enable them to perform, to the best of their ability, their humanitarian functions....

4. Civilian medical personnel shall have access to any place where their services are essential, subject to such supervisory and safety measures as the relevant Party to the conflict may deem necessary.

## SECTION II. MEDICAL TRANSPORTATION

Art. 21. Medical vehicles

Medical vehicles shall be respected and protected in the same way as mobile medical units under the Conventions and this Protocol....

## Part III. Methods and Means of Warfare Combatant and Prisoners-Of-War

### Section I. Methods and Means of Warfare

Art. 35. Basic rules

1. In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.
2. It is prohibited to employ weapons, projectiles and material and

methods of warfare of a nature to cause superfluous injury or unnecessary suffering.

3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.

Art. 36. New weapons

In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.

Art. 40. Quarter

It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis.

Art. 41. Safeguard of an enemy hors de combat

1. A person who is recognized or who, in the circumstances should be recognized to be hors de combat shall not be made the object of attack.
2. A person is hors de combat if: (a) he is in the power of an adverse Party; (b) he clearly expresses an intention to surrender; or (c) he has been rendered unconscious or is otherwise incapacitated by wounds or sickness, and therefore is incapable of defending himself; provided that in any of these cases he abstains from any hostile act and does not attempt to escape.
3. When persons entitled to protection as prisoners of war have fallen into the power of an adverse Party under unusual conditions of combat which prevent their evacuation as provided for in Part III, Section I, of the Third Convention, they shall be released and all feasible precautions shall be taken to ensure their safety.

## Section II. Combatants and Prisoners of War

Art. 45. Protection of persons who have taken part in hostilities

1. A person who takes part in hostilities and falls into the power of an adverse Party shall be presumed to be a prisoner of war, and therefore shall be protected by the Third Convention, if he claims the status of prisoner of war, or if he appears to be entitled to such status, or if the Party on which he depends claims such status on his behalf by notification to the detaining Power or to the Protecting Power. **Should any doubt arise as to whether any such person is entitled to the status of prisoner of war, he shall continue to have such status and, therefore, to be protected by the Third Convention and this Protocol until such time as his status has been determined by a competent tribunal.**[emphasis added]

2. If a person who has fallen into the power of an adverse Party is not held as a prisoner of war and is to be tried by that Party for an offence arising out of the hostilities, he shall have the right to assert his entitlement to prisoner-of-war status before a judicial tribunal and to have that question adjudicated. Whenever possible under the applicable procedure, this adjudication shall occur before the trial for the offence. The representatives of the Protecting Power shall be entitled to attend the proceedings in which that question is adjudicated, unless, exceptionally, the proceedings are held in camera in the interest of State security. In such a case the detaining Power shall advise the Protecting Power accordingly.

3. **Any person who has taken part in hostilities, who is not entitled to prisoner-of-war status and who does not benefit from more favourable treatment in accordance with the Fourth Convention shall have the right at all times to the protection of**

**Article 75 of this Protocol.** [emphasis added] In occupied territory, any such person, unless he is held as a spy, shall also be entitled, notwithstanding Article 5 of the Fourth Convention, to his rights of communication under that Convention.

## Part IV. Civilian Population

### Section I. General Protection Against Effects of Hostilities

#### Chapter I. Basic rule and field of application

Art. 48. Basic rule

In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

#### Chapter II. Civilians and civilian population

Art. 51. - Protection of the civilian population

1. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. To give effect to this protection, the following rules, which are additional to other applicable rules of international law, shall be

observed in all circumstances.

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

3. Civilians shall enjoy the protection afforded by this section, unless and for such time as they take a direct part in hostilities.

4. Indiscriminate attacks are prohibited. Indiscriminate attacks are: (a) those which are not directed at a specific military objective; (b) those which employ a method or means of combat which cannot be directed at a specific military objective; or (c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol;

and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

5. Among others, the following types of attacks are to be considered as indiscriminate: (a) an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects;

and

(b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

6. Attacks against the civilian population or civilians by way of reprisals are prohibited.

7. The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

8. Any violation of these prohibitions shall not release the Parties to the conflict from their legal obligations with respect to the civilian population and civilians, including the obligation to take the precautionary measures provided for in Article 57.

### Chapter III. Civilian objects

#### Art. 52. General Protection of civilian objects

1. Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2.

2. Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

3. In case of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution

to military action, it shall be presumed not to be so used.

#### Art. 53. Protection of cultural objects and of places of worship

Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954, and of other relevant international instruments, it is prohibited: (a) to commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; (b) to use such objects in support of the military effort; (c) to make such objects the object of reprisals.

#### Art. 54. Protection of objects indispensable to the survival of the civilian population

1. Starvation of civilians as a method of warfare is prohibited.
2. It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as food-stuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.
3. The prohibitions in paragraph 2 shall not apply to such of the objects covered by it as are used by an adverse Party: (a) as sustenance solely for the members of its armed forces; or (b) if not as sustenance, then in direct support of military action, provided, however, that in no event shall actions against these objects be taken which may be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.

4. These objects shall not be made the object of reprisals.

5. In recognition of the vital requirements of any Party to the conflict in the defence of its national territory against invasion, derogation from the prohibitions contained in paragraph 2 may be made by a Party to the conflict within such territory under its own control where required by imperative military necessity.

#### Art. 55. Protection of the natural environment

1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.
2. Attacks against the natural environment by way of reprisals are prohibited.

#### Art. 56. Protection of works and installations containing dangerous forces

1. Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population. Other military objectives located at or in the vicinity of these works or installations shall not be made the object of attack if such attack may cause the release of dangerous forces from the works or installations and consequent severe losses among the civilian population.

#### Chapter IV. Precautionary measures

## Art. 57. Precautions in attack

1. In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.
2. With respect to attacks, the following precautions shall be taken:
  - (a) those who plan or decide upon an attack shall: (i) do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects and are not subject to special protection but are military objectives within the meaning of paragraph 2 of Article 52 and that it is not prohibited by the provisions of this Protocol to attack them; (ii) take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects; (iii) refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;
  - (b) an attack shall be cancelled or suspended if it becomes apparent that the objective is not a military one or is subject to special protection or that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

## Section III. Treatment of Persons in the Power of a Party to the Conflict

## Chapter I. Field of application and protection of persons and objects

## Art. 75. Fundamental guarantees

1. In so far as they are affected by a situation referred to in Article 1 of this Protocol, persons who are in the power of a Party to the conflict and who do not benefit from more favourable treatment under the Conventions or under this Protocol shall be treated humanely in all circumstances and shall enjoy, as a minimum, the protection provided by this Article without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status, or on any other similar criteria. Each Party shall respect the person, honour, convictions and religious practices of all such persons.
2. The following acts are and shall remain prohibited at any time and in any place whatsoever, whether committed by civilian or by military agents: (a) violence to the life, health, or physical or mental well-being of persons, in particular: (i) murder; (ii) torture of all kinds, whether physical or mental; (iii) corporal punishment; and (iv) mutilation;
  - (b) outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form or indecent assault; (c) the taking of hostages; (d) collective punishments; and (e) threats to commit any of the foregoing acts.
3. Any person arrested, detained or interned for actions related to the armed conflict shall be informed promptly, in a language he understands, of the reasons why these measures have been taken.

Except in cases of arrest or detention for penal offences, such persons shall be released with the minimum delay possible and in any event as soon as the circumstances justifying the arrest, detention or internment have ceased to exist.

4. No sentence may be passed and no penalty may be executed on a person found guilty of a penal offence related to the armed conflict except pursuant to a conviction pronounced by an impartial and regularly constituted court respecting the generally recognized principles of regular judicial procedure, which include the following: (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence; ... [Numerous other guarantees are enumerated here.]

6. Persons who are arrested, detained or interned for reasons related to the armed conflict shall enjoy the protection provided by this Article until their final release, repatriation or re-establishment, even after the end of the armed conflict.

7. In order to avoid any doubt concerning the prosecution and trial of persons accused of war crimes or crimes against humanity, the following principles shall apply: (a) persons who are accused or such crimes should be submitted for the purpose of prosecution and trial in accordance with the applicable rules of international law; and (b) any such persons who do not benefit from more favourable treatment under the Conventions or this Protocol shall be accorded the treatment provided by this Article, whether or not the crimes of which they are accused constitute grave breaches of the Conventions or of this Protocol.

## Chapter II. Measures in favour of women and children

Art. 76. Protection of women

1. Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

Art. 77. Protection of children

1. Children shall be the object of special respect and shall be protected against any form of indecent assault. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason.

## Chapter III. Journalists

Art. 79. Measures or protection for journalists

1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.

2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians...

## Part V. Execution of the Conventions and of its Protocols

## Section I. General Provisions

### Art. 80. Measures for execution

3. The High Contracting Parties and the Parties to the conflict shall facilitate in every possible way the assistance which Red Cross (Red Crescent, Red Lion and Sun) organizations and the League of Red Cross Societies extend to the victims of conflicts in accordance with the provisions of the Conventions and this Protocol and with the fundamental principles of the red Cross as formulated by the International Conferences of the Red Cross.

## Section II. Repression of Breaches of the Conventions and of this Protocol

### Art. 85 - Repression of breaches of this Protocol

1. The provisions of the Conventions relating to the repression of breaches and grave breaches, supplemented by this Section, shall apply to the repression of breaches and grave breaches of this Protocol.

2. Acts described as grave breaches in the Conventions are grave breaches of this Protocol if committed against persons in the power of an adverse Party protected by Articles 44, 45 and 73 of this Protocol, or against the wounded, sick and shipwrecked of the adverse Party who are protected by this Protocol, or against those medical or religious personnel, medical units or medical transports which are under the control of the adverse Party and are protected by this Protocol.

3. In addition to the grave breaches defined in Article 11, the following acts shall be regarded as grave breaches of this Protocol, when committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health: (a) making the civilian population or individual civilians the object of attack; (b) launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a)(iii); (c) launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a)(iii); (d) making non-defended localities and demilitarized zones the object of attack; (e) making a person the object of attack in the knowledge that he is hors de combat; (f) the perfidious use, in violation of Article 37, of the distinctive emblem of the red cross, red crescent or red lion and sun or of other protective signs recognized by the Conventions or this Protocol.

4. In addition to the grave breaches defined in the preceding paragraphs and in the Conventions, the following shall be regarded as grave breaches of this Protocol, when committed wilfully and in violation of the Conventions or the Protocol: ... (b) unjustifiable delay in the repatriation of prisoners of war or civilians; (c) practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination; (d) making the clearly-recognized historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples and to which special protection has been given by special arrangement, for example, within the framework of a competent international organization, the

object of attack, causing as a result extensive destruction thereof, where there is no evidence of the violation by the adverse Party of Article 53, subparagraph (b), and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives; (e) depriving a person protected by the Conventions or referred to in paragraph 2 or this Article of the rights of fair and regular trial.

5. Without prejudice to the application of the Conventions and of this Protocol, grave breaches of these instruments shall be regarded as war crimes.

#### Art. 86. Failure to act

1. The High Contracting Parties and the Parties to the conflict shall repress grave breaches, and take measures necessary to suppress all other breaches, of the Conventions or of this Protocol which result from a failure to act when under a duty to do so.

2. The fact that a breach of the Conventions or of this Protocol was committed by a subordinate does not absolve his superiors from penal disciplinary responsibility, as the case may be, if they knew, or had information which should have enabled them to conclude in the circumstances at the time, that he was committing or was going to commit such a breach and if they did not take all feasible measures within their power to prevent or repress the breach.

#### Art. 87. Duty of commanders

1. The High Contracting Parties and the Parties to the conflict shall require military commanders, with respect to members of the armed forces under their command and other persons under their control, to prevent and, where necessary, to suppress and to report to competent authorities breaches of the Conventions and of this Protocol.

2. In order to prevent and suppress breaches, High Contracting

Parties and Parties to the conflict shall require that, commensurate with their level of responsibility, commanders ensure that members of the armed forces under their command are aware of their obligations under the Conventions and this Protocol.

3. The High Contracting Parties and Parties to the conflict shall require any commander who is aware that subordinates or other persons under his control are going to commit or have committed a breach of the Conventions or of this Protocol, to initiate such steps as are necessary to prevent such violations of the Conventions or this Protocol, and, where appropriate, to initiate disciplinary or penal action against violators thereof.

#### Art. 99 - Denunciation

1. In case a High Contracting Party should denounce this Protocol, the denunciation shall only take effect one year after receipt of the instrument of denunciation. If, however, on the expiry of that year the denouncing Party is engaged in one of the situations referred to in Article I, the denunciation shall not take effect before the end of the armed conflict or occupation and not, in any case, before operations connected with the final release, repatriation or re-establishment of the persons protected by the Convention or this Protocol have been terminated.

2. The denunciation shall be notified in writing to the depositary, which shall transmit it to all the High Contracting Parties.

3. The denunciation shall have effect only in respect of the denouncing Party.

4. Any denunciation under paragraph 1 shall not affect the obligations already incurred, by reason of the armed conflict, under this Protocol by such denouncing Party in respect of any act committed before this denunciation becomes effective.

Re: Lawrence  
Eagleburger  
interview

## Appendix VI

---

# Nonviolent Struggle in the American Revolution

The following dialogue is an excerpt of Nonviolent Action 101, a video in the series, America — Where Now?, a work in progress

*Gene Sharp:* There were three major nonviolent resistance campaigns from 1765 to 1775: The struggle against the Stamp Act, the struggle against the Townsend Acts; and the so-called Continental Association, which was a massive and very sophisticated, phased program of economic noncooperation, economic boycotts, and political defiance. **They actually set up independent governments in at least nine of the colonies before the war happened, and the British power virtually collapsed in those nine colonies.**

*Walter Miale:* And the Boston Tea Party?

*Gene:* The Boston Tea Party is the example that is widely cited, but it wasn't a very good example, and I'm not sure whether it's a positive or negative one. Some people at the time thought it was a negative type of activity.

*Walter:* Why isn't it a good example?

*Gene:* It was only focused on dumping boxes of tea into the ocean; compare that with the organization of massive economic boycotts, and of the organization of decentralized governments, of villages, towns, and cities; the organization of substitute governments. The British governor, who had been appointed in London? You don't pay any attention to him—you set up your own government! That's what gave them real

power.

The American Revolution was nonviolent for ten years up until Lexington and Concord, and quite deliberately so.

For example, I think it was George Washington who advocated this one: "We owe British merchants a lot of money. Let's not pay them!"

Economic sanctions got merchants in England to pressure the British government: "Don't treat these colonists that way! We're not getting our money!" Very clever.

Walter: Then what happened at Lexington and Concord?

Gene: Some of the people had been organizing for violence. The colonial leaders were brilliant in many ways, but what they did not understand was how you can continue using nonviolent techniques if the British are using troops against you. This is something that people learned in other parts of the world later. Some of them just thought, well if they are using troops against us, we have no choice but to use guns too.

Walter: What else could they have done?

Gene: They could have continued massive noncooperation. They could have tried to subvert the British troops, the way the resistance did recently in Serbia. And **they could have continued to mobilize the resistance and defiance so that the British could have gone say to Lexington Green—and it's empty!**

---

Re: Robert  
White interview

## Appendix VII

# The Pentagon's Black Budget

---

The annual intelligence budget is approximately \$40 billion per year. (See <http://www.globalsecurity.org/intell/library/budget/index.html> ) According to Steven Aftergood, who heads the project on government secrecy of the Federation of American Scientists, almost all of that \$40 billion is secret, unaccounted for publicly.

Steven Kosiak of the Center for Strategic and Budgetary Assessment researches the Department of Defense's budget for research and development and for procurement. His findings can be found at <http://www.csbaonline.org> : CLASSIFIED FUNDING IN THE FY 2006:

### **DEFENSE BUDGET REQUEST**

By Steven M. Kosiak

Classified or "black" programs appear to account for about \$28.0 billion, or 19 percent, of the acquisition funding included in the fiscal year (FY) 2006

Department of Defense (DoD) budget request (see Table). This total includes \$14.2 billion in weapons procurement funding and \$13.7 billion in research and development (R&D) funding. These figures represent 18 percent and 20 percent, respectively, of the total funding requested for procurement and R&D.

Among other things, this analysis finds that:

- In real (inflation-adjusted) terms the \$28.0 billion FY 2006 request includes more classified acquisition funding than any other defense budget since FY 1988, near the end of the Cold War, when DoD received \$19.7 billion (\$29.4 billion in FY 2006 dollars) for these programs.
- Classified acquisition funding has nearly doubled in real terms since FY 1995, when funding for these funding for these programs reached its post-Cold War low. • Since FY 1995, funding for classified acquisition programs has

increased at a substantially faster rate than has funding for acquisition programs overall, which has grown by about 60 percent in real terms.

The problem in calculating a grand total for the black budget is that there is substantial overlap between the \$40 billion intelligence budget and the \$28 billion for weapons procurement and R & D. I asked John Pike of GlobalSecurity.org, another organization that researches this, how one could estimate the total "black budget." He said it could be done but would take substantial research, and that for several years now no one in Washington has been interested in financing this research. As Steven Aftergood put it, "After the Republicans took control of congress, it was as though all the air was sucked out of the room."

Aftergood said that \$50 billion per year would be a conservative estimate for the black budget, and \$60 might be more likely. That would come to approximately 15 percent of the total military budget.

\$50 billion dollars per year amounts to

**\$137,000,000 per day**, <sup>365</sup>

days a year, with no accounting to the public.

See also *BLANK CHECK: THE PENTAGON'S BLACK BUDGET*, by Tim Wiener, a New York Times reporter (New York, Warner Books, 1991)

---



