

Need to Talk Sense to Netanyahu

Recalling President George Washington's farewell advice against tying the United States too closely to any foreign nation, Veterans for Peace urges President Obama to publicly warn Israel's Prime Minister Netanyahu against attacking Iran with the expectation of U.S. military support.

MEMORANDUM FOR: The President

FROM: Veterans for Peace

SUBJECT: You Need to Talk Sense to Netanyahu

We members of Veterans for Peace have served in every war since WW II. We know war. And we know when it smells like war. It smells that way now, with drums beating loudly for attacking Iran.

Information offered by the media to "prove" Iran a threat bears an eerie resemblance to the "evidence" ginned up to "justify" war on Iraq, evidence later described by the Chairman of the Senate Intelligence Committee, after a five-year committee investigation, as "unsubstantiated, contradicted, or even non-existent."

The good news this time around is that sane policy toward Israel and Iran can find support in a principled U.S. intelligence community, which has rebuffed attempts to force it to serve up doctored "evidence" to justify war. U.S. intelligence continues to adhere to the unanimous, "high-confidence" judgment, set forth in the National Intelligence Estimate (NIE) of November 2007 that Iran stopped working on a nuclear weapon in 2003.

(It may be of more than incidental interest to you that both President George W. Bush and Vice President Dick Cheney have openly admitted that the 2007 NIE put the kibosh on U.S.-Israeli plans to strike Iran in 2008.)

We hope you have been adequately briefed on the findings of the November 2011 report on Iran by the U.N. International Atomic Energy Agency (IAEA). Those findings are consistent with the key judgments of the U.S. intelligence community expressed four years earlier. The IAEA report contained no evidence that Iran has yet decided to build nuclear weapons, despite widespread media hype to the contrary.

Needed: Presidential Action

We believe that you have the power to nip the current warmongering in the bud by taking essentially two key steps:

1-Announce publicly that you will not allow the United States to be drawn into war if Israel attacks Iran or provokes hostilities in some other way.

In threatening and planning such attacks, Israeli Prime Minister Benjamin Netanyahu and his supporters are assuming you would have no option other than to commit U.S. forces in support of Israel. To assume automatic support from the world's sole remaining superpower is a heady thing and an invitation to adventurism.

We are aware that you have dispatched emissary after emissary to ask the Israelis please not to start a war. We mean no offense to those messengers, but there is very little reason to believe that they are taken seriously.

We are convinced that only a strong public demurral from you personally would have much chance of disabusing Netanyahu and other Israeli leaders of the notion that they can expect full American support, no matter how hostilities with Iran begin.

The Risks of Silence

A **public** statement now could pre-empt a catastrophic war. Conversely, the Israeli leaders are likely to interpret unwillingness on your part to speak out clearly as a sign that you will find it politically impossible to deny Israel military support once it is engaged in hostilities with Iran.

What we find surprising (and the Israelis presumably find reassuring) is the nonchalance with which Official Washington and the media discuss the possible outbreak of war. From officials and pundits alike, the notion has gained currency that an attack on Iran is an acceptable option, and that the only remaining questions are if and when the Israelis will choose to attack.

Little heed is paid to the fact that, absent an immediate threat to Israel, such an attack would be a war of aggression as defined and condemned at the Nuremberg Tribunal.

Joint Chiefs Chairman Martin Dempsey's anemic remark on Sunday that an Israeli attack on Iran would be "not prudent" is precisely the kind of understatement to give Netanyahu the impression that he essentially has *carte blanche* to start hostilities with Iran, anticipating a mere tap on the knuckles, if that, from Washington.

2-Announce to the people of the United States and the world that Iran presents no immediate threat to Israel, much less the U.S.

That Iran is no threat to America is clear. Your secretary of state has

acknowledged this publicly. For example, speaking in Qatar on Feb. 14, 2010, Secretary Clinton said that, were Iran to pursue a nuclear weapon, this would “not directly threaten the United States,” but would pose a threat to our “partners here in this region.”

Secretary Clinton has made it clear that the partner she has uppermost in mind is Israel. She and the Israeli leaders have used the media to hype this “threat,” even though it is widely recognized that it would be suicidal for Iran to use such a weapon against Israel, armed as it is with hundreds of nuclear weapons.

The media have drummed into us that a nuclear weapon in Iran’s hands would pose an “existential” threat to Israel, a claim that is difficult to challenge, that is, until one gives it careful thought. Now is the time to challenge it. Indeed, the whole notion is such a stretch that even some very senior Israeli officials have begun to challenge it in public, as we shall point out later in this memorandum.

Chirac Spoof on the “Threat”

Former French President Jacques Chirac is perhaps the best-known Western statesman to ridicule the notion that Israel, with at least 200 to 300 nuclear weapons in its arsenal, would consider Iran’s possession of a nuclear bomb or two an existential threat.

In a recorded interview with the *New York Times*, the *International Herald Tribune*, and *Le Nouvel Observateur*, on Jan. 29, 2007, Chirac put it this way: “Where will it drop it, this bomb? On Israel? It would not have gone 200 meters into the atmosphere before Tehran would be razed.” Chirac concluded that Iran’s possession of a nuclear bomb would not be “very dangerous.”

Oddly, Chirac’s logic has found more receptivity among some of Netanyahu’s top officials than with your own strongly pro-Israel advisers, which now include CIA chief David Petraeus. You may be unaware that Petraeus repeatedly raised the “existential-threat-to-Israel” shibboleth in his recent testimony to Congress.

Petraeus: An “Existentialist”?

At the Senate Intelligence Committee hearing on Jan. 31, Petraeus said he had talked just days before with his Israeli counterpart, Mossad chief Tamir Pardo, who was visiting Washington. Is it conceivable that Petraeus’s staff had not briefed him on Pardo’s dismissive remarks on the supposed “existential threat” just weeks before?

According to Israeli press reports, on Dec. 27, 2011, Pardo complained to an

audience of about 100 Israeli ambassadors: "The term 'existential threat' is used too freely. If one said a nuclear bomb in Iranian hands was an 'existential threat,' that would mean we would have to close up shop and go home. That's not the situation."

One of the ambassadors in the audience told the Israeli newspaper *Haaretz* that Pardo's remarks "clearly implied that he doesn't think a nuclear Iran is an existential threat to Israel." This did not stop Petraeus from repeatedly hyping the "existential threat" in his congressional testimony on Jan. 31.

As if in response to Petraeus, on Feb. 8, Pardo's immediate predecessor as head of Mossad, Meir Dagan, stated publicly that he does not think Israel faces an "existential threat" from Iran.

You may wish to make a point of asking Petraeus why he professes to be more concerned about an "existential threat" to Israel than Mossad, and CIA analysts themselves, seem to be.

Logically, at least, the Pardo/Dagan approach would certainly seem to have the upper hand, if there continues to be no hard evidence that Iran is trying to create a nuclear weapon. It bears repeating; essentially nothing has changed since the intelligence community's finding of November 2007: "We judge with high confidence that in fall 2003, Tehran halted its nuclear weapons program."

Defense Ministers Provide Context

Even authoritative statements by top U.S. and Israeli officials have failed to prevent media hype charging that Iran is developing a nuclear weapon. Defense Secretary Leon Panetta and his counterpart, Israeli Defense Minister Ehud Barak, have publicly stated (on Jan. 8 and Jan. 18 respectively) that Iran is not doing so.

On *Face the Nation*, Panetta asked himself: "Are they [the Iranians] trying to develop a nuclear weapon?" and immediately answered his own question: "No." Ehud Barak followed suit ten days later. He added that only if Iran expelled the U.N. inspectors would there be "definite proof that time is running out" and that "harsher sanctions or other action against Iran" might then be in order.

It is no secret that the Israeli cabinet is divided on whether to attack Iran, with Netanyahu leading the hawks in pushing for early action. How the Israeli leaders interpret similar differences and mixed signals in Washington will be crucial factors in whether Israel decides to move toward war with Iran. Unfortunately, Netanyahu and other hawkish leaders probably feel supported by your remarks before the Super Bowl game on Feb. 5.

We found what you said on Israel and Iran highly disturbing. You told over a hundred million TV viewers: "My number one priority continues to be the security of the United States, but also the security of Israel."

The two are not necessarily the same and, in our view, need to be separated by more than a comma. Publicly equating the security of the U.S. with that of Israel as your "number one priority" can lead to all kinds of mischief, including war.

For a variety of reasons, mostly Israeli reluctance, there is no mutual defense treaty between the United States and Israel. With no treaty to trigger the supremacy clause in the U.S. Constitution there is no legal obligation for our country to defend Israel. And, as we hope you will agree, there is no moral obligation either, if Israel is the side initiating/provoking hostilities.

We respectfully suggest you make all this clear to Netanyahu when he visits you on March 5. Better still, to be on the safe side, tell him publicly, now.

Oaths

In proudly serving in our country's armed forces, we took an oath to support and defend the Constitution of the United States from all enemies, foreign and domestic. We still take that oath with the utmost seriousness, the more so since it bears no expiration date.

We did not swear to bear arms if ordered, without due process, to defend Israel or any other country. Nor did the brave men and women now serving on active duty.

In all candor, we see it as your duty to protect our successor comrades in arms from the consequences of what President George Washington called the kind of "passionate attachment" to another country that brings all manner of evil in its wake.

and Founders

The first President of the United States was born 280 years ago today. Thus, it seems all the more appropriate that we end this memorandum with a highly relevant paragraph from Washington's Farewell Address. But before setting that down as a sharp reminder of what is at stake here, we want to urge you again to issue two statements like the ones we suggest above, which are so much in the spirit of our first President's very prescient warning.

In present circumstances, we believe this would be the best way for you to honor the wise insight of George Washington, and to be true to your own oath to defend

the Constitution. As veterans of the armed forces, we claim a special right to urge you strongly to make it 100 percent clear that **the** number one priority of your presidency is the security of the United States, and thus prevent another totally unnecessary war.

From Washington's *Farewell Address* (1796):

"So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification.

"It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld.

"And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity "

Americans Abandon International Law

After a decade of "war on terror" rhetoric and President Obama's failure to reverse many of George W. Bush's extrajudicial policies the U.S. public has come to accept that American "exceptionalism" puts the nation beyond the reach of international law, as Nat Parry explains.

By Nat Parry

Whether they realize it or not, Americans are increasingly embracing policies that undermine the international rule of law, with self-identified liberals, in particular, seemingly reversing their positions on matters such as the Guantanamo prison camp, extrajudicial assassinations and arbitrary detention.

While just six years ago the U.S. public ranked among the world's most enthusiastic supporters of international law (falling just behind the Germans and the Chinese in global surveys), it now appears that vast majorities of

Americans reject the applicability of international law when it comes to the actions of the U.S. government in the “global war on terror.”

A recent Washington Post-ABC News poll, for example, found that 70 percent of the American public approves of the U.S. government’s decision to indefinitely keep the Guantanamo prison open, despite widespread international condemnation of this policy.

This figure includes 53 percent of self-identified liberal Democrats and 67 percent of moderate or conservative Democrats, “even though it emerged as a symbol of the post-Sept. 11 national security policies of President George W. Bush, which many liberals bitterly opposed,” noted the Washington Post.

In fact, the Post-ABC findings indicate an almost complete reversal of American attitudes on this subject across the political spectrum since the years of the Bush administration. The most pronounced difference has become noticeable in just the past couple years.

In a 2006 poll, for example, 63 percent of respondents said the United States should follow international conventions regarding Guantanamo Bay, while just 30 percent said the U.S. should not be bound by these obligations. The survey also found that Americans generally support giving international courts broad authority to judge U.S. compliance with treaties, with 70 percent rejecting the idea that the United States should receive exceptional treatment under such treaties.

A 2009 survey reconfirmed the strong public support in the U.S. for these principles, finding that 69 percent of Americans agreed with the statement: “Our nation should consistently follow international laws. It is wrong to violate international laws, just as it is wrong to violate laws within a country.” Only 29 percent chose the converse position, “If our government thinks it is not in our nation’s interest, it should not feel obliged to abide by international laws.”

Yet, this is precisely what the U.S. has been doing for over a decade at Guantanamo Bay. On last month’s ten-year anniversary of the prison camp opening, there was a flurry of renewed criticism over the continuing violations of international law by the United States.

On the eve of the anniversary, Human Rights Watch reminded the U.S. of its international obligations: “The practice [of indefinite detention] violates US obligations under international law. Human Rights Watch has strongly urged the US government to either promptly prosecute the remaining Guantanamo detainees according to international fair trial standards, or safely repatriate them to

home or third countries.

“We have also called for investigations of US officials implicated in torture of terrorism suspects and for adequate compensation for detainees who were mistreated. Human Rights Watch will continue to press for compliance with these obligations. Failure to do so does enormous damage to the rule of law both in the US and abroad.”

Arbitrary detention, however, isn't the only area in which Americans are increasingly willing to disregard principles of international law. Regarding torture, a survey conducted last year by the American Red Cross found that 59 percent of American teenagers and 51 percent of adults believe that it is acceptable to torture enemy fighters in order to attain important military information.

Further, 37 percent of youth support “Depriving civilians in combat areas of food, medicine, or water in order to weaken the enemy,” a war crime that is also supported by 29 percent of adults. A whopping 71 percent of youth and 55 percent of adults support “Refusing to allow prisoners to be visited by a representative from a neutral organization to confirm that they are being treated well.”

Extrajudicial assassinations are supported by an even broader majority, with the new Washington Post-ABC News poll finding that 83 percent of Americans approve of the use of unmanned aerial drones to carry out targeted killings of terrorist suspects without due process.

This is despite the fact that Philip Alston, the United Nations special representative on extrajudicial executions, has raised alarms that President Barack Obama's drone strikes “pose a rapidly growing challenge to the international rule of law.” In a 29-page report to the United Nations Human Rights Council presented in June 2010, Alston called on the United States to exercise greater restraint in its use of drones in places like Pakistan and Yemen.

“They are increasingly used in circumstances which violate the relevant rules of international law,” Alston said. “The international community needs to be more forceful in demanding accountability.” He elaborated:

“I'm particularly concerned that the United States seems oblivious to this fact when it asserts an ever-expanding entitlement for itself to target individuals across the globe. But this strongly asserted but ill-defined license to kill without accountability is not an entitlement which the United States or other states can have without doing grave damage to the rules designed to protect the right to life and prevent extrajudicial executions.”

Last month, Obama for the first time admitted that the U.S. is carrying out drone strikes in Pakistan, and in response Amnesty International immediately requested clarification from the administration on the drone program's legality.

"The US authorities must give a detailed explanation of how these strikes are lawful and what is being done to monitor civilian casualties and ensure proper accountability," said Amnesty International's Sam Zarifi on Jan. 31.

"What are the rules of engagement? What proper legal justification exists for these attacks? While the President's confirmation of the use of drones in Pakistan is a welcome first step towards transparency, these and other questions need to be answered," Zarifi said.

So far though, it doesn't appear that the administration has felt the need to reply, perhaps because it knows it has nothing to lose politically by disregarding these commitments on human rights and international law.

As the Washington Post pointed out, even though "Obama campaigned on a pledge to close the brig in Cuba and to change national security policies he criticized as inconsistent with U.S. law and values, [he] has little to fear politically for failing to live up to all of those promises," due to the fact that his liberal base has reversed its views on these subjects since George W. Bush was president.

Constitutional lawyer and Salon.com blogger Glenn Greenwald has attributed these shifting attitudes to "blind leader loyalty," pointing out that "during the Bush years, Guantanamo was the core symbol of right-wing radicalism and what was back then referred to as the 'assault on American values and the shredding of our Constitution.'"

But "now that there is a Democrat in office presiding over Guantanamo and these other policies, rather than a big, bad, scary Republican, all of that has changed," says Greenwald.

While partisan allegiance and liberal hypocrisy may indeed explain the reversal in attitudes to these policies to a large extent, it is also possible that what the shift represents is a subconscious acceptance by the American people of illegal and immoral policies that they would have rejected out of hand ten years ago.

After more than a decade of the "global war on terror," and years of legitimization of these policies by the media and an overwhelming bipartisan consensus in Washington regarding these policies, it's possible that the American public has simply grown desensitized to what arbitrary detention, torture and extrajudicial assassinations really mean, and how out of step with

civilized values these U.S. policies really are.

With the Obama administration's failures to prosecute the worst crimes of the Bush years as well as its continuation of many of the same policies, the U.S. government's routine violations of international norms has seemingly become normalized to a broad cross-section of the American people.

Nat Parry is co-author of *Neck Deep: The Disastrous Presidency of George W. Bush*. [Reposted from Compliancecampaign.wordpress.com with author's permission.]
