

Iraq War: An Affront to Nuremberg

The tenth anniversary of the Iraq War has understandably focused on the thousands upon thousands of people killed and the chaos unleashed. But the war also dealt a harsh blow to the legal principles that U.S. leaders helped enshrine after World War II, as Marjorie Cohn noted in this excerpt from “Cowboy Republic.”

By Marjorie Cohn

According to sources inside the administration, George W. Bush was planning to invade Iraq and remove its government well before the terrorist attacks of September 11, 2001. Such an invasion violates the UN Charter, which the United States signed in 1945 after the bloodiest conflict in history.

The Charter permits countries to use military force against another country only in self-defense or with Security Council permission. But the evidence indicates that the U.S.-led invasion satisfied neither condition and is therefore a war of aggression, which constitutes a Crime Against Peace – exactly the kind of war the Charter was meant to prevent.

Although Bush marketed the war in Iraq as necessary to protect us from Saddam Hussein’s weapons of mass destruction (WMD), his decisions had less to do with self-defense than with dominating the oil-rich Middle East. Some evidence for this conclusion can be found in a September 2000 report prepared by the neoconservative Project for a New American Century (PNAC).

The report, commissioned by Dick Cheney, outlines a plan “to maintain American military preeminence that is consistent with the requirements of a strategy of American global leadership.” It notes that while “the unresolved conflict with Iraq provides the immediate justification, the need for a substantial American force presence in the Gulf transcends the issue of the regime of Saddam Hussein.”

Another document produced for Vice President Cheney’s secret Energy Task Force included a map of Iraqi oilfields, pipelines, refineries and terminals as well as charts detailing Iraqi oil and gas projects and “Foreign Suitors for Iraqi Oilfield Contracts.” That document was dated March 2001, six months before 9/11 and two years before Bush invaded Iraq.

After 9/11, the Bush administration attacked Afghanistan and removed the Taliban from power. But the primary target all along was Iraq. To sell the war to the American people, the administration made two claims and repeated them like a

mantra. First, Iraq had weapons of mass destruction. Second, it had ties with al-Qaeda and was thus complicit in the 9/11 attacks. Although the administration argued that both reasons justified the use of force against Iraq, it was advised repeatedly that neither claim was valid.

No Weapons of Mass Destruction

An August 2006 report prepared at the direction of Rep. John Conyers, Jr. found that “members of the Bush Administration misstated, overstated, and manipulated intelligence with regards to linkages between Iraq and Al Qaeda; the acquisition of nuclear weapons by Iraq; the acquisition of aluminum tubes to be used as uranium centrifuges; and the acquisition of uranium from Niger.” The report also noted that “[b]eyond making false and misleading statements about Iraq’s attempt to acquire nuclear weapons, the record shows the Bush Administration must have known these statements conflicted with known international and domestic intelligence at the time.”

Finding that the administration had also misstated or overstated intelligence information regarding chemical and biological weapons, the report concluded that “these misstatements were in contradiction of known countervailing intelligence information, and were the result of political pressure and manipulation.” In short, the Bush gang misrepresented the WMD threat to justify its planned invasion of Iraq.

No Connection Between Iraq and al Qaeda

On September 21, 2001, Bush was told in the President’s Daily Brief that the intelligence community had no evidence connecting Saddam Hussein’s regime to the 9/11 attacks. Furthermore, there was scant credible evidence that Iraq had any significant collaborative ties with al Qaeda. This was no surprise. Al Qaeda is a consortium of intensely religious Islamic fundamentalists, whereas Hussein ran a secular government that repressed religious activity in Iraq.

Undeterred, Bush and his people continued to tout the connection. Although the Defense Intelligence Agency (DIA) determined in February 2002 that “Iraq is unlikely to have provided bin Laden any useful [chemical or biological weapons] knowledge or assistance,” Bush proclaimed one year later, “Iraq has also provided al-Qaeda with chemical and biological weapons training.”

And although the CIA concluded in a classified January 2003 report that Hussein “viewed Islamic extremists operating inside Iraq as a threat,” Cheney claimed the next day that the Iraqi government “aids and protects terrorists, including members of al-Qaeda.”

To support their claims that Iraq was training al-Qaeda members, Bush, Cheney,

and Colin Powell repeatedly cited information provided by Ibn al-Shaykh al-Libi, an al-Qaeda prisoner captured shortly after 9/11. An ex-FBI official told *Newsweek* that the CIA “duct-taped [al-Libi’s] mouth, cinched him up and sent him to Cairo” for some “more-fearsome Egyptian interrogations” in violation of U.S. law prohibiting extraordinary rendition.

Al-Libi’s account proved worthless. The February 2002 DIA memo reveals al-Libi provided his American interrogators with false material suggesting Iraq had trained al-Qaeda to use weapons of mass destruction. Even though U.S. intelligence thought the information was untrue as early as 2002 because it was obtained by torture, al-Libi’s information provided the centerpiece of Colin Powell’s now thoroughly discredited February 2003 claim before the United Nations that Iraq had developed WMD programs.

The March to War

Unable to find any WMD or connection between Iraq and the 9/11 attacks, Bush never wavered in his march toward war. “From the very beginning,” former Treasury Secretary Paul O’Neill said on *60 Minutes*, “there was a conviction that Saddam Hussein was a bad person and that he needed to go. It was all about finding a way to do it. That was the tone of it. The president saying, ‘Go find me a way to do this.’”

On September 15, 2001, in a meeting at Camp David, Defense Secretary Donald Rumsfeld suggested an attack on Iraq because he was deeply worried about the availability of “good targets in Afghanistan.” Former Deputy Defense Secretary Paul Wolfowitz argued that war against Iraq might be “easier than against Afghanistan.”

The 9/11 Commission Report noted that as early as September 20, 2001, Undersecretary of Defense for Policy Douglas Feith suggested attacking Iraq in response to the 9/11 attacks. In late November 2001, Bush instructed Rumsfeld to develop an Iraq war plan. “What have you got in terms of plans for Iraq?,” Bush asked. “What is the status of the war plan? I want you to get on it. I want you to keep it secret.”

In his January 2002 State of the Union Address, Bush declared that countries like Iraq, Iran, and North Korea “constitute an axis of evil . . . These regimes pose a grave and growing danger . . . I will not wait on events, while dangers gather.”

As early as February 2002, the Bush administration took concrete steps to deploy military troops and assets into Iraq without advising Congress or seeking its approval. By late March, Dick Cheney told his fellow Republicans that a decision

had been made to invade Iraq. The same month, Bush poked his head into Condoleezza Rice's office and said, "Fuck Saddam. We're taking him out."

In July 2002, a highly classified document titled *CentCom Courses of Action* was leaked to the *New York Times*. Prepared two months earlier, it contained what the Pentagon labeled a "war plan" for invading Iraq. The document, which indicated an advanced stage of planning, called for tens of thousands of marines and soldiers to attack Iraq from the air, land, and sea to topple Saddam Hussein.

In August 2002, Cheney cautioned that Saddam Hussein could try to dominate "the entire Middle East and subject the United States to nuclear blackmail." He added, "There is no doubt that Saddam Hussein now has weapons of mass destruction." The same month, the Bush administration quietly established the White House Iraq Group (WHIG) to lead a propaganda campaign to bolster public support for war with Iraq.

Shortly after WHIG convened, White House officials told the *New York Times* there was a meticulously planned strategy to sell a war against Iraq to the American people. But the White House decided to wait until after Labor Day to kick off the plan. The reason, as explained by White House chief of staff Andrew Card, seemed straight from the pages of George Orwell's *1984*: "From a marketing point of view," Card said, "you don't introduce new products in August."

The new product was introduced the following month by National Security Adviser Condoleezza Rice, who warned, "We don't want the smoking gun to be a mushroom cloud." The same week, on the anniversary of 9/11, Bush declared the United States would "not allow any terrorist or tyrant to threaten civilization with weapons of mass murder." The next day, in an address to the United Nations, Bush reiterated that Iraq was a "grave and gathering danger."

Three weeks before the midterm elections, Congress gave Bush the "Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq." The White House wanted to pass the resolution while many in Congress were facing reelection; those who opposed Bush's war on Iraq would be painted as soft on terror.

The resolution said Iraq posed a "continuing threat to the national security of the United States" by "continuing to possess and develop a significant chemical and biological weapons capability" and "actively seeking a nuclear weapons capability." It authorized the President to use the Armed Forces to "defend the national security of the United States against the continuing threat posed by Iraq" and to "enforce all relevant United Nations Security Council Resolutions regarding Iraq."

Iraq didn't pose a threat to the United States, and only the Security Council has the power to enforce its resolutions. But Congress capitulated to the Bush gang's hyperbole and intense pressure. Some legislators later said they were duped by the Bush administration into voting for this resolution.

In his 2003 State of the Union address, Bush famously claimed, "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." It was pure fiction. "The White House kept saying that no decision had been made about Iraq, but only the blind or the deaf could fail to see that a decision had long ago been made," Frank Rich wrote in *The Greatest Story Ever Sold*.

The Real Motive

Why was Bush so determined to invade Iraq? Wolfowitz admitted that the WMD rationale was a "bureaucratic" excuse for war that everyone could agree on. When no WMD turned up, Wolfowitz revealed a new *raison d'être*: the invasion of Iraq was a way to redraw the Middle East to reduce the terrorist threat to the United States.

In November 2002, Rumsfeld sought to decouple oil access from regime change in Iraq when he claimed that the U.S. beef with Iraq had "nothing to do with oil, literally nothing to do with oil." A year later, Bush announced in his State of the Union Address, "We have no desire to dominate, no ambitions of empire." But the denials were unconvincing, and a great deal of evidence suggests that oil and domination had everything to do with the decision to invade.

In February 2001, a month after Bush's inauguration, White House officials discussed a memo called "Plan for Post-Saddam Iraq," which described troop requirements, establishing war crimes tribunals, and dividing up Iraq's oil wealth."

Meanwhile, Treasury Secretary Paul O'Neill was astonished to discover that actual plans "were already being discussed to take over Iraq and occupy it – complete with disposition of oil fields, peacekeeping forces, and war crimes tribunals – carrying forward an unspoken doctrine of preemptive war." According to O'Neill, a preemptive attack on Iraq and the prospect of dividing the world's second largest oil reserve among the world's contractors "made for an irresistible combination."

The Self-Defense Argument

Returning to the legality of the Iraq invasion and occupation, we find that the UN Charter requires all members to settle their international disputes by peaceful means. No nation can use military force against the territorial

integrity or political independence of any other country.

As noted earlier, the only two exceptions to this prohibition are when a nation acts in self-defense or when the Security Council authorizes the use of force. A country may use military force in individual or collective self-defense "if an armed attack occurs" against a U.N. member country or in response to an imminent attack. It is well established that the need for self-defense must be "instant, overwhelming, leaving no choice of means, and no moment for deliberation."

Iraq had not attacked any other nation for 11 years. It lacked both the capacity and the will to lodge an imminent attack on any country. Its military capability had been severely weakened by the Gulf War, years of punishing sanctions and intrusive inspections, and almost daily bombing raids by the United States and Britain over the "no-fly zones."

Bush made little pretense that Iraq constituted an imminent threat. Rather, he invoked his own doctrine of "preemptive war" to justify his attack. He unveiled that doctrine in a speech at West Point in June 2002. "We must take the battle to the enemy," Bush said, "disrupt his plans, and confront the worst threats before they emerge." The international community was unmoved. Quite simply, the U.S. invasion of Iraq wasn't self-defense because it didn't respond to an armed or imminent attack.

The Security Council Never Authorized War

The UN Charter declares that no member has the right to enforce any Security Council resolution with military action unless the Council decides there has been a material breach of its resolution and all non-military means of enforcement have been exhausted. Then the Council may authorize the use of military force. The use of armed force for preemptive or retaliatory purposes is prohibited by the Charter.

Bush was never interested in achieving a diplomatic solution in Iraq. Bush tried mightily to arrange a Security Council resolution that would authorize his war, but the Council refused. Bush then cobbled together prior resolutions to rationalize his invasion. None of them, however, individually or collectively, constituted authorization for his use of force against Iraq.

Faced with Iraq's increasing cooperation with weapons inspectors in the weeks leading up to the invasion, Bush's rationale for disarming Iraq morphed into "regime change" to bring democracy to the Iraqi people. But forcible regime change violates the International Covenant on Civil and Political Rights (ICCPR), a treaty ratified by the United States and therefore part of our domestic law under the Supremacy Clause of the Constitution.

Shock and Awe, and Consequences

Despite the absence of Security Council authorization, a quarter million troops from the United States and the United Kingdom invaded Iraq in March 2003. Delivering on their promise to “shock and awe,” the “coalition forces” dropped several 2,000-pound bombs on Baghdad in rapid succession, in what the *New York Times* dubbed “almost biblical power.”

Since then, the use of cluster bombs, depleted uranium, and white phosphorous gas by U.S. forces in Iraq has been documented. These are weapons of mass destruction. Cluster bomb canisters contain tiny bomblets which can spread over a vast area. Unexploded cluster bombs are frequently picked up by children and explode, resulting in serious injury or death. Depleted uranium weapons spread high levels of radiation over vast areas of land. White phosphorous gas melts the skin and burns to the bone.

The Geneva Convention Relative to the Protection of Civilian Persons in time of War (Geneva IV) classifies “willfully causing great suffering or serious injury to body or health” as a grave breach. The US War Crimes Act punishes grave breaches of Geneva as war crimes. The Bush administration is committing war crimes with its use of these weapons.

“Operation Iraqi Freedom” unleashed a tragedy of immense proportion. Close to 7,000 Iraqi civilians were killed in July and August 2006 alone. In October 2006, the British medical journal the *Lancet* published a study conducted by Iraqi physicians with oversight by epidemiologists at Johns Hopkins University’s Bloomberg School of Public Health. The study estimated that 655,000 Iraqi civilians had died since Bush invaded Iraq in March 2003.

Loss of life isn’t the only shocking and awful consequence of “Operation Iraqi Freedom.” The United Nations concluded in its July-August 2006 report that bodies found “often bear signs of severe torture, including acid-induced injuries and burns caused by chemical substances, missing skin, broken bones (back, hands and legs), missing eyes, missing teeth and wounds caused by power drills or nails.”

Furthermore, “Operation Iraqi Freedom” has led to anti-American sentiment elsewhere. According to a declassified portion of the April 2006 National Intelligence Estimate, which represents the consensus of the 16 U.S. intelligence agencies, “The Iraq conflict has become the ‘cause celebre’ for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement.” The report concludes, “The Iraq jihad is shaping a new generation of terrorist leaders and operatives.”

The Greatest Menace of Our Times

The Nuremberg Charter defines “Crimes Against Peace” as “planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing.” Bush’s war on Iraq is a war of aggression, and thus constitutes a Crime Against Peace.

U.S. Supreme Court Justice Robert Jackson was the chief prosecutor at the Nuremberg Tribunal. In his opening statement in 1945, Justice Jackson wrote, “No political, military, economic, or other considerations shall serve as an excuse or justification” for a war of aggression. “If certain acts in violation of treaties are crimes, they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would be unwilling to have invoked against us.”

Following the Holocaust, the International Military Tribunal at Nuremberg called the waging of aggressive war “essentially an evil thing . . . To initiate a war of aggression . . . is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.” Justice Jackson labeled the crime of aggression “the greatest menace of our times.” Over 50 years later, his words still ring true in Iraq.

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Liberation Theology Haunts New Pope

Liberation theology holds that Jesus was committed to making society address the needs of the poor, not just giving them charity. But traditional Church leaders condemn it as Marxism in Christian trappings and have sat back as rightist regimes tortured and killed priests and nuns, a history that now haunts Pope Francis.

By Dennis J. Bernstein

Blase Bonpane, who served as a Maryknoll father in Guatemala until he was expelled by the right-wing military in 1967, was among the priests and nuns who believed in the teachings of liberation theology, which held that the Catholic Church must address the plight and marginalization of the poor.

Bonpane, now director of the Office of the Americas and host of "World Focus" on Pacifica Radio, expressed grave concerns about the silence of the new Pope Francis, who as Father Jorge Mario Bergoglio did not speak out publicly against the Argentine junta as it conducted a "dirty war" killing some 30,000 people, including 150 Catholic priests. Bonpane was interviewed by Dennis J. Bernstein.

DB: Talk to us about the new pope Francis, who has been portrayed widely as a pope of the people, who rides the bus, love sports and has a lot of sympathy for the poor. How would you describe his background and his relationship, if any, to the Argentine "dirty wars."

BB: I would say that he is a populist conservative. But we have a problem that is structural within the church, and that is that the church has generally been subsidiary to the state and has generally gone along with the state in its history since the Council of Nicea in 325 AD.

There seems to be no exception in Argentina where most of the reports we received during the "dirty wars" were of the clerics not speaking out as they should have. And many of them opposing individual priests that were liberation theologians. In certain cases this led to the arrest of priests, such as Orlando Yorio and Francisco Jalic who were kidnapped and practically killed by the Junta.

Afterward, Orlando Yorio spoke about the situation of surviving months of imprisonment. He felt it was because the church had said he was a liberation theologian and they didn't want to approve of him and his work in the slums of Buenos Aires. So yes, there are many accusations, most of them in the book *The Silence*, which refers to just that, the fact that silence is complicity and in some cases there is direct participation of clerics together with the junta.

[Junta leader Jorge Rafael] Videla could go to holy communion anytime and would be well received by the higher church in Argentina. This is tragic. But look at the situation in the U.S. Are our bishops speaking out against Guantanamo and that people are being held there? Are they speaking out on behalf of Bradley Manning? No. There's a silence here as well.

There is a history of silence. The Church supported Franco in Spain. We have the terrible situation with [Pope] Pius XII and his relationship to the Germans in the period of the Third Reich. It's not unusual. It's been a subservient church

in many ways. The new pope has not been comfortable with liberation theology. It is possible to speak on behalf of the poor without supporting the real fundamental changes that are present with liberation theology.

DB: You are somebody who is connected to this in many different ways, and have followed U.S. policies and global policies and how they impact Central and South America, the Spanish speaking world. What information do you have, because you know a lot about this? Did this pope ever speak up, was he outspoken on behalf of the people? He was there during the worst parts of the slaughter. What do we know about what he did and did not do?

BB: There's a lot of allegations, most of them appear in the book, *The Silence*. It does look like a case of coexistence with a horrible "dirty war." That is tragic. I don't think we should be defensive about it. We aren't in a court of law where we can say we've gone through all the evidence, but there are certainly substantial reports of not speaking out against the junta, and in some cases being aligned.

One [Argentine] priest was so much aligned with the junta that he was arrested when they began arresting the members of the "dirty war." He had to serve time because he was working directly with the junta. In the case of the higher clergy, silence is not acceptable.

DB: As a high official in the Catholic hierarchy in Argentina at the time that the slaughter was going on, he would certainly not be unaware of what various priests were doing and the roles they were playing within this "dirty war." So here, complicity is also being a part of a mass murder situation. Silence is complicity, yes?

BB: One of the priests, Father Yorio, accused [Father] Bergoglio of effectively handing him over, and his colleague to the death squads, by declining to tell the regime that he endorsed their work. In other words, he was on the margin. The other priest refused to discuss it and he moved into seclusion in a German monastery.

Bergoglio discussed this incident of two priests being handed over to the death squad in his biography by Sergio Ruben. The claim in the biography is that Bergoglio took extraordinary behind-the-scenes action to try to save these two guys after they were picked up by Jorge Videla's death squad. Whether that claim is true I don't know. This is coming from him and his biographer.

He acknowledges that these priests were picked up and practically killed. He doesn't accept the fact that it was because of him. At least one of the priests said it was because of him, so these things are going to haunt him for sure. But

the overall thing is to look at the structure and the problem of the church being subservient to the state in so many ways. That is true in the U.S. I think it's true in Argentina. It's true throughout much of the world.

The liberation church is saying we don't agree with the imperial church which came about after the fourth century Council of Nicea. We agree with the anti-imperial church that defied Rome and Roman power when it was illegal to be a Christian and with the death penalty. We are part of that primitive Christianity and the essence of what we are is a focus on the preferential option for the poor.

Step #1 is to focus on the needs of the poor. This applies to both the church and state. States can understand it, such as under [the late Venezuelan President] Hugo Chavez who have a preferential option for the poor. [Cuba's Fidel] Castro had a preferential option for the poor. [Bolivian President] Evo Morales sees it. [President] Jose Mujica in Uruguay. These people served time in prison, they were rebels and their focus was a preferential option for the poor.

If that applied in the United States, the first thing the President would talk about would be that we have one million people sleeping on the streets of the United States every year. So these liberation theologians come along, who I totally support, and they say we want an authentic interpretation of this man we claim to follow, this carpenter from Nazareth. This is the conflict.

DB: Blase Bonpane has written five books, including *Guerillas of Peace*, *Liberation Theology and the Central American Revolution*. I don't want to belabor this. But this was Argentina at a time when activists, liberation theologians, social workers, teachers, kids, families, anybody, were being disappeared, tortured, executed. It would be rather difficult to believe that he [Pope Francis] wasn't fully knowledgeable about a lot of what was going on. These were his parishioners, right?

BB: That is quite correct. There are some 30,000 deceased involved here. To be unaware would be impossible. So the awareness simply had to be there. We saw similarities to this with Augusto Pinochet in Chile. He had his friends in the clergy as well. Again, you can see Jorge Mario Bergoglio giving holy communion to Videla.

DB: Giving holy communion to the mass murderer?

BB: Yes.

DB: So you've got a high-level official purging a head of state and a known mass murderer. Every human rights organization on the face of this earth nailed this down in terms of what was happening in Argentina. This is troubling.

BB: Very much so. But this is the rule, rather than the exception. This is part of Church history. We saw it with Cardinal Spellman supporting the war in Vietnam, supporting [South Vietnamese President] Diem, being the military vicar of the United States of America as a cardinal. This is not unusual. The unusual people are the Archbishop Romero, Bishop Samuel Ruiz in Mexico. They are the exception and are worthy of being identified as the exception.

Romero, in El Salvador, started off in the stereotypical fashion and then he got to the point where he said "me convertete," the poor converted me to understanding that I was too much aligned with the wealthy and with the military. They used to call that the trinity in Latin America, the military, the oligarchy and the church. So we are not talking about an exceptional situation.

DB: And we know that Romero was essentially shot through the voice, if you will, for speaking out for the poor. Again, this is a huge bit of information that must have been shared with the church leaders in the community. Can we ever expect that the new pope will say at a certain point, I was wrong, the Church was wrong, we were silent. Here now, on my new perch he could come clean and say I am going to change history and make a difference, have a real clearing of the air. Can we expect anything like that?

BB: I would have hope of that. I would be very surprised if it happened because as we have seen there has been a tradition of cover-up to protect the image. It's like a corporation saying we must protect the image of Coca-Cola. I don't care about the image of Coca-Cola. I care about the junk that's in it.

Protecting an image is not a very transparent way to conduct a Church. I think it's very important to identify the sins of the church. There have been wonderful books written about it by people such as Gary Wills, an active Catholic writer who wrote about the sins of the church in his recent book called *Why Priests?* It's important that the laity, the people who are members of the church, take it upon themselves to identify these crimes.

We have a history emanating from the Council of Nicea, which evolved into Crusades, Inquisitions, Conquistadores. The Inquisition was present in Mexico in the 19th Century. You can go to the Museum of the Inquisition in Mexico City where Father Hidalgo, the father of the Mexican revolution was condemned by the Inquisition and called a Lutheran, a Jew and an atheist.

We have quite a problem here with history and it doesn't do any good to try to put it under the rug. It certainly didn't do any good to put the pedophilia scandal under the rug. We have people like Roy Bourgeois are being told they are

a scandal from the holy office. He is my colleague and Maryknoll and father of the School of Americas Watch to close the school.

DB: The school where they help train the mass murderers who did this kind of thing in Argentina, El Salvador, Guatemala, you name it.

BB: Absolutely. They trained the people who killed Archbishop Romero. [Father Bourgeois] was condemned because he was told to recant his opinion that women should be priests. He said I can't recant, it's about conscience. It's the same reason that Pope Benedict gave for stepping down. He said in my conscience I have to do this.

People should know that conscience is the ultimate norm of morality in the Church. You can't act against your conscience. Roy couldn't act against his conscience. He wanted to see women priests and wouldn't recant so he's called a scandal. What about the scandal of pedophilia? Are we going to talk about that?

DB: Before I let you go, Blase Bonpane, that's exactly what I want to talk to you about. Now, Pope Francis I, from Argentina, can we expect him to be bold? Have the priests been better in Argentina than in the United States?

BB: I think the problem is bad throughout the world. Many areas are very good at covering it up. Latin America was not a place where people were going to talk about it. So I would expect it to be equally a problem in Latin America. I hope they don't attempt to keep this quiet. This goes back to the Lateran Council of the 11th century that gave us a law of celibacy.

I think the law has a terrible history. I think that celibacy is wonderful for those who choose it. But a law of celibacy leads to many, many problems and some of them are related to this situation we've had in the U.S. church and elsewhere.

DB: We know that the former pope, the first one to resign in 600 or 700 years, before he became the pope, was a kind of mister cover-up. He was directing the office that was making sure that everybody shut their mouths as these revelations began to unfold.

BB: Our evidence shows that he insisted that every case of pedophilia be sent to his office, the Holy Office. Then, as far as we can record and get the information, he made it clear to the bishops of the world that he wanted to avoid having these cases go to the civil authorities, or even to psychiatrists, who might feel they were bound in some cases to report these cases to the civil authorities.

It is a terrible history and may be one of the reasons that he resigned. There may have been others, but that may be one of them. Now that he is pope emeritus he probably could find it easier not to engage in discussing the matter. But the problems go on and they must get dealt with.

What's wonderful is that through making decisions in the base communities, they are going ahead and following their consciences. Women are celebrating the Eucharist because of their convictions that women have been held back throughout the entire world, not only in Christianity, but in Islam, Judaism, and most religions. In most civic life they have been held back and this is part of their liberation.

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Why WPost's Hiatt Should Be Fired

Exclusive: Toting up the Iraq War's cost is staggering, including nearly 4,500 U.S. soldiers and hundreds of thousands of Iraqis dead. But a decade later, few of its architects in government or apologists in the press have faced accountability. Washington Post editorial-page editor Fred Hiatt for one, notes Robert Parry.

By Robert Parry

What is perhaps most remarkable about the tenth anniversary of President George W. Bush's war of aggression in Iraq is that almost no one who aided and abetted that catastrophic and illegal decision has been held accountable in any meaningful way.

That applies to Bush and his senior advisers who haven't spent a single day inside a jail cell; it applies to Official Washington's well-funded think tanks where neoconservatives still dominate; and it applies to the national news media where journalists and pundits who lost jobs for disseminating pro-war propaganda can be counted on one finger (Judith Miller of the New York Times).

Yet, arguably the most egregious example of the news media failing to exact serious accountability for getting this major historical event wrong is the case of Fred Hiatt, who was the editorial-page editor of the Washington Post when it

served as drum major for the invade-Iraq parade and who still holds the same prestigious position ten years later.

How is that possible? I've seen senior news executives dissect the work of honest journalists searching for minor flaws in articles to justify destroying their careers (i.e. what the San Jose Mercury News did to Gary Webb over his courageous reporting on Nicaraguan Contra-cocaine trafficking in the 1990s).

So how could Hiatt still have the same important job at the Washington Post after being catastrophically wrong about the justifications for going to war and after smearing war critics who tried to expose some of Bush's lies to the American people? How could the U.S. news media be so upside-down in its principles that honest journalists get fly-specked and fired, while dishonest ones get life-time job security?

The short answer, I suppose, is that Hiatt was just doing what the Graham family, which still controls the newspaper, wanted done. From my days at Newsweek, which was then part of the Washington Post Company, I had seen this drift toward neoconservatism at the highest editorial ranks, the well-dressed and well-bred men preferred by publisher Katharine Graham and her son Donald.

But how arrogant can one ruling-class family be? And what does it say about future international crises that the Washington Post remains a highly influential newspaper in the nation's capital? Shouldn't the Post, at minimum, have demonstrated some commitment to journalistic integrity by shaking up its editorial page after the truth about the Iraq War deceptions became painfully apparent?

Bashing Gore

If the system were working as it should – in the months before the Iraq invasion – you might have expected the Post to have encouraged a healthy debate that reflected diverse opinions from experts in the fields of government, diplomacy, academia, the military and the broader American public. War, after all, is not a trivial matter.

Instead, the Post's editorial section served as a pro-war bulletin board, posting neoconservative manifestos attesting to the wisdom of invading Iraq and tacking up harsh indictments of Americans who dissented from Bush's war plans.

Post readers often learned about voices of dissent only by reading Post columnists denouncing the dissenters, a scene reminiscent of a totalitarian society where dissidents never get space to express their opinions but are still excoriated in the official media.

For instance, on Sept. 23, 2002, when former Vice President Al Gore gave a speech criticizing Bush's "preemptive war" doctrine and Bush's push for the Iraq invasion, Gore's talk got scant media coverage, but still elicited a round of Gore-bashing on the TV talk shows and on the Post's Op-Ed page.

Post columnist Michael Kelly called Gore's speech "dishonest, cheap, low" before labeling it "wretched. It was vile. It was contemptible." [Washington Post, Sept. 25, 2002] Post columnist Charles Krauthammer added that the speech was "a series of cheap shots strung together without logic or coherence." [Washington Post, Sept. 27, 2002]

While the Post's wrongheadedness on the Iraq War extended into its news pages with the rare skeptical article either buried or spiked Hiatt's editorial section was like a chorus with virtually every columnist singing from the same pro-invasion song book and Hiatt's editorials serving as lead vocalist.

A study by Columbia University journalism professor Todd Gitlin noted, "The [Post] editorials during December [2002] and January [2003] numbered nine, and all were hawkish." [American Prospect, April 1, 2003]

The Post's martial harmony reached its crescendo after Secretary of State Colin Powell made his bogus presentation to the United Nations on Feb. 5, 2003, accusing Iraq of hiding vast stockpiles of weapons of mass destruction.

The next day, Hiatt's lead editorial hailed Powell's evidence as "irrefutable" and chastised any remaining skeptics. "It is hard to imagine how anyone could doubt that Iraq possesses weapons of mass destruction," the editorial said. Hiatt's judgment was echoed across the Post's Op-Ed page, with Post columnists from Right to Left singing the same note of misguided consensus.

'Flat Fact'

After the U.S. invasion of Iraq on March 19-20, 2003, and months of fruitless searching for the promised WMD caches, Hiatt finally acknowledged that the Post should have been more circumspect in its confident claims about the WMD.

"If you look at the editorials we write running up [to the war], we state as flat fact that he [Saddam Hussein] has weapons of mass destruction," Hiatt said in an interview with the Columbia Journalism Review. "If that's not true, it would have been better not to say it." [CJR, March/April 2004] Yes, that is a common principle of journalism, that if something isn't real, we're not supposed to confidently declare that it is.

But Hiatt's supposed remorse didn't stop him and the Post editorial page from continuing its single-minded support for the Iraq War. Hiatt was especially

hostile when evidence emerged that revealed how thoroughly he and his colleagues had been gulled.

In June 2005, for instance, the Washington Post decided to ignore the release of the "Downing Street Memo" in the British press. The "memo" actually minutes of a meeting of British Prime Minister Tony Blair and his national security team on July 23, 2002 recounted the words of MI6 chief Richard Dearlove who had just returned from discussions with his intelligence counterparts in Washington.

"Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy," Dearlove said.

Though the Downing Street Memo amounted to a smoking gun regarding how Bush had set his goal first overthrowing Saddam Hussein and then searched for a sellable rationalization, the Post's senior editors deemed the document unworthy to share with their readers.

Only after thousands of Post readers complained did the newspaper deign to give its reasoning. On June 15, 2005, the Post's lead editorial asserted that "the memos add not a single fact to what was previously known about the administration's prewar deliberations. Not only that: They add nothing to what was publicly known in July 2002."

But Hiatt was simply wrong in that assertion. Looking back to 2002 and early 2003, it would be hard to find any commentary in the Post or any other mainstream U.S. news outlet calling Bush's actions fraudulent, which is what the "Downing Street Memo" and other British evidence revealed Bush's actions to be.

The British documents also proved that much of the pre-war debate inside the U.S. and British governments was how best to manipulate public opinion by playing games with the intelligence.

Further, official documents of this nature are almost always regarded as front-page news, even if they confirm long-held suspicions. By Hiatt's and the Post's reasoning, the Pentagon Papers wouldn't have been news since some people had previously alleged that U.S. officials had lied about the Vietnam War.

The War on Wilson

While the overall performance of the Post's editorial page during the Iraq War was one of the most shameful examples of journalistic malfeasance in modern U.S. history, arguably the ugliest part was the Post's years-long assault on former U.S. Ambassador Joseph Wilson and his wife, CIA officer Valerie Plame.

Rarely have two patriotic American citizens been as shabbily treated by a major U.S. newspaper as the Wilsons were at the hands of Fred Hiatt and the Post. Joe Wilson, in particular, was endlessly derided for his courageous decision to challenge one of President Bush's most flagrantly false claims about Iraq, i.e. that it had sought yellowcake uranium from Niger.

In early 2002, Wilson was recruited by the CIA to look into what later turned out to be a forged document indicating Iraq's possible yellowcake purchase in Niger. The document had aroused Vice President Dick Cheney's interest.

Having served in Africa, Wilson accepted the CIA's assignment and returned with a conclusion that Iraq had almost surely not obtained any uranium from Niger, an assessment shared by other U.S. officials who checked out the story. However, the bogus allegation was not so easily quashed.

Wilson was stunned when Bush included the Niger allegations in his State of the Union Address in January 2003. Initially, Wilson began alerting a few journalists about the discredited claim while trying to keep his name out of the newspapers. However, in July 2003, with the U.S. military coming up empty in its WMD search of Iraq, Wilson penned an Op-Ed article for the New York Times describing what he didn't find in Africa and saying the White House had "twisted" pre-war intelligence.

Though Wilson's article focused on his own investigation, it represented the first time an inside Washington player had gone public with evidence regarding the Bush administration's fraudulent case for war. Thus, Wilson became a major target for retribution from the White House and particularly Cheney's office.

The Plame Leak

As part of the campaign to destroy Wilson's credibility, senior Bush administration officials leaked to journalists that Wilson's wife worked in the CIA office that had dispatched him to Niger, a suggestion that the trip might have been some kind of junket. When right-wing columnist Robert Novak published Plame's covert identity in the Washington Post's Op-Ed section, Plame's CIA career was destroyed.

However, instead of showing any remorse for the harm his editorial section had done, Hiatt simply enlisted in the Bush administration's war against Wilson, promoting every anti-Wilson talking point that the White House could dream up. The Post's assault on Wilson went on for years.

For instance, in a Sept. 1, 2006, editorial, Hiatt accused Wilson of lying when he had claimed the White House had leaked his wife's name. The context of Hiatt's broadside was the disclosure that Deputy Secretary of State Richard

Armitage was the first administration official to tell Novak that Plame was a CIA officer and had played a small role in Wilson's Niger trip.

Because Armitage was considered a reluctant supporter of the Iraq War, the Post editorial jumped to the conclusion that "it follows that one of the most sensational charges leveled against the Bush White House that it orchestrated the leak of Ms. Plame's identity is untrue."

But does it lead to that conclusion? Just because Armitage may have been the first to share the classified information with Novak didn't mean that there was no parallel White House operation to peddle Plame's identity to reporters. In fact, evidence uncovered by special prosecutor Patrick Fitzgerald, who examined the Plame leak, supported a conclusion that White House officials, under the direction of Vice President Cheney and including Cheney aide Lewis Libby and Bush political adviser Karl Rove, approached a number of reporters with this information.

Indeed, Rove appears to have confirmed Plame's identity for Novak and leaked the information to Time magazine's Matthew Cooper. Meanwhile, Libby, who was indicted on perjury and obstruction charges in the case, had pitched the information to the New York Times' Judith Miller. The Post's editorial acknowledged that Libby and other White House officials were not "blameless," since they allegedly released Plame's identity while "trying to discredit Mr. Wilson." But the Post reserved its harshest condemnation for Wilson.

"It now appears that the person most responsible for the end of Ms. Plame's CIA career is Mr. Wilson," the editorial said. "Mr. Wilson chose to go public with an explosive charge, claiming falsely, as it turned out that he had debunked reports of Iraqi uranium-shopping in Niger and that his report had circulated to senior administration officials.

"He ought to have expected that both those officials and journalists such as Mr. Novak would ask why a retired ambassador would have been sent on such a mission and that the answer would point to his wife. He diverted responsibility from himself and his false charges by claiming that President Bush's closest aides had engaged in an illegal conspiracy. It's unfortunate that so many people took him seriously."

Way Off Base

The Post's editorial, however, was at best an argumentative smear and most likely a willful lie. By then, the evidence was clear that Wilson, along with other government investigators, had debunked the reports of Iraq acquiring yellowcake in Niger and that those findings did circulate to senior levels,

explaining why CIA Director George Tenet struck the yellowcake claims from other Bush speeches.

The Post's accusation about Wilson "falsely" claiming to have debunked the yellowcake reports apparently was based on Wilson's inclusion in his report of speculation from one Niger official who suspected that Iraq might have been interested in buying yellowcake, although the Iraqi officials never mentioned yellowcake and made no effort to buy any. This irrelevant point had become a centerpiece of Republican attacks on Wilson and was recycled by the Post.

Plus, contrary to the Post's assertion that Wilson "ought to have expected" that the White House and Novak would zero in on Wilson's wife, a reasonable expectation in a normal world would have been just the opposite. Even amid the ugly partisanship of today's Washington, it was shocking to many longtime observers of government that any administration official or an experienced journalist would disclose the name of a covert CIA officer for such a flimsy reason as trying to discredit her husband.

Hiatt also bought into the Republican argument that Plame really wasn't "covert" at all and thus there was nothing wrong in exposing her counter-proliferation work for the CIA. The Post was among the U.S. media outlets that gave a podium for right-wing lawyer Victoria Toensing to make this bogus argument in defense of Cheney's chief of staff Lewis Libby.

On Feb. 18, 2007, as jurors were about to begin deliberations in Libby's case, the Post ran a prominent [Outlook article](#) by Toensing, who had been buzzing around the TV pundit shows decrying Libby's prosecution. In the Post article, she wrote that "Plame was not covert. She worked at CIA headquarters and had not been stationed abroad within five years of the date of Novak's column."

Though it might not have been clear to a reader, Toensing was hanging her claim about Plame not being "covert" on a contention that Plame didn't meet the coverage standards of the Intelligence Identities Protection Act. Toensing's claim was legalistic at best since it obscured the larger point that Plame was working undercover in a classified CIA position and was running agents abroad whose safety would be put at risk by an unauthorized disclosure of Plame's identity.

But Toensing, who promoted herself as an author of the Intelligence Identities Protection Act, wasn't even right about the legal details. The law doesn't require that a CIA officer be "stationed" abroad in the preceding five years; it simply refers to an officer who "has served within the last five years outside the United States."

That would cover someone who while based in the United States went abroad on official CIA business, as Plame testified under oath in a congressional hearing that she had done within the five-year period.

Bizarre Testimony

Toensing, who appeared as a Republican witness at the same congressional hearing on March 16, 2007, was asked about her bald assertion that "Plame was not covert."

"Not under the law," Toensing responded. "I'm giving you the legal interpretation under the law and I helped draft the law. The person is supposed to reside outside the United States." But that's not what the law says, either. It says "served" abroad, not "reside."

When asked whether she had spoken to the CIA or Plame about Plame's covert status, Toensing said, "I didn't talk to Ms. Plame or the CIA. I can just tell you what's required under the law. They can call anybody anything they want to do in the halls" of the CIA.

In other words, Toensing had no idea about the facts of the matter; she didn't know how often Plame might have traveled abroad in the five years before her exposure; Toensing didn't even get the language of the statute correct.

At the hearing, Toensing was reduced to looking like a quibbling kook who missed the forest of damage done to U.S. national security, to Plame and possibly to the lives of foreign agents for the trees of how a definition in a law was phrased, and then getting that wrong, too.

After watching Toensing's bizarre testimony, one had to wonder why the Post would have granted her space on the widely read Outlook section's front page to issue what she called "indictments" of Joe Wilson, U.S. Attorney Patrick Fitzgerald and others who had played a role in exposing the White House hand behind the Plame leak.

Despite Toensing's high-profile smear of Wilson and Fitzgerald, Libby still was convicted of four felony counts. In response to the conviction, the Post reacted with another dose of its false history of the Plame case and a final insult directed at Wilson, declaring that he "will be remembered as a blowhard."

With Plame's CIA career destroyed and Wilson's reputation battered by Hiatt and his Post colleagues, the Wilsons moved away from Washington. Their ordeal was later recounted in the 2010 movie, "Fair Game," starring Naomi Watts and Sean Penn. Though Libby was sentenced to 30 months in prison, his sentence was commuted by President Bush to eliminate any jail time.

The other costs from the Iraq War included 4,486 U.S. soldiers dead along with hundreds of thousands of Iraqis. The final price tag for U.S. taxpayers is estimated to exceed \$1 trillion.

Iraq today remains a violently divided society where the Shiite and Sunni communities are deeply estranged and where the former Sunni authoritarian regime has been replaced by an authoritarian Shiite regime. Whereas Saddam Hussein's Iraq was considered a bulwark against Iran, the current Iraqi government is an ally of Iran.

Except for some retirements and deaths (including Michael Kelly who died in a vehicle crash in Iraq), the editorial pages of the Washington Post and the roster of star columnists remain remarkably similar to what they were a decade ago. Fred Hiatt is still the editor in charge.

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