

A Baseless Justification for War in Syria

For almost 16 years, the U.S. government has stretched the military force authorization against Al Qaeda to justify a wide-ranging “war on terror” but now has gone further, attacking the Syrian military inside Syria, notes Dennis J Bernstein.

By Dennis J Bernstein

U.S. government officials, including Chairman of the Joint Chiefs of Staff, Gen. Joseph F. Dunford Jr., claim the current U.S. authority to mount military operations in Iraq and Syria is legally based on the Authorization for the Use of Military Force [AUMF] declaration to go after Al Qaeda and related terror groups after the 9/11 attacks in 2001. But how does that cover the recent U.S. attacks on Syrian government forces that have been battling both Al Qaeda and its spinoff, Islamic State?

Francis Boyle, professor of international law at the University of Illinois College of Law, asserts that the recent U.S. shoot-down of a Syrian government jet inside Syria on June 18 was not only illegal under international law but amounts to an impeachable act by President Trump.

In an interview with Flashpoints’ Dennis J. Bernstein, Professor Boyle said, “What the U.S. government is getting away with here is incredible.” Boyle also talked to Bernstein about the questionable Russia-gate investigation and the darker history behind Special Prosecutor Robert Swan Mueller III, the former Director of the Federal Bureau of Investigation.

Dennis Bernstein: Will Syria’s hot war and the recent U.S. bombings there lead us into a hot war with Russia? Well, the generals are saying this shoot-down in Syria is legal. You want to jump into this?

Francis Boyle: You know Dunford doesn’t have a law degree that I’m aware of. But, of course, still the Pentagon is going to try to justify whatever war crimes it can. They always do.

Clearly the U.S. invasion, which we have done, and now repeated military attacks against Syria constitutes a Nuremberg crime against peace, and in violation of the Nuremberg charter, judgment and principles, and, of course, a violation of the United Nations’ charter. [It is] an act of aggression as defined by, oh even the new element of the Rome Statute for the International Criminal Court that is not yet in force. But it has a definition based upon the 1974 definition of

aggression which the World Court found to be customary international law in the very famous Nicaraguan case when it applied it against Nicaragua.

Indeed, it's very interesting, you know, if you go back and read the Nicaragua case, and change Syria for Nicaragua, pretty much the law, the illegalities remain the same. Likewise, the United States Congress has never authorized any act of war against Syria.

So, this violates the War Powers clause of the United States Constitution, the War Powers Resolution of 1973, and is clearly an impeachable act against President Trump. This is a slam dunk. We don't have time to go through all the other arguments being made on impeachment here, but for the most part, all those are being made by these totally hypocritical Democratic lawyers who never applied the same impeachable arguments against President Obama. So, I'm not going to waste time with them.

And, finally, this is existentially dangerous, what is going on right now in Syria. But Russia is there with the consent of the legitimate government of Syria. They're not violating international law. The United States is in clear cut violation, as I have explained. And, now, Russia ... has said that they are going to begin to target U.S. planes and drones. And, the problem is, of course, when you target planes, that triggers their radar and they fire back. So, we're pretty much on a hair trigger right now in Syria for war between the United States and Russia.

And given the massive war mongering campaign we're seeing being waged against Russia by almost all the mainstream news media, the Democrats, the whole Democratic Party, the Hillary Clinton people, etc. and sort of neo-McCarthyism against Russia, Putin and everyone else, I shudder to think what would happen if Russia were to shoot down an American pilot under these circumstances. In my lifetime, Dennis, my political lifetime, I don't think we've been in such a dangerous situation since the Cuban Missile Crisis.

I mean, anything could go wrong here, soon. And, even if it's not deliberate, as President Kennedy said when the Soviet Union shot down a U-2 spy plane at the heart of the Cuban Missile Crisis that could have resulted in World War III, he said something like, "Well, there's always some son-of-a-bitch down the line who doesn't get the message." So, anything could go wrong here. And we could end up being at war with Russia momentarily.

DB: You want to talk a little bit about the so-called deconfliction zones, that are really conflict zones and a potential for war?

FB: Yeah, it's clear, Dennis, and indeed [the] Financial Times now has an

article on this, but I've said this for a while, these deconfliction zones are really de-facto partition zones for Russia and the United States. And what we're seeing here is effectively all these surrounding states are going into Syria and grabbing a chunk of their territory.

It's like jackals descending on a wounded animal. Iran is in there, Hezbollah is in there, Turkey is in there, the Kurds are in there, the U.S. is in there. We have our proxy terrorist groups in there. The best analogy would be a pack of jackals descending upon and eating away at a wounded animal. And the so-called deconfliction zones are just part of the de-facto carve up of Syria, in violation of Syria's territorial integrity and political independence guaranteed by the United Nations' charter.

DB: Well, as you say, these are incredibly dangerous times, and very, very difficult policies. Who loses, who gains on this kind of response to Syria, and bombing of Syria?

FB: Well, the United States government believes it gains because they are out – and have always been out – to overthrow the Assad government, and put a puppet in power. And, you know, continue to achieve their objectives there in the Middle East, going back for quite some time, preparing the way for future action against Iran and Russia, for sure.

So, they believe that this is to their advantage: the Pentagon, the CIA, the White House, the so-called Power Ministries, the Deep State. Call them whatever you want. They could be tragically short-sighted. I mean, this is the way the First World War and the Second World War began. What can I say, Dennis? It's a tinder box, already.

DB: And how would you characterize Israel's interest and their role in this policy? Do you think they're a driving force in it?

FB: Of course. That's got reported [...] in the Wall Street Journal. I guess I should say Israel wants its chunk of Syria, too. They've already stolen the Golan Heights, in 1967. And they've been arming, equipping and supplying these terrorist organizations since the outset of the uprising in Syria. And, indeed, they've now carved out a further buffer zone in Syria.

So, they're in to get their share of Syria, as well, along with everyone else. I'm not saying they're any better or any worse than anyone else. But they're doing exactly the same thing everyone else is doing. As I said, it's this pack of hyenas going in there to gnaw away, and eat the flesh of Syria. And Israel is getting its pound of flesh, as it sees it.

DB: And this, you think, could easily unravel. These are perhaps, would you say,

the most dangerous times of our life time, or close to it?

FB: Well, when you have Russia saying it is going to target so-called paint U.S. jet fighters, and jet fighters bombers, and their standard operating procedure when they get painted is to destroy the source that is targeting them. Yes. As I said, we could have war, at least in Syria, between the United States and Russia.

And given the anti-Russian warmongering and hysteria, and neo-McCarthyism in this country that has been deliberately orchestrated by the Clinton campaign and the Democrats and their fellow travelers in the mainstream news media since the Democratic Convention last summer, if a U.S. pilot gets killed, we could see Congress going into session, and declaring war against Russia. Sure. It's a catastrophe, Dennis. I mean, anything could happen here. I shudder to think of the consequences.

DB: Amazing. But I do want to, just before we let you go, I want to ask you to weigh in. Because we've seen this amazing, as you call it, McCarthyite attack. People don't like Trump, they find him very difficult. And it's not hard to find him difficult. How would you describe what is happening against him in terms of ... people refer to it as the Deep State, or an intelligence coup? How would you unpack that?

FB: Right, well, first of all, let me say I did not vote for either Clinton or Trump. As I saw it, it was a choice between the cholera and the plague. And I decided not to have anything to do with either of them. But I think if Clinton had been elected we'd probably be at war with Russia, right now. I think what we're seeing is the elements in the Obama administration that was being run by [Zbigniew] Brzezinski, this ex-patriot Pole who hated the Russians with a passion, and the CIA, the FBI, the Pentagon, all moving further in the direction of a direct conflict with Russia, and especially over Ukraine.

As we know, it was the Obama administration, Assistant Secretary of State [Victoria] Nuland, a neo-con holdover from the Bush administration, who admitted, we had put \$5 billion in there to overthrow the democratically elected government of Ukraine. Which we did. It was a standard textbook CIA coup d'etat, that followed the manual going back to the original CIA overthrow of the Mossadegh government in Iran.

Trump seemed to indicate that he was going to take a different approach, and not continue with this agenda. And so, now what we're seeing is all the forces that had been lined up to steal Ukraine, to confront Russia, are furiously fighting back.

Now, I'm not saying Trump is a good guy here, but what I am saying, if you're watching the mainstream news media, none of the people involved here are good guys. No one wears a white hat. And it's an extremely dangerous situation.

[James] Comey, the FBI Director... well, first look at Wesley Swearingen, a decorated retired FBI agent, in his book *FBI Secrets*, has repeatedly called the FBI "the American Gestapo." And, of course, you and I and your listening audience certainly know that, Dennis. Certainly African-Americans know the FBI is the American Gestapo. Arabs know it. Muslims know it. Communists know it. I know it since they put me on all the government's terrorism watch lists here, because I refused to become an informant for them and the CIA on my Arab and Muslim clients.

So, Comey is no great hero here. And, indeed, when he worked for Bush Jr. he was Deputy Attorney General. He was up to his eye balls in every hideous atrocity Bush Jr. inflicted on everyone, both abroad and here at home, including the 1,100 Muslims that they summarily rounded up. Many of them were beaten up, and a few died.

As for Mueller, again, former Director of the FBI, the American Gestapo, Mueller, when he was Assistant Attorney General of the Criminal Division, Mueller was in charge of fixing the case against Libya and Gaddafi, for the Lockerbie bombing. When everyone knows Libya had absolutely nothing to do with the Lockerbie bombing.

Indeed, we had been told that the Lockerbie bombing effectively was revenge by Iran for the destruction of the Iran air jet by the USS Vincennes in the Persian Gulf, with the loss of all that innocent human life. And the Reagan administration refused to apologize, refused to accept responsibility, decorated the captain of the Vincennes that killed close to 270 completely innocent human beings.

But, in the run up to the Bush Sr.'s war against Iraq to steal Persian Gulf oil, he wanted and needed support of Iran, and also, Syria. There's evidence Lockerbie might have been staged out of Syria. I don't know if that's true or it isn't. So, we cut a deal that all of a sudden Iran, Syria, whatever the responsibility, they would be let off the hook, in return for Iran and Syria supporting the United States' war against Iraq. And, all of a sudden, out of nowhere, Libya gets blamed. Mueller was behind all of that. He fixed all that evidence that prevented us, the American people, from finding out who really was behind the Lockerbie bombing. I can't recall the number there was [270 total people killed], [187] American civilians were killed. Mueller is truly evil. [For more on the Lockerbie bombing, see Consortiumnews "[The Crumbling Lockerbie Case](#)"]

And then, in addition, Mueller was head of the FBI, and he was in charge of the cover up of the anthrax attacks of October 2001. At the time, I had given interviews right after these attacks pointing out that this was super weapons grade anthrax that could only be manufactured in a U.S. government lab, or one affiliated, working for the United States government. And, indeed, I informed the FBI of this, given my expertise on biological warfare. And the FBI, then under Mueller, sent a team out there to the Ames Repository for Anthrax, in Ames, Iowa – where we keep our weapons strains – and destroyed them all, attempting to cover up the U.S. government's origins of the anthrax attack.

That was all done while Mueller was head of the FBI, and under his direct supervision. So, this so-called special council that we see now is just a “fix-it man” for the CIA, the Pentagon, the military industrial complex, despite what you're reading in the newspaper about character and integrity. This man is a criminal, he should be prosecuted and put in jail, certainly for what he did on Lockerbie, and what he did on the anthrax attacks. And I won't go through the rest of his record here. So, this is a real scheme by, as I see it, the power ministries, what they used to call it in the Soviet Union, to continue our confrontation with Russia, and in Ukraine, in the Baltics, and also in Syria.

And in my read of the situation, that's what's going on. This is not to say Trump is a good guy, except to say, if Clinton had been elected I think we'd be at war with Russia. We dodged a bullet on November 8th. But I don't know how much longer we will be able to continue to dodge the bullet.

And, again, we have to remember, Dennis, that for eight years under the Obama administration... Obama's mentor was Zbigniew Brzezinski. Brzezinski and I went through the exact same PhD program at Harvard, the Graduate School of Arts and Sciences, Department of Government, not the Kennedy School, which is basically a front organization for the CIA, and the Department of Defense. But the same program that produces professors of political science, like Brzezinski, like [Henry] Kissinger, and like me, like [Samuel P.] Huntington. And Brzezinski is an ex-patriot Pole who hates the Soviet Union, and Russia, and the Russians with a passion.

Remember, it was Brzezinski who convinced President Carter to unleash Al-Qaeda [known at the time as the mujahideen] against the Soviet Union in Afghanistan, in order to bring about, as he saw it, the Vietnam for the Soviet Union. And he was Obama's mentor, at Columbia. And when Obama decided to run for president, he brought in Brzezinski to be in charge of his entire foreign affairs and defense operation, during the campaign.

And then, once Obama became president, Brzezinski stacked the Obama administration with his proteges, all up and down the State Department, the

Department of Defense, and the White House, and the CIA and everywhere else he could have. So, that is what we saw for eight years of Obama. And Clinton was just continuing along those lines.

DB: Wow. Well, we just have a couple of minutes left. Today happens to be the fifth year that, shall we say, Julian Assange is trapped in the Ecuadorean embassy [in London]. What do you think U.S. and British intelligence officials are so afraid of when it comes to WikiLeaks?

FB: The truth. That's what they're afraid of. Well, Dennis, WikiLeaks, as far as I can tell, so far, I haven't read all of these dispatches and everything, but I've read the accounts, is simply telling the truth. And we here live in a democracy. And, we, the American people are entitled to the truth.

You know, all this diddly squat about classifications and security is all baloney. We live in a democracy. We're entitled to everything so that we can make informed decisions. And the government refuses to do it. The NSA spies on all of us, every one of us.

When the CIA and the FBI came into my office to try to interrogate me for an hour, which they did, the first question they asked me is, well, why are you giving these interviews all over the world, if you can believe that. And then they tried to get me to become an informant, on my Arab and Muslim clients. So, it's the truth that the United States government cannot stand, and cannot withstand. And so far as I see it, Assange and WikiLeaks have tried to get the truth out.

And, remember, Mr. Justice [Louis] Brandeis of the United States Supreme Court said quite some time ago, "Sunlight is the best disinfectant." And WikiLeaks has been consistently providing sunlight to us Americans, to try and disinfect our own government.

DB: Wow. Professor Boyle we appreciate always your stand, your information, and your willingness to be forthright in taking on the powers that be. We thank you so much, again, for joining us on Flashpoints.

FB: Well, thanks again, Dennis. And, remember, John Yoo to jail. [John Yoo is author of the "Torture Memos," which advised the CIA, Department of Defense, and president on the use of torture techniques after September 11.]

DB: John Yoo, he's still there teaching those kids. And he's been cleansed.

FB: The sick, demented Berkeley Law faculty gave him their most prestigious endowed chair. And that means that the Berkeley Law faculty have become accessories after the fact to the use of torture, war crimes and felonies.

That's right. They knew exactly what they were doing.

And I wouldn't send my dog to the Berkeley Law School, these days. And I say that in sadness because the late, great dean there, Frank Newman, who taught international law and human rights, was a good friend of mine, and supported me at the beginning of my career. And then later he was on the California Supreme Court. And Yoo is now desecrating his slot there at Berkeley Law with the full cooperation of the sick and demented Berkeley Law faculties.

So I certainly would not go there for any reason. I had a son who could have gone to any top law school in the country and I said, "Don't go to Harvard Law School, they hired a war criminal. Don't go to Yale Law School, they have hired and still have war criminals. Don't go to Berkeley Law School, they have a war criminal. Don't go to the University of Chicago Law School, where I was an undergraduate, because they have a torture monger on there," and I went right down the list.

DB: So where does he go? There's nowhere to go.

FB: Well, he eventually went to work for the high tech business. What can I say? I lost my son... my dad was a lawyer, and I lost this boy to the law. But, regretfully, you just could see the total perversion of the American legal academy after 9/11, 2001. I regret to say that. So, what can I say?

DB: Well, we thank you for the frankness and for the information, Professor Francis Boyle, professor of international law at the University of Illinois, College of Law. Thanks again for joining us on Flashpoints.

Dennis J Bernstein is a host of "Flashpoints" on the Pacifica radio network and the author of Special Ed: Voices from a Hidden Classroom. You can access the audio archives at www.flashpoints.net.
