

How the UN Covers for US Aggression

For decades the American Right has decried the U.N. for encroaching on American sovereignty, but the truth is that the U.N. is a chief U.S. accomplice in violating the sovereignty of other nations, notes J.P. Sottile.

By J.P. Sottile

President Trump opened his big United Nations week ... and his famous mouth ... with a predictable plug for one of his properties and some playful glad-handing with French President Emmanuel Macron. Trump also scolded the U.N.'s unwieldy scrum for "not living up to its potential." He made a passing reference to the U.N.'s wasteful use of American money. And he called for "reform" of the much-maligned international forum.

It was a stolid prelude to what will no doubt be "must-see" TV when he speaks to the UN General Assembly on Tuesday about North Korea and Iran. And it was a far cry from the way America's leading "America Firster" spent the campaign lamenting how unfair the U.N. is to the poor schlemiel we call Uncle Sam.

He is likely to use his speech to throw a little bit of that same red meat to his base, but his call for reform falls well short of what his supporters want ... which is an abrupt end of U.S. involvement in the international body. They are motivated by a grab-bag of reasons that point to the U.N. being a threat to their guns, their bank accounts and their God-given freedom.

Oddly enough, these conspiratorial narratives have been around for decades and they mostly center on a grand plan by U.N. elites to abscond American sovereignty and dissolve the U.S. into a U.N.-led world government. And the evidence of this is the way the U.N. harasses and restricts Uncle Sam while siphoning-off America's wealth. At least, that's what some think.

Most ominously, many object to the way U.N. funds are being used to quietly deploy gun-grabbing U.N. soldiers in advance of the big takeover. But like so much of Trump's intoxicating irredentism ... this is a grievance more likely rooted in a three-day meth bender in a Tallahassee trailer park than it is from shocking evidence gathered from well-traveled observation. It's paranoia. But really, it's worse than that.

Why? Because the U.N. has basically been the complete opposite of what its angriest critics claim. It is not out to get the U.S. Rather, it has largely been America's tool since its inception and, in particular, it has repeatedly covered Uncle Sam's overly-exposed butt as he (a.k.a. "the royal we") has gone

around the world on a three decade-long military bender since the end of the Cold War.

Yes, the Gulf War was U.N. approved and the whole world got behind it because (April Glaspie's backstory notwithstanding) the *prima facie* case was strong and it was a fairly clear-cut example of unwarranted aggression. That was an easy call.

Global Violence

But since then, the calls have been nothing short of murky as the U.S. has bombed and droned and deployed and invaded and covertly-acted and regime-changed all around the globe. And the unspoken truth is that the United Nations has been America's all-too silent partner as Uncle Sam traipsed around the planet with a loaded gun, remote control assassination machines and paper-thin rationales for intervention.

Although the U.N. occasionally puts a bug up Israeli Prime Minister Bibi Netanyahu's ass on the issue of the slow-motion ethnic cleansing in the West Bank ... what other issue is there where the U.N. has taken a real stand against the U.S. or U.S. policy objectives?

Where is the U.N.'s punishment for being lied to by then-Secretary of State Colin Powell? And where is the punishment for destroying a bystander nation under false pretenses? Where is the punishment for Abu Ghraib or Gitmo?

Where is the punishment for America's summary execution of "suspected militants" around the Muslim world simply because they are of "military age" and in the wrong place at the right time ... and for the CIA, it is always the right time to kill a suspect no matter how wrong the place may be. And where is the condemnation of America's destabilizing role as the world's leading supermarket of military hardware?

How about mounting civilian casualties from an ever-widening bombing campaign? The U.N. can say the killings are "unacceptable," but does it really matter if there is no sanction? There haven't been any sanctions after children were killed in a "U.S.-backed raid" in Somalia. Go figure, right?

Or what about America's complicity in the catastrophe of Yemen? Where are those sanctions? And what exactly has the U.N. done to punish any number of extra-legal maneuver by a succession of American presidents over the course of the "Global War on Terror"? The simple answer is nothing.

Instead, the Secretary General is largely beholden to the disproportionate influence of the United States. The Security Council's agenda is basically set

by the United States ... and that's particularly true since the Soviet Union collapsed. At the same time, the U.N.'s occasionally contentious debates do little more than offer the imprimatur of international approbation or well-noted disdain despite the functionally inconsequential nature of those debates.

A Fig Leaf for Empire

Either way it is a win for Uncle Sam because the presence of a neutered United Nations provides the United States with a fig leaf just big enough to cover the dangly parts of America's otherwise naked empire.

The money that does go from the U.S. Treasury into the minutia around the margins ... like UNESCO programs and United Nations Development Program (UNDP) and the World Health Organization (WHO) and all the other little crumbs that get thrown around the world ... these are payoffs. This is what the world gets for mostly keeping its mouth shut in the face of America's globe-spanning empire. The tiny amount of aid that trickles down past the bureaucracy ... much like the bureaucracy itself ... is not an example of America "getting played" by wasteful foreigners with hidden agendas. This is America paying to play the world like organ grinder with a hurdy-gurdy monkey.

Frankly, the "28.5% of the overall peacekeeping bill" that Trump calls "unfair" (about \$2.2 billion of the \$3.3 billion the U.S. gives to the UN annually) is a pittance ... particularly if you want the unchecked right to tell Persians what they can and cannot do in the Persian Gulf, to tell the Chinese what they can and cannot build in the South China Sea, and to tell every other power on the face of the earth why they cannot have the same nuclear capability America not only has ... but is currently "upgrading" to the tune of \$1.5 trillion.

Even more amazingly, the U.S. wants to deny these nations the only real insurance policy against U.S.-led regime change. And why is that? Because there ain't a Curveball's chance in Hell that the U.N. will ever be able to stop Uncle Sam from marching where he wants, when he wants and for whatever reason he wants to cook-up. That's a historically provable fact.

The only real check on U.S. power is the ability of an asymmetrical power to go nuclear. And let's admit it, they are ALL asymmetrical powers when compared to America's gargantuan, trillion-dollar national security beast. And this is why the U.N.'s "partnership" with International Atomic Energy Agency (IAEA) is the only U.N.-associated agency that really matters. They can't do much, but they can throw a wrench into another WMD snipe hunt ... like they are doing now with the Iran Nuclear Deal.

But like it was tested by Team Bush, the IAEA is going to be tested again as

Trump and Netanyahu make their bogus case ... without a hint of irony ... that Iran is the world's greatest threat. But that's really just par for a course that's riddled with falsified flags haphazardly stuck into the shallow holes of a back nine that's actually been built by and for a club-wielding Uncle Sam.

A Cult of Grievance

And therein lies the truly pernicious part of the Trumped-up case against the U.N. ... because, like so much of America's growing cult of grievance, it reflects an ever-widening gap between America's stated ideals and its self-serving behavior around the world.

As we are learning almost daily, Americans tried to square that circle by electing a profligate liar who fully embodies America's insatiable desire to take credit, particularly where none is due ... and to outsource the blame to scapegoats like the U.N., particularly when the only alternative is a long look into the mirror.

And in the case of the U.N., that projected guilt is in spite of the fact that it is often tasked with quietly cleaning up some of the collateral damage wrought by their main accuser. They just have to do so without any real power or the funds to do the job. That's the simple truth you won't hear in Trump's speech ... or any speech, for that matter.

It's the fact that the U.N.'s meager amount of "wasteful spending" doesn't even begin to cover the cost of doing business when your business depends on paying the world to look the other way while you get away with murder.

JP Sottile is a freelance journalist, radio co-host, documentary filmmaker and former broadcast news producer in Washington, D.C. He blogs at [Newsvandal.com](http://newsvandal.com) or you can follow him on Twitter, <http://twitter/newsvandal>.

Obama's Bombing Legacy

Exclusive: President Obama has joked he still doesn't know why he won the Nobel Peace Prize in 2009, but his record of waging war was no joke to thousands at the receiving end of U.S. bombs, says Nicolas J S Davies.

By Nicolas J S Davies

As President Obama leaves office, much of his foreign policy record remains shrouded in the symbolism that has been the hallmark of his presidency. The

persistence of Obama's image as a reluctant war-maker and a Nobel Peace Prize winner has allowed Donald Trump and his cabinet nominees to claim that Obama has underfunded the military and been less than aggressive in his use of U.S. military power.

Nothing could be further from the truth, and their claims are clearly designed only to justify even more extravagant military spending and more aggressive threats and uses of force than those perpetrated under Mr. Obama's "disguised, quiet, media-free" war policy.

The reality is that Obama has increased U.S. military spending beyond the post-World War II record set by President George W. Bush. Now that Obama has signed the military budget for FY2017, the final record is that Obama has spent an average of \$653.6 billion per year, outstripping Bush by an average of \$18.7 billion per year (in 2016 dollars).

In historical terms, after adjusting for inflation, Obama's military spending has been 56 percent higher than Clinton's, 16 percent higher than Reagan's, and 42 percent more than the U.S. Cold War average, when it was justified by a military competition with a real peer competitor in the Soviet Union. By contrast, Russia now spends one-tenth of what we are pouring into military forces, weapon-building and war.

What all this money has paid for has been the polar opposite of what most of Obama's supporters thought they were voting for in 2008. Behind the iconic image of a hip, sophisticated celebrity-in-chief with strong roots in modern urban culture, lies a calculated contrast between image and reality that has stretched our country's neoliberal experiment in "managed democracy" farther than ever before and set us up for the previously unthinkable "post-truth" presidency of Donald Trump.

Obama's Model

Obama's doctrine of covert and proxy war was modeled on the Phoenix Program in Vietnam in the 1960s and 1970s and Ronald Reagan's proxy wars in Central America in the 1980s. It involved a massive expansion of U.S. special operations forces, now deployed to 138 different countries, compared with only 60 when Obama took office.

As senior military officers told the Washington Post in June 2010, the Obama administration allowed, "things that the previous administration did not," and, "They are talking publicly much less but they are acting more. They are willing to get aggressive much more quickly."

Wherever possible, U.S. forces have recruited and trained proxy forces to do the

actual fighting and dying, from the Iraqi government's Shiite death squads to Al Qaeda splinter groups in Libya and Syria (supporting "regime change" projects in those countries) to mercenaries serving Arab monarchies and seemingly endless cannon fodder for the war in Afghanistan.

Obama's ten-fold expansion of drone strikes further reduced U.S. casualties relative to numbers of foreigners killed. This fostered an illusion of peace and normality for Americans in the homeland even as the death toll inflicted by America's post-9/11 wars almost certainly passed the two million mark.

The targets of these covert and proxy wars are not just guerrilla fighters or "terrorists" but also the "infrastructure" or "civilian support mechanism" that supports guerrillas with food and supplies, and the entire shadow government and civil society in areas that resist domination.

As a U.S. officer in Iraq explained to Newsweek in 2005, "The Sunni population is paying no price for the support it is giving the terrorists. From their point of view, it is cost-free. We have to change that equation."

In previous decades, the victims of similar operations in Central America included the grandfather of a young lady I met in Cotzal in Guatemala – he was beheaded by an Army death squad for giving food to the Guerrilla Army of the Poor. The Catholic Church has now named Father Stanley Rother from Oklahoma, who was killed by a Guatemalan Army death squad in Santiago Atitlan in 1981, as a martyr and candidate for sainthood.

Bloody Iraq

In Iraq, the targets of such operations have included hundreds of academics and other professionals and community leaders. Just last week, U.S. air strikes targeted and killed three senior professors and their families in their homes at Mosul University. The victims included Dr. Mohamad Tybee Al-Layla (Ph.D. Texas), the highly respected former Dean of the College of Engineering.

In 2004, after the assassination of Dr. Abdul-Latif Ali Al-Mayah in Baghdad, a senior police officer explained who killed him and why to British journalist Stephen Grey: "Dr. Abdul-Latif was becoming more and more popular because he spoke for people on the street here. ... You can look no further than the Governing Council. They are politicians that are backed by the Americans and who arrived to Iraq from exile with a list of their enemies. I've seen these lists. They are killing people one by one."

As Obama's murderous proxy wars in Iraq and Syria have spun further out of control, U.S. special operations forces and U.S.-trained death squads on the ground have increasingly been backed up by U.S. and allied air forces. Four

years ago, as Obama was inaugurated for a second term, I wrote that the U.S. and its allies dropped 20,000 bombs and missiles in his first term. In his second term, they have dropped four times that number, bringing the total for Obama's presidency to over 100,000 bombs and missiles striking seven countries, surpassing the 70,000 unleashed on five countries by George W. Bush.

Obama inherited a massive air campaign already under way in Afghanistan, where the U.S. and its allies dropped over 4,000 bombs and missiles every year for six years between 2007 and 2012. Altogether, U.S.-led air forces have dropped 26,000 bombs and missiles on Afghanistan under Obama, compared with 37,000 under Bush, for a total of 63,000 bomb and missile strikes in 15 years.

But the new U.S.-led bombing campaign in Iraq and Syria since 2014 has been much heavier, with 65,730 bomb and missile strikes in 2 1/2 years. Iraq has now been struck with 74,000 bombs and missiles, even more than Afghanistan: 29,200 in the "Shock & Awe" assault of 2003; 3,900 more before the invasion and during the U.S. occupation; and now another 41,000 in "Shock & Awe II" since 2014, including the current siege and bombardment of Mosul.

Obama's total of 100,000 air strikes are rounded out by 24,700 bombs and missiles dropped on Syria, 7,700 in NATO and its Arab monarchist allies' bombing of Libya in 2011, another 496 strikes in Libya in 2016, and at least 547 drone strikes in Pakistan, Yemen and Somalia.

Failed Policy

Donald Trump and his choices for secretaries of State and Defense, Rex Tillerson and Jim Mattis, respectively, are right to say that Obama's war policy has failed. But they are wrong to insist that the answer is to spend even more on weapons and use them even more aggressively.

Obama's failure was the result of his deference to generals, admirals, the CIA and hawkish advisers like Secretary of State Hillary Clinton and Ambassador to the United Nations Samantha Power, and of his blind faith in U.S. military power. But war was never a legitimate or effective response to terrorism.

The misuse of military force has only spread violence and chaos across the Muslim world and spawned an explosive mix of political disintegration, rule by militias and warlords, a dizzying proliferation of armed groups with different interests and loyalties and, ultimately, more blowback for the West.

Saudi Arabia, Pakistan, Turkey, Israel, Qatar and other "allies" have been only too eager to exploit and redirect our aggression against their own enemies: Iran; Syria; Libya; and different ethnic groups, minorities and political

movements in what was, for centuries, a diverse, tolerant region of the world.

The U.S. has become a blind giant stumbling through a thick forest of shadows and unseen dangers, striking out with its devastating war machine at the instigation of self-serving allies and the same dark forces in its own “intelligence” bureaucracy who have stirred up trouble, staged coups and unleashed war in country after country for seventy years.

The only consistent beneficiary in all this death, destruction and chaos is the “military industrial complex” that President Eisenhower warned us against in his farewell address in 1961.

In 2012, I researched and wrote about how General Dynamics CEO Lester Crown and his Chicago family backed and bankrolled the political career of Barack Obama. As manufacturers of *Virginia* class submarines, *Arleigh Burke* and *Zumwalt* destroyers and littoral combat ships (all programs saved, revived or expanded by Obama) as well as other types of munitions, the Crown family’s patronage of Barack Obama has proven to be a profitable investment, from the violence and chaos in the Muslim world to the New Cold War with Russia to the “pivot” to the South China Sea.

Now Mr. Trump has nominated General Dynamics board member, General James “Mad Dog” Mattis as Secretary of Defense, despite his responsibility for illegal rules of engagement and systematic war crimes in Iraq, an obvious conflict of interest with the millions he has earned at General Dynamics and clear laws that require civilian control of the military.

When will we ever learn to tell the difference between corrupt warmongers like Obama and Mattis and progressive leaders who will let us live in peace with our neighbors around the world, even at the expense of General Dynamics’ profits?

Nicolas J S Davies is the author of *Blood On Our Hands: the American Invasion and Destruction of Iraq*. He also wrote the chapters on “Obama at War” in *Grading the 44th President: a Report Card on Barack Obama’s First Term as a Progressive Leader*.

It’s Not About Trump, But Us

The looming inauguration of Donald Trump has led many on the “liberal/left” to vow eternal resistance but this fury has obscured the need for self-reflection on how “progressives” have lost their way, as John Pilger explains.

By John Pilger

On the day President Trump is inaugurated, thousands of writers in the United States will express their indignation. "In order for us to heal and move forward ...," say Writers Resist, "we wish to bypass direct political discourse, in favour of an inspired focus on the future, and how we, as writers, can be a unifying force for the protection of democracy."

And: "We urge local organizers and speakers to avoid using the names of politicians or adopting 'anti' language as the focus for their Writers Resist event. It's important to ensure that nonprofit organizations, which are prohibited from political campaigning, will feel confident participating in and sponsoring these events."

Thus, real protest is to be avoided, for it is not tax exempt. Compare such drivel with the declarations of the Congress of American Writers, held at Carnegie Hall, New York, in 1935, and again two years later. They were electric events, with writers discussing how they could confront ominous events in Abyssinia, China and Spain. Telegrams from Thomas Mann, C Day Lewis, Upton Sinclair and Albert Einstein were read out, reflecting the fear that great power was now rampant and that it had become impossible to discuss art and literature without politics or, indeed, direct political action.

"A writer," the journalist Martha Gellhorn told the second congress, "must be a man of action now . . . A man who has given a year of his life to steel strikes, or to the unemployed, or to the problems of racial prejudice, has not lost or wasted time. He is a man who has known where he belonged. If you should survive such action, what you have to say about it afterwards is the truth, is necessary and real, and it will last."

Her words echo across the unctious and violence of the Obama era and the silence of those who colluded with his deceptions. That the menace of rapacious power – rampant long before the rise of Trump – has been accepted by writers, many of them privileged and celebrated, and by those who guard the gates of literary criticism, and culture, including popular culture, is uncontroversial. Not for them the impossibility of writing and promoting literature bereft of politics. Not for them the responsibility to speak out, regardless of who occupies the White House.

Clinton's Contempt

Today, false symbolism is all. "Identity" is all. In 2016, Hillary Clinton stigmatized millions of voters as "a basket of deplorables, racist, sexist, homophobic, xenophobic, Islamophobic – you name it." Her abuse was handed out at

an LGBT rally as part of her cynical campaign to win over minorities by abusing a white, mostly working-class, majority. Divide and rule, this is called; or identity politics in which race and gender conceal class, and allow the waging of class war. Trump understood this.

“When the truth is replaced by silence,” said the Soviet dissident poet Yevtushenko, “the silence is a lie.”

This is not an American phenomenon. A few years ago, Terry Eagleton, then professor of English literature at Manchester University, reckoned that “for the first time in two centuries, there is no eminent British poet, playwright or novelist prepared to question the foundations of the western way of life.”

No Shelley speaks for the poor, no Blake for utopian dreams, no Byron damns the corruption of the ruling class, no Thomas Carlyle and John Ruskin reveal the moral disaster of capitalism. William Morris, Oscar Wilde, HG Wells, George Bernard Shaw have no equivalents today. Harold Pinter was the last to raise his voice. Among today’s insistent voices of consumer-feminism, none echoes Virginia Woolf, who described “the arts of dominating other people ... of ruling, of killing, of acquiring land and capital.”

There is something both venal and profoundly stupid about famous writers as they venture outside their cosseted world and embrace an “issue.” Across the Review section of the Guardian on Dec. 10 was a dreamy picture of Barack Obama looking up to the heavens and the words, “Amazing Grace” and “Farewell the Chief.”

The sycophancy ran like a polluted babbling brook through page after page. “He was a vulnerable figure in many ways ... But the grace. The all-encompassing grace: in manner and form, in argument and intellect, with humour and cool ... [He] is a blazing tribute to what has been, and what can be again ... He seems ready to keep fighting, and remains a formidable champion to have on our side ... The grace ... the almost surreal levels of grace ...”

I have conflated these quotes. There are others even more hagiographic and bereft of mitigation. The Guardian’s chief apologist for Obama, Gary Younge, has always been careful to mitigate, to say that his hero “could have done more”: oh, but there were the “calm, measured and consensual solutions ...”

Idolizing Obama

None of them, however, could surpass the American writer, Ta-Nehisi Coates, the recipient of a “genius” grant worth \$625,000 from a liberal foundation. In an interminable essay for The Atlantic entitled, “My President Was Black,” Coates brought new meaning to prostration. The final “chapter,” entitled “When You Left, You Took All of Me With You,” a line from a Marvin Gaye song, describes

seeing the Obamas “rising out of the limo, rising up from fear, smiling, waving, defying despair, defying history, defying gravity.” The Ascension, no less.

One of the persistent strands in American political life is a cultish extremism that approaches fascism. This was given expression and reinforced during the two terms of Barack Obama. “I believe in American exceptionalism with every fiber of my being,” said Obama, who expanded America’s favorite military pastime, bombing, and death squads (“special operations”) as no other president has done since the Cold War.

According to a Council on Foreign Relations survey, in 2016 alone Obama dropped 26,171 bombs. That is 72 bombs every day. He bombed the poorest people on earth, in Afghanistan, Libya, Yemen, Somalia, Syria, Iraq, Pakistan.

Every Tuesday – reported The New York Times – he personally selected those who would be murdered by mostly hellfire missiles fired from drones. Weddings, funerals, shepherds were attacked, along with those attempting to collect the body parts festooning the “terrorist target.”

A leading Republican senator, Lindsey Graham, estimated, approvingly, that Obama’s drones killed 4,700 people. “Sometimes you hit innocent people and I hate that,” he said, “but we’ve taken out some very senior members of Al Qaeda.”

Like the fascism of the 1930s, big lies are delivered with the precision of a metronome: thanks to an omnipresent media whose description now fits that of the Nuremberg prosecutor: “Before each major aggression, with some few exceptions based on expediency, they initiated a press campaign calculated to weaken their victims and to prepare the German people psychologically ... In the propaganda system ... it was the daily press and the radio that were the most important weapons.”

Destroying Libya

Take the catastrophe in Libya. In 2011, Obama said Libyan leader Muammar Gaddafi was planning “genocide” against his own people. “We knew ... that if we waited one more day, Benghazi, a city the size of Charlotte, could suffer a massacre that would have reverberated across the region and stained the conscience of the world.”

This was the known lie of Islamist militias facing defeat by Libyan government forces. It became the media story; and NATO – led by Obama and Hillary Clinton – launched 9,700 “strike sorties” against Libya, of which more than a third were aimed at civilian targets. Uranium warheads were used; the cities of Misurata and Sirte were carpet-bombed. The Red Cross identified mass graves, and Unicef reported that “most [of the children killed] were under the age of ten.”

Under Obama, the U.S. has extended secret “special forces” operations to 138 countries, or 70 per cent of the world’s population. The first African-American president launched what amounted to a full-scale invasion of Africa. Reminiscent of the Scramble for Africa in the late Nineteenth Century, the U.S. African Command (Africom) has built a network of supplicants among collaborative African regimes eager for American bribes and armaments. Africom’s “soldier to soldier” doctrine embeds U.S. officers at every level of command from general to warrant officer. Only pith helmets are missing.

It is as if Africa’s proud history of liberation, from Patrice Lumumba to Nelson Mandela, is consigned to oblivion by a new master’s black colonial elite whose “historic mission,” warned Frantz Fanon half a century ago, is the promotion of “a capitalism rampant though camouflaged.”

It was Obama who, in 2011, announced what became known as the “pivot to Asia”, in which almost two-thirds of U.S. naval forces would be transferred to the Asia-Pacific to “confront China,” in the words of his Defense Secretary. There was no threat from China; the entire enterprise was unnecessary. It was an extreme provocation to keep the Pentagon and its demented brass happy.

In 2014, the Obama’s administration oversaw and paid for a fascist-led coup in Ukraine against the democratically elected government, threatening Russia in the western borderland through which Hitler invaded the Soviet Union, with a loss of 27 million lives. It was Obama who placed missiles in Eastern Europe aimed at Russia, and it was the winner of the Nobel Peace Prize who increased spending on nuclear warheads to a level higher than that of any administration since the Cold War – having promised, in an emotional speech in Prague, to “help rid the world of nuclear weapons”.

Obama, the constitutional lawyer, prosecuted more whistleblowers than any other president in history, even though the U.S. Constitution protects them. He declared Chelsea Manning guilty before the end of a trial that was a travesty. He has refused to pardon Manning who has suffered years of inhumane treatment, which the United Nations says amounts to torture. He has pursued an entirely bogus case against Julian Assange. He promised to close the Guantanamo concentration camp and didn’t.

A Smooth Operator

Following the public relations disaster of George W. Bush, Obama, the smooth operator from Chicago via Harvard, was enlisted to restore what he calls “leadership” throughout the world. The Nobel Prize committee’s decision was part of this: the kind of cloying reverse racism that beatified the man for no reason other than he was attractive to liberal sensibilities and, of course, American

power, if not to the children he kills in impoverished, mostly Muslim countries.

This is the Call of Obama. It is not unlike a dog whistle: inaudible to most, irresistible to the besotted and boneheaded, especially “liberal brains pickled in the formaldehyde of identity politics,” as Luciana Bohne put it. “When Obama walks into a room,” gushed George Clooney, “you want to follow him somewhere, anywhere.”

William I. Robinson, professor at the University of California, and one of an uncontaminated group of American strategic thinkers who have retained their independence during the years of intellectual dog-whistling since 9/11, wrote this last week:

“President Barack Obama ... may have done more than anyone to assure [Donald] Trump’s victory. While Trump’s election has triggered a rapid expansion of fascist currents in U.S. civil society, a fascist outcome for the political system is far from inevitable ... But that fight back requires clarity as to how we got to such a dangerous precipice. The seeds of 21st century fascism were planted, fertilized and watered by the Obama administration and the politically bankrupt liberal elite.”

Robinson points out that “whether in its 20th or its emerging 21st century variants, fascism is, above all, a response to deep structural crises of capitalism, such as that of the 1930s and the one that began with the financial meltdown in 2008 ... There is a near-straight line here from Obama to Trump ... The liberal elite’s refusal to challenge the rapaciousness of transnational capital and its brand of identity politics served to eclipse the language of the working and popular classes ... pushing white workers into an ‘identity’ of white nationalism and helping the neo-fascists to organise them”..

The seedbed is Obama’s Weimar Republic, a landscape of endemic poverty, militarized police and barbaric prisons: the consequence of a “market” extremism which, under his presidency, prompted the transfer of \$14 trillion in public money to criminal enterprises in Wall Street.

Perhaps his greatest “legacy” is the co-option and disorientation of any real opposition. Bernie Sanders’ specious “revolution” does not apply. Propaganda is his triumph.

The lies about Russia – in whose elections the U.S. has openly intervened – have made the world’s most self-important journalists laughingstocks. In the country with constitutionally the freest press in the world, free journalism now exists only in its honorable exceptions.

The obsession with Trump is a cover for many of those calling themselves

“left/liberal”, as if to claim political decency. They are not “left,” neither are they especially “liberal.” Much of America’s aggression towards the rest of humanity has come from so-called liberal Democratic administrations – such as Obama’s. America’s political spectrum extends from the mythical center to the lunar right. The “left” are homeless renegades Martha Gellhorn described as “a rare and wholly admirable fraternity.” She excluded those who confuse politics with a fixation on their navels.

While they “heal” and “move forward”, will the Writers Resist campaigners and other anti-Trumpists reflect upon this? More to the point: when will a genuine movement of opposition arise? Angry, eloquent, all-for-one-and-one-for all. Until real politics return to people’s lives, the enemy is not Trump, it is ourselves.

John Pilger is an Australian-British journalist based in London. Pilger’s Web site is: www.johnpilger.com.

Calling Out Drone War as a War Crime

Night and day, U.S. “pilots” sit in cushioned chairs near Las Vegas, commanding drones on the other side of the planet, tracking and killing people, what retired Col. Ann Wright and other activists call a war crime, writes Dennis J Bernstein.

By Dennis J Bernstein

Leading the charge against the U.S. “drone war” – now a key part of the Pentagon’s forward fighting strategy – is an unlikely individual, Colonel Ann Wright, who spent most of her adult life as a diplomat, working in the U.S. State Department.

Colonel Wright reopened the U.S. embassy in Kabul in 2001. But in 2003 she took an action that would transform her life. She resigned her position in opposition to the then-impending U.S. invasion of Iraq. Since then, she has become a full time global peace activist.

She also is one of the most vocal and convincing opponents of U.S. drone policy, a collection of activists who call themselves Creechers because – for seven years – they have marched on Creech Air Force Base, also known as Creech Drone Base, in the Nevada Desert, just 60 miles outside of Las Vegas, Nevada. Creech is a key part of the extensive and expanding U.S. drone war operation, which launches lethal drone strikes half a world away.

The protests are spearheaded by Code Pink and are always peaceful, but militant and intense. They consider the U.S. drone war, supervised directly by President Barack Obama, as an ongoing war crime. They do not consider this hyperbole. They say it is a clear-cut case of the slaughter of hundreds of innocent civilians, with many fleeing women and children among the victims.

We caught up with Colonel Wright on her way to an anti-drone symposium at the University of Nevada, Las Vegas Law School entitled "Inside Drone Warfare: Perspectives of Whistleblowers, Families of Drone Victims and Their Lawyers." The symposium would include people who were formally a part of the United States Drone Program. Among them, Christopher Aaron, a former counter-terrorism officer for the CIA's drone program, and Shawn Westmoreland, who was with the U.S. Air Force's drone program.

DENNIS BERNSTEIN: Set the Scene. As a former diplomat, somebody who spent a good deal of time in the military, what brings you and Code Pink to Creech for the seventh year in row? What's at the core for you?

COLONEL ANN WRIGHT: Well, it's this weapons system. The weapon system that the president of the United States is using as kind of his personal assassination tool.

He has become the prosecutor, the judge, the jury, and the executioner of people around the world, who the United States intelligence agencies have identified as people who are doing something that is against U.S. interests. And we certainly know that our intelligence community is not infallible, and they've made lots of mistakes.

We also know for a fact that the drone program kills lots and lots and lots of people who are no threat to the United States. In fact, many of us through Code Pink, Women for Peace, and Veterans for Peace, have traveled to the areas where the United States has used these drones, in Afghanistan and Pakistan and Yemen.

And we've talked with the families of some of the victims of these drone strikes and we know, for a fact, they are not militants, not all of them. Some of them, maybe. But there is a huge number of people that are called 'collateral damage' by our country, as they kill them.

DB: So, just to keep a human face on this: Tell us more precisely about one or two of the people who you met during your global journey against US Drone use.

AW: Yes, well, we've had lengthy talks with a man named Fazel from Yemen, whose family was killed. In fact, you can probably hear a drone overhead now. I don't know if you hear it in the background.

DB: Just a little bit.

AW: You don't hear these things so much. But they're flying very low here at Creech Drone Base because the trainee pilots are practicing piloting them. And they come in for "touch and goes," so you can hear them here, whereas in Pakistan, Afghanistan and other places, they are usually flying quite high.

You may be able to hear a little buzz, but you don't hear it like you do here. And then the next thing that you hear is a Hellfire missile being fired, or exploding as it hits a family, a wedding party in the case of Fazel from Yemen. And we've had him and some other members of his family come to the United States to speak about what happened, about how this mistake could happen to a wedding party.

You know, supposedly, how these drones have very accurate cameras, cameras that can hone in very minutely into people and objects. And how they can make the mistake of identifying a wedding party as a group of militants that are going to be doing something harmful to U.S. interests—this is something that mystifies us. And why the president of the United States continues to believe these [kill] lists that are given to him Tuesdays, Terror Tuesday, by our 17 intelligence agencies. It mystifies me.

DB: Tell me more about the fatal wedding. Who was getting married? Are there other stories like this?

AW: It was one of Fazel's sons that was getting married. We've talked to families that were in Pakistan.

In fact, one young man was attending an international drum conference in Islamabad. He and several other people, a lot of people, had been brought from Waziristan, where the drones usually strike, and had been brought by an international lawyer to Islamabad to talk about what had happened to their family.

His cousin and an uncle had been killed. He was 16 years old, and two days later, when he went back to Waziristan, the car that he was riding in was targeted by the United States, and he and another cousin were killed.

Here's these 16 year old kids who had just testified before international journalists about what had happened and then the United States either purposefully killed him because he told what happened to his family, or, it was another mistake of the intelligence agency.

So they've gotten the wrong people. They've gotten people that have nothing to do with violence in their home country, or violence against the United States.

They've done this all too many times.

When you start doing that...and as a military person...I mean you always have to watch out for weapon systems that have blowback potential. And I think we can say that's happening with the drones.

There are people who are taking actions against the United States specifically because the United States is using these drones and is killing lots and lots of people with them.

DB: Before I let you go, I really want to tap into your military expertise, and where that comes in, in terms of the work you do based on your conscience. I know you've had an impressive military career, and as a diplomat.

Please give your perspective on what this kind of a warfare looks like. What this means to the culture. What this does to society, to the people who carry out these Drone strikes. Is there something specific about this kind of warfare that really puts you to the edge?

AW: Well, I think it's that our government is always saying that its surveillance programs—their invasion of our own privacy by surveillance through cell phones or through drone actions here in the United States—how precise it is, you know, “very few violations of constitutional rights.”

And yet when you look at what we are doing in other countries where, “Oh, it's very precise and we're only killing those people that we know have done something wrong. But we can't tell you exactly what they did wrong, and we can't tell you how many other people get killed as we killed them.”

Now it is not one of the priorities of the United States that you bring a person to justice to let a neutral court try whether or not the evidence that is presented is sufficient to convict them of whatever charge it is. What we're doing is using charges [...] or allegations brought by the intelligence community of what this person possibly did and we don't have a neutral advisor.

We don't seem to have anyone that adjudicates the evidence. We just have the president of the United States who now has taken the authority to make that decision on whatever is written on this little piece of paper, on a Tuesday, to determine whether a person lives or dies, and along with that person anyone else that might be in that circle.

So it's very imprecise [...] and it in no way correlates to our own judicial look at what humanity is supposed to be doing to each other. There's no opportunity for that person to defend themselves, to offer evidence to say “Hey, you got the wrong person. Here's the evidence that shows that I didn't do anything that you

are alleging." They don't have that chance at all. They are just blown away.

And people that are in the car with them, are in the house with them, the kids, the relatives, the mothers, the grandfathers are disappeared because our intelligence agency, which is not infallible, has made a mistake. So, those are things that concern me, as a former military, retired military, former State Department person.

We are using a weapons system [...] that doesn't equate at all to what we've always thought that our system was supposed to be doing. Which is to give everybody a chance to refute any charges the government comes up with.

DB: I'm wondering if this kind of piloting, if this kind of "remote control murder" by drones, as it has been labeled, has special impact on the people, especially the pilots [...] when they find out they just murdered, wiped out, a wedding party of innocents. I'm wondering if this has a special impact on the psyche, if there's a struggle here, going on at that level?

AW: I think there is. And we have heard from many pilots, and the two that will be speaking tonight were not actually pilots but they were a part of the whole process. One of them was a communications technician that put the communications links up so the drone pilots could be in communication with the incident analyst that might be a continent away.

But we know that the attrition rate on people associated with the drone program is very high. And that indicates that there's a moral component to this that people are evaluating in their own minds and consciousness and saying, "I don't want to do this anymore."

And so the attrition rate is high. The Air Force now trains more drone pilots than it does fixed wing air craft pilots. The incentive to sign up to be in the drone program is very high. Bonuses of \$100,000 are not uncommon to get young men and women to join up with the drone program. And yet the attrition rate is very high. So it indicates there's a moral component here that the drone program probably is touching more than any other weapons system that we have.

DB: Finally, if you had sixty seconds with the President, what do you think you'd say?

AW: I would say, as a military officer with 29 years' experience, and a U.S. diplomat, that we have a weapons system that is causing blowback to the interests of the United States. Using the assassin program is making the United States more insecure rather than secure. That it is harming our national security, not enhancing it. And that we should stop this drone program. And he, as president of the United States, should stop being the sign-off person on

this, because, in my opinion, it's illegal and he could be put up on war crimes charges. That's what I would tell him.

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.

Learning to Love the 'Drone War'

The mainstream U.S. news media is so in the tank on the "war on terror" that it ignores critical information that the American people should know, such as the public complaint from four former Air Force drone operators that the lethal program is killing innocents and creating terrorists, writes John Hanrahan.

By John Hanrahan

The polls show it and commentators of all political stripes often cite the figures: Killer drone attacks by the U.S. military and the CIA in the Greater Middle East and Africa have strong U.S. public support.

According to the Pew Research Center's most recent poll in May, 58 percent, up slightly from 56 percent in February 2013, approve of "missile strikes from drones to target extremists in such countries as Pakistan, Yemen and Somalia." The numbers of Americans disapproving of drone attacks actually increased from 26 percent to 35 percent over that two-year period, a hopeful sign, but still very much a minority view.

But how well informed can U.S. citizens be on this subject when the major news media time and again ignore or under-report drone-strike stories, as we have discussed [here](#) and [here](#) in recent weeks? Stories, such as *The Intercept's* October series based on a trove of classified materials provided by a national security whistleblower, that would likely raise serious questions about the drone program in many more Americans' minds if they were actually given the information?

And now, in the latest example of journalistic negligence, *The New York Times*, *Washington Post* and other mainstream news organizations in late November continued their apparent policy of no-bad-news-reporting-about-drones.

This time, the major media chose to ignore four former Air Force drone-war personnel who went public with an [open letter](#) to President Barack Obama. The letter urged the President to reconsider a program that killed "innocent

civilians,” and which “only fueled the feelings of hatred that ignited terrorism and groups like ISIS, while also serving as a fundamental recruiting tool [for extremists] similar to Guantanamo Bay.”

In strong, dramatic language, the four men, in the letter and subsequent press appearances, challenged the official Obama White House/Pentagon/CIA public view that civilians are rarely killed by drones, and that drones make Americans safer and are helping defeat terrorists. Rather, they said that the U.S. drone war plays right into the hands of ISIS and other extremist groups by terrorizing local populations and killing innocent civilians, resulting in heightened anti-U.S. feeling and more recruits for ISIS.

Now it's not every day that four former drone operators go public with their anguish-filled stories of the drone program killing innocent people and creating blowback against the United States.

In fact, there has not been any day like that. Until now, that has never happened. You would think that this would meet some textbook definition of news, something new, uncommon, dramatic and consequential. When President Obama or a proven liar about the drone program, CIA Director John Brennan, propagandize about drones and how wonderful and precise and well-nigh infallible they are in crushing extremists, not killing civilians and making us safe, that is what the mainstream media dutifully reports as news.

But when four drone whistleblowers, who sat at the very heart of the system guiding Hellfire missiles from Predator drones to human targets in Afghanistan and Iraq, come forward to undermine that tidy little story, those same news outlets turn their collective back.

Voicing such sharp criticism of a top-secret program with which they were all involved is an especially risky move given that the Obama administration has shown itself to be the most anti-whistleblower administration ever. Obama's Justice Department has prosecuted more than twice as many whistleblowers under the Espionage Act as all previous presidents combined since the passage of the law in 1917.

The letter to Obama, also addressed to Defense Secretary Ashton B. Carter and CIA Director Brennan, said that the Bush and Obama administrations “have built a drone program that is one of the most devastating driving forces for terrorism and destabilization around the world.” They expressed guilt, and are experiencing PTSD, as a result of “our roles in facilitating this systematic loss of innocent life.”

In a pointed reference to the Obama administration's statements in support of

the drone program, the letter stated: “We witnessed gross waste, mismanagement, abuses of power, and our country’s leaders lying publicly about the effectiveness of the drone program.”

And, drawing a link between the recent Paris attacks and drone killings creating more terrorists and blowback, the whistleblowers added: “We cannot sit silently by and witness tragedies like the attacks in Paris, knowing the devastating effects the drone program has overseas and at home. Such silence would violate the very oaths we took to support and defend the Constitution.”

These former Air Force personnel, three former Predator sensor operators (Staff Sergeant Brandon Bryant, Senior Airman Stephen Lewis and Senior Airman Michael Haas), and one former drone program infrastructure technician (Senior Airman Cian Westmoreland), had a combined 20-plus years of remotely operating drone strikes in Afghanistan and Iraq from Creech Air Force Base, Nevada.

All had Afghanistan drone experience, and all but Westmoreland also had Iraq experience. This gave them special, first-hand insight into a program whose operators, in Haas’s words, viewed targeted human beings as “ants just black blobs on a screen” and considered children who came into view on their screens as “fun-sized terrorists.”

Haas and other whistleblowers expanded on the points in their letter in an interview with *Guardian* reporters, which resulted in two eye-opening articles by Ed Pilkington and Ewen MacAskill. This was followed by a lengthy appearance on *Democracy Now!* and a news conference in connection with the premiere in New York of a new documentary, “Drone,” in which two of the whistleblowers (Bryant and Haas) make appearances. Agence France-Presse (AFP), *Reuters* and Newsweek all carried stories, as did The Intercept, Shadowproof and other online news sites.

Did you read about any of that whistleblower criticism in *The New York Times* or *The Washington Post*, or see a segment about it on television news? No, you did not. If you know about it at all, it’s probably because of *The Guardian*, *Democracy Now!*, and online political and progressive blogs and websites.

This marked the second time in just the last two months that mainstream news outlets have given a thumbs-down to a significant drone story. In October, *The Washington Post* ignored it and *The New York Times* ran two paragraphs at the end of a 25-paragraph piece about a series of significant drone articles posted in *The Intercept*. The articles were derived from documents, referred to as the “Drone Papers,” that were provided to *The Intercept* by an anonymous intelligence whistleblower. (We wrote about that here.)

As ExposeFacts has previously noted, mainstream news organizations make only occasional forays once or twice a year into reporting that is critical of the drone program (for example, this *New York Times* article from 2012 and one earlier this year).

What many Americans see or hear most of the time from the self-censoring mainstream media is superficial reporting on the latest drone strike that killed a certain number of what are almost always described in sketchy news stories as militants of one type or another. They also get frequent doses of propaganda and soothing assurances from the President and other Obama administration officials that the program of drones and other aerial bombardments is precise, takes special precaution not to kill civilians, but most importantly is making America safer by killing militants while keeping U.S. troops out of harm's way.

Typical was Obama's speech in May 2013 at the National Defense University, where he said this: "And before any [drone] strike is taken, there must be near-certainty that no civilians will be killed or injured the highest standard we can set." He said civilian deaths constituted "a risk that exists in all wars."

But as Commander-in-Chief, he went on, "I must weigh these heartbreaking tragedies against the alternatives. To do nothing in the face of terrorist networks would invite far more civilian casualties not just in our cities at home and facilities abroad, but also in the very places like Sana'a and Kabul and Mogadishu where terrorists seek a foothold."

And who, if they were paying attention at the time, can ever forget major-league truth abuser John Brennan, when he was Obama's top counterterrorism adviser, saying in June 2011 that for almost a year, "there hasn't been a single collateral death because of the exceptional proficiency, precision of the capabilities we've been able to develop."

In reporting that whopper, *The New York Times* in August 2011 further reported this: "Other officials say that [Brennan's] extraordinary claim still holds: since May 2010, C.I.A. officers believe, the drones have killed more than 600 militants including at least 20 in a strike reported Wednesday and not a single noncombatant."

Given the Obama administration's control of the drone narrative and the paucity of mainstream press coverage, the 35 percent opposition figure shown in the Pew Research Center's poll in May is a bit surprising for being as high as it is. Especially given that so many Americans buy into the notion that the nation is in a war against terrorism, that drones make us safe, and that killing remotely by drones is preferable to sending U.S. soldiers into combat areas and risking their lives.

Curiously, that same Pew Research Center poll, in addition to showing 35 percent opposition, found that 48 percent said “they are very concerned that U.S. drone strikes endanger the lives of innocent civilians.” This higher figure suggests that even some Americans currently favoring drone attacks have doubts about how well civilians are protected, and thus might be open to opposing drone use if the mainstream media would let them know what the four whistleblowers said.

Or if the mainstream press would let them know what was contained in *The Intercept*’s “Drone Papers” articles, such as the revelation that during one five-month period of Operation Haymaker in northeastern Afghanistan, “nearly 90 percent of the people killed in airstrikes were not the intended targets. In Yemen and Somalia where the U.S. has far more limited intelligence capabilities to confirm the people killed are the intended targets, the equivalent ratios may well be much worse.”

It’s worth noting that *The Guardian*, *AFP* and *Reuters* , outlets that did cover the four drone whistleblowers, are all headquartered outside the United States and are not part of the inside-the-Beltway media crowd that influence what is and isn’t news at the national and U.S. governmental level.

Also, because those news outlets all have high levels of newspaper and Internet-based circulation in numerous countries, what they report can make citizens of other countries better informed than Americans about certain aspects of U.S. life. This meant, for example, that Singapore readers of *The Straits Times* and the Dublin, Ireland readers of *TheJournal.ie* got to read about the four whistleblowers via an AFP article online. Meanwhile, sadly and ironically, readers of *The New York Times* and *Washington Post* were left in the dark.

Across the waters in the drone-deploying United Kingdom, public opinion on drone use appears to be the direct opposite of the United States. A Pew Research Center poll in July 2014 found that the U.K. public opposed the use of drones by a 59-33 percent margin.

With *The Guardian* and others providing more critical coverage of drones than U.S. mainstream media, and with the London-based Bureau of Investigative Journalism regularly pumping out information that challenges U.S. government claims about limited civilian drone-strike deaths, it’s a good bet that U.K. citizens are more exposed to criticisms of the drone programs than are their U.S. counterparts.

Additionally, many members of Parliament are much more critical of Britain’s drone policies than are members of Congress critical of U.S. policies, and they are often in the news with their criticisms and concerns. Not so in the United States where, with no serious congressional oversight or debate about drones,

there is seldom any anti-drone news generated in the House or Senate, which means citizens hear nothing from the legislative branch to counter the White House views.

As long as major U.S. news organizations continue to ignore, downplay or under-report drone stories, much of the American public will remain under-informed or ill-informed about what our drone strikes are doing to the citizens of many other countries, while at the same time turning ever more people against the United States.

[Disclosure: The four drone whistleblowers are represented by attorney Jesselyn Radack, who is national security and human rights director of the ExposeFacts WHISPeR program.]

John Hanrahan, currently on the editorial board of ExposeFacts where this article first appeared, is a former executive director of The Fund for Investigative Journalism and reporter for The Washington Post, The Washington Star, UPI and other news organizations. He also has extensive experience as a legal investigator. Hanrahan is the author *Government by Contract* and co-author of *Lost Frontier: The Marketing of Alaska*. He wrote extensively for NiemanWatchdog.org, a project of the Nieman Foundation for Journalism at Harvard University.

Obama's Criminal Drone War

President Obama has relied on the lethal drone program as a “low cost” way to eliminate “terrorists,” but the project has institutionalized an imprecise strategy of human slaughter that violates international law and creates more enemies, writes Marjorie Cohn at Truthdig.

By Marjorie Cohn

A new whistleblower has joined the ranks of Edward Snowden, Chelsea Manning, John Kiriakou and other courageous individuals. The unnamed person, who chose to remain anonymous because of the Obama administration's vigorous prosecution of whistleblowers, is a member of the intelligence community.

In the belief that the American public has the right to know about the “fundamentally” and “morally” flawed U.S. drone program, this source provided [The Intercept](#) with a treasure trove of secret military documents and slides that shine a critical light on the country's killer drone program. These files confirm that the Obama administration's policy and practice of

assassination using armed drones and other methods violate the law.

The documents reveal the “kill chain” that decides who will be targeted. As the source said, “This outrageous explosion of watchlisting, of monitoring people and racking and stacking them on lists, assigning them numbers, assigning them ‘baseball cards,’ assigning them death sentences, without notice, on a worldwide battlefield, it was, from the very first instance, wrong.”

These secret documents demonstrate that the administration kills innumerable civilians due to its reliance on “signals intelligence” in undeclared war zones, following cell phones or computers that may or may not be carried by suspected terrorists. The documents show that more than half the intelligence used to locate potential targets in Somalia and Yemen was based on this method.

“It isn’t a surefire method,” the source observed. “You’re relying on the fact that you do have all these powerful machines, capable of collecting extraordinary amounts of data and intelligence,” which can cause those involved to think they possess “godlike powers.”

“It’s stunning the number of instances when selectors are misattributed to certain people,” the source noted, characterizing a missile fired at a target in a group of people as a “leap of faith.”

The Obama administration has never provided accurate civilian casualty counts. In fact, CIA director and former counterterrorism adviser John Brennan falsely claimed in 2011 that no civilians had been killed in drone strikes in nearly a year. In actuality, many people who are not the intended targets of the strikes are killed.

“The Drone Papers” tell us the administration labels unidentified persons who are killed in a drone attack “enemies killed in action,” unless there is evidence posthumously proving them innocent. That “is insane,” the source said. “But [the intelligence community has] made ourselves comfortable with that.” The source added, “They made the numbers themselves so they can get away with writing off most of the kills as legitimate.”

The administration’s practice of minimizing the civilian casualties is “exaggerating at best, if not outright lies,” according to the source.

Since the U.S. is involved in armed conflict in Iraq and Afghanistan, international humanitarian law, namely, the Geneva Conventions, must be applied to assess the legality of targeted killing. The Geneva Conventions provide that only combatants may be targeted.

From January 2012 to February 2013, a campaign dubbed Operation Haymaker was

carried out in the Afghan provinces of Kunar and Nuristan. According to "The Drone Papers," during a five-month period almost 90 percent of the people killed in airstrikes were not the intended targets. This campaign paralleled an increase in drone attacks and civilian casualties throughout Afghanistan. What's more, the campaign did not significantly degrade al-Qaida's operations there.

The U.S. is violating the right to life enshrined in the International Covenant on Civil and Political Rights. Because the U.S. ratified this treaty, it constitutes binding domestic law under the Supremacy Clause of the Constitution, which states, "Treaties shall be the supreme law of the land."

Under international humanitarian law, an "armed conflict" requires the existence of organized armed groups engaged in fighting of certain intensity. The groups must have a command structure, be governed by rules, provide military training and have organized acquisition of weapons, as well as communications infrastructure.

Legal scholars, including University of Cambridge professor Christine Gray, have concluded that "the 'war against Al-Qaeda' does not meet the threshold of intensity of a non-international armed conflict, and Al-Qaeda does not meet the threshold of an organized armed group."

The U.S. is not involved in "armed conflict" in Pakistan, Yemen and Somalia. Thus, the law enforcement model must be applied to assess the legality of actions in those countries. This model limits the use of lethal force to situations where there is an imminent threat to life and nonlethal measures would be inadequate.

In 2013, as President Obama gave a speech at the National Defense University, the administration released a fact sheet that said the target must pose a "continuing, imminent threat to US persons" before lethal force may be used. But Obama has waived the imminence requirement in Pakistan.

Although a spokesperson for the National Security Council told The Intercept that "those guidelines remain in effect today," "The Drone Papers" state that the target need only present "a threat to US interest or personnel." This is a far cry from an imminence requirement. And once the president signs off on a target, U.S. forces have 60 days to execute the strike. A 60-day period flies in the face of the imminence mandate for the use of lethal force off the battlefield.

Philip Alston, United Nations special rapporteur on extrajudicial, summary or arbitrary executions, affirms that a targeted killing is lawful only if required to protect life and no other means, such as capture or nonlethal incapacitation,

is available to protect life.

Besides being illegal, Obama's preference for killing instead of apprehension prevents the administration from gathering crucial intelligence. Obama stated in 2013, "America does not take strikes when we have the ability to capture individual terrorists; our preference is always to detain, interrogate, and prosecute."

But Michael Flynn, former head of the Defense Intelligence Agency, told The Intercept, "We don't capture people anymore."

Slides provided by "The Drone Papers" source cite a 2013 study by the Pentagon's Intelligence, Surveillance, and Reconnaissance Task Force that said "kill operations significantly reduce the intelligence available from detainees and captured material." The task force recommended capture and interrogation rather than killing in drone strikes.

The American public is largely unaware of the high number of civilian casualties from drone strikes. A study conducted by American University professor Jeff Bachman concluded that both The New York Times and The Washington Post "substantially underrepresented the number of civilians killed in drone strikes in Pakistan and Yemen, failed to correct the public record when evidence emerged that their reporting was wrong and ignored the importance of international law."

Gregory McNeal, an expert on national security and drones at Pepperdine School of Law, wrote that in Afghanistan and Iraq, "when collateral damage [civilian casualties] did occur, 70 percent of the time it was attributable to failed, that is, mistaken, identification."

"Anyone caught in the vicinity is guilty by association," "The Drone Papers" source notes. If "a drone attack kills more than one person, there is no guarantee that those persons deserved their fate. So it's a phenomenal gamble."

Drones are Obama's weapon of choice because they don't result in U.S. casualties.

"It is the politically advantageous thing to do, low cost, no U.S. casualties, gives the appearance of toughness," according to former Director of National Intelligence Dennis Blair. "It plays well domestically, and it is unpopular only in other countries. Any damage it does to the national interest only shows up over the long term."

Part of the damage, as Flynn pointed out, is that drones make the fallen into martyrs. They create "a new reason to fight us even harder," he said.

The United Nations charter's mandate for peaceful resolution of disputes and prohibition of military force except in self-defense is not a pipe dream. A study by the Rand Corp. concluded that between 1968 and 2006, 43 percent of incidents involving terrorist groups ended by a "peaceful political resolution with their government," 40 percent "were penetrated and eliminated by local police and intelligence agencies," and only 7 percent were ended by the use of military force.

Nevertheless, The Wall Street Journal reported that the military plans to increase drone flights by 50 percent by 2019.

In describing how the special operations community views the prospective targets for assassination by drone, "The Drone Papers" source said, "They have no rights. They have no dignity. They have no humanity to themselves. They're just a 'selector' to an analyst. You eventually get to a point in the target's life cycle that you are following them, you don't even refer to them by their actual name." This results in "dehumanizing the people before you've even encountered the moral question of 'is this a legitimate kill or not?' "

The American Civil Liberties Union has filed three lawsuits seeking information about the government's use of lethal drones. Rep. Keith Ellison, co-chair of the Congressional Progressive Caucus, is calling for increased transparency and congressional oversight of the drone program.

"The report makes it clear," Ellison noted, that "the U.S. drone program operates on highly questionable legal ground and offends our principles of justice."

Drone pilots operate thousands of miles from their targets. But many of them suffer from post-traumatic stress disorder. Some are refusing to fly the drones. In September, the Air Force Times ran a historic ad, paid for by 54 U.S. veterans and vets' organizations, urging Air Force drone operators and other military personnel to refuse orders to fly drone surveillance and attack missions.

"The Drone Papers" source implores us to take action to stop this travesty. "We're allowing this to happen," the source said. "And by 'we,' I mean every American citizen who has access to this information now, but continues to do nothing about it."

The newly released documents are a clarion call to us all to demand that our government stop the killing. It is illegal, it is immoral, and it makes us more vulnerable to terrorism.

Marjorie Cohn is a professor at Thomas Jefferson School of Law, a former

president of the National Lawyers Guild, and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is *Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues*. See Marjorie's blog (www.marjoriecohn.com) This article first appeared on Truthdig [http://www.truthdig.com/report/item/drone_papers_revelations_are_a_cry_for_ending_the_slaughter_20151105]

Why NYT Dissed the 'Drone Papers'

When the "Downing Street Memo" surfaced in the UK in 2006 revealing that the intelligence to justify the Iraq War had been "fixed" around the policy, the mainstream U.S. media largely ignored it. The same has now happened with the leak of documents about President Obama's drone war, writes John Hanrahan.

By John Hanrahan

For that slice of the American public that still depends heavily on major daily newspapers as their main source of news, they might not even know that the on-line publication *The Intercept* has published a package of alarming drone-assassination articles based on secret military documents provided by an anonymous intelligence whistleblower.

These "Drone Papers" show, among other disclosures, that the U.S. government has been lying about the number of civilian deaths caused by drone strikes in Afghanistan, Yemen and Somalia. For every targeted individual assassinated, another five or six non-targeted individuals are killed, giving the lie to the Obama administration's long-standing claims of careful, precision killing of specific targets in order to avoid killing civilians.

The Intercept, relying on a cache of slides provided to it by its whistleblower source, posted its package of eight articles on Oct. 15, 2015. Among those picking up on the stories was the *Huffington Post* (which ran excerpts), and other outlets, including *The Guardian*, *Newsweek*, *New York Magazine*, *NPR*, the *PBS NewsHour*, *CNN*, which generally cited some of *The Intercept's* main findings or speculated about a "second [Edward] Snowden" coming forth as a national security whistleblower.

As of this writing, the premier mainstream publications that carry influence beyond their own immediate readership in setting the nation's news agenda, *The New York Times* and *The Washington Post*, have carried virtually nothing about

what is in these explosive documents, which cover the 2011-2013 period. The documents show the inner workings, and the deadly failures, of the Joint Special Operations Command's targeted killing programs, a/k/a assassinations, which President Obama signs off on.

The *Post* so far appears to have ignored *The Intercept's* stories; *The Times*, in a move lightly criticized by the paper's public editor Margaret Sullivan, managed to attach a whopping two paragraphs about *The Intercept's* scoop to the end of a story about Obama's decision to keep troops in Afghanistan until 2017. Those who didn't read beyond the first few paragraphs of the troops-in-Afghanistan story would have missed altogether that bare mention of *The Intercept's* scoop in the article's 24th and 25th paragraphs, as I did.

Among the findings derived from the documents, which *Post* and *Times* readers have been deprived of: While drones do kill some of their intended targets, they kill far more non-targeted people who happen to be in the vicinity of the drone strike (or who happen to be using the cell phone or computer of someone who was targeted).

In one major special operations program in northeastern Afghanistan called Operation Haymaker (the only finding the *Times* mentioned in its two paragraphs), 35 individuals targeted for assassination were actually killed in drone strikes, but 219 other non-targeted individuals were also killed.

This meant, *The Intercept* reported, that during one five-month period of Operation Haymaker, "nearly 90 percent of the people killed in airstrikes were not the intended targets. In Yemen and Somalis where the U.S. has far more limited intelligence capabilities to confirm the people killed are the intended targets, the equivalent ratios may well be much worse."

All those killed, intended target or not, are designated "enemy killed in action" (EKIA), the source told *The Intercept*. Official U.S. government statements minimizing the number of civilian casualties, the source said, are "exaggerating at best, if not outright lies."

Now at first I thought it could be that the *Times* and the *Post* were working diligently to match *The Intercept* stories, attempting before printing anything to obtain and carefully review similar sets of slides as *The Intercept* used for its stories. After all, *The Intercept's* articles didn't just appear overnight, but rather "were produced by a team of reporters and researchers that has spent months analyzing the documents."

Perhaps these mainstream outlets were also attempting to take the story beyond what *The Intercept* has posted, I speculated. If so, we should all eagerly await

the results.

But at least as far as the *Times* is concerned, that doesn't appear to be the case. The paper's public editor Margaret Sullivan questioned *Times* executive editor Dean Baquet, and the editor for national security coverage, William Hamilton, as to "why the story had received relatively short shrift."

In response, Sullivan wrote, "Both said they found the project a worthy one. They and several Washington editors looked it over with interest, they said, and agreed that there was new detail in it. But they didn't see it as something that warranted its own story, at least not at the moment, they said."

The *Times* editors' responses smack of that old chestnut of an excuse in the newsroom when some other publication scoops you: "We had that story already. Nothing much new here. Let's kiss it off with two paragraphs."

Before commenting further on the *Times*'s editors' fairly inane response, it must be noted that over the past few years *New York Times* reporter Scott Shane has written some revealing stories about the U.S. drone program, without benefit of documents such as *The Intercept* is reporting on.

Shane's articles included one earlier this year noting that, despite reassurances from the President on down, the U.S. is often unsure about whom it is actually killing in drone strikes, a major disclosure reinforced by *The Intercept* documents and its source.

And in May 2012, Shane and Jo Becker were the first to report that President Obama signed off on a secret "kill list" of individuals to be targeted in drone strikes. The reporters at the same time also revealed that Obama "embraced a disputed method for counting civilian casualties. It in effect counts all military-age males in a strike zone as combatants unless there is explicit intelligence posthumously proving them innocent."

But this past significant coverage does not excuse why the *Times* and much of the mainstream press has so far not reported even a good timely summary of what *The Intercept* has published in its articles, which advance the drone story beyond what has previously been reported.

As revealing as the *Times* stories were at the time, they lacked what *The Intercept* now has: actual secret military documents that back up what its exclusive source is telling it, and that provide far more detail and data about the program than what was printed earlier.

The *Times* editors' explanations just don't wash. Do these editors really believe that one major drone story every year or so is all that is required, even in the

face of vital new information published by a competitor?

In a newspaper full of wall-to-wall stories on Donald Trump, Republican Benghazi shenanigans, the ever-shifting permutations of the Democratic and Republican presidential races in Iowa and New Hampshire, stories all full of much the same elements one day to the next, it boggles the mind to think the *Times* believes it has “done” its quota of drone-atrocity stories for the time being. That they saw nothing in *The Intercept*’s stories “that warranted its own story” in the *Times*.

Do *Times* editors believe we, their reading public, don’t need to know anything more about this dreadful subject than what they told us in articles last spring and in the spring of 2012? That what Shane reported last May, as substantial a story as it was, is the last word in drone murders? The editors even acknowledged to Sullivan that *The Intercept* stories contained “new detail.” Why not share all that new detail with its readers?

The Intercept, after all, is a reliable, hard-charging news organization staffed by several of the nation’s top national security investigative reporters, and no editor at any other news operation should have any hesitancy about reporting a summary of its drone findings, backed up as they are by insider documents.

And in reporting the summary, of course crediting *The Intercept* in the same manner print news media and broadcast newscasts frequently do when they themselves don’t have a particular important story from their own reporters. It happens all the time.

Mainstream news organizations have an obligation to provide their readers with important, credible, timely news reports, even when the report comes from a competing, and reputable, news organization, and even if they might be working on their own story which they hope to publish at some point.

Margaret Sullivan didn’t come down hard on the *Times* for all but ignoring *The Intercept*’s stories, noting that since the newspaper “has done so much on this subject, it may be understandable that only a brief mention of *The Intercept*’s scoop has been made so far.”

Still, she added, “given the revelations in the released documents, as well as the mere existence of a major intelligence leaker who is not Edward Snowden, *Times* journalists would have served readers well to do more on ‘The Drone Papers.’ They also could consider doing so in the future.”

Meanwhile, hundreds of thousands of readers of the *Times* and the *Post* and other mainstream news outlets are being denied actual news that has serious implications for the ways the United States wages the endless wars this nation has been recklessly embarked on for the last 14 years.

Jeremy Scahill, the award-winning reporter who headed *The Intercept's* reporting team on the Drone Papers, described the importance of the documents this way: "Taken together, the secret documents lead to the conclusion that Washington's 14-year high-value targeting campaign suffers from an overreliance on signals intelligence [metadata from cellphones and computers], an apparently incalculable civilian toll, and, due to a preference for assassination rather than capture, an inability to extract potentially valuable intelligence from terror suspects. They also highlight the futility of the war in Afghanistan by showing how the U.S. has poured vast resources into killing local insurgents, in the process exacerbating the very threat the U.S. is seeking to confront."

Scahill said the information in these secret slides is "especially relevant today as the U.S. military intensifies its drone strikes and covert actions against ISIS in Syria and Iraq."

Tragically, there are few voices in the mainstream press and in Congress raising any alarms about the proliferation of what Scahill calls the borderless U.S. "unconventional wars that employ special operations forces at the tip of the spear"

Like so much else in the never-ending global war on Terror, Inc., the euphemistically named targeted killings have become part of the military landscape which most Americans passively accept as just the way things are, if they pay any attention at all. There are many brave souls around the country who regularly protest and get arrested at military drone sites and drone contractors' facilities, or at the Pentagon and White House protesting against drones and U.S. militarism generally, but there is no mass movement.

With only a relative handful of people protesting, and with no congressional hearings and only sporadic news coverage raising any serious questions about the morality and legality of targeted assassinations under international law, the policy isn't likely to change. Not unless and until a critical mass of well-organized citizens rises up in revulsion and anger at these cowardly killings and endless wars being carried out in our name.

And one big way the public should be able to find out more about the horrors of drone warfare, and how it fits into never-ending U.S. militarism, is from a news media that sees it as its mission to report about such subjects in all their terror and gruesome death aspects.

This topic truly is one of life and death for many people, particularly the beleaguered citizens of the greater Middle East. And it carries deep implications for our democracy, as well. As Scahill wrote about the Drone Papers:

“Whether through the use of drones, night raids, or new platforms yet to be unleashed, these documents lay bare the normalization of assassination as a central component of U.S. counterterrorism policy.”

The normalization of the United States as prime International Assassin: Somehow, that sounds like news, scary news that the American people need to know, and need to hear again and again.

John Hanrahan, currently on the editorial board of ExposeFacts, is a former executive director of The Fund for Investigative Journalism and reporter for *The Washington Post*, *The Washington Star*, *UPI* and other news organizations. He also has extensive experience as a legal investigator. Hanrahan is the author of *Government by Contract* and co-author of *Lost Frontier: The Marketing of Alaska*. He wrote extensively for NiemanWatchdog.org, a project of the Nieman Foundation for Journalism at Harvard University.

Papering Over Extra-Judicial Killings

The Obama administration, like its predecessor, holds that the “exceptional” U.S. has the right to enter other countries to kill “terrorists,” but it would never tolerate, say, Cuba targeting CIA-trained terrorists harbored in Miami, one of many double standards posing as international law, as Coleen Rowley notes.

By Coleen Rowley

Law professor Harold Koh, a former Yale Law School Dean and former Legal Adviser to Hillary Clinton’s State Department, hired by New York University to teach human rights and international law, recently found himself in the crosshairs when NYU law students posted a “statement of no confidence” in him based on the prior actions he undertook to justify, enable and expand the use of Obama’s “extrajudicial killing program.”

A harsh critic of the Bush Administration, Koh is obviously well liked among those who consider themselves in the liberal legal intelligentsia. Unfortunately, instead of defending Koh’s legal rationales for drone killing on the merits, a number of the pro-Koh law professors, led by Koh’s cronies at the State Department, pilloried the NYU students. His backers chose to defend and praise Koh on mostly personal grounds, or for his other legal contributions, almost entirely avoiding discussion of the issues surrounding U.S. high-tech targeted killing.

However, at least two respected law professors, [Fionnuala NÅ AolÅiin](#) (at University of Minnesota Law School) and [Philip Alston](#) (Professor of Law at NYU's Law School, and former UN Special Rapporteur on extrajudicial executions, 2004-10) criticized their fellow academics' glossing-over approach since "one can reasonably take the position that the US government and its targeted killing programs breach international and human rights law standards."

Both lamented their fellow professors' avoidance of discussing the important issues and sending "a real chill to an important open debate."

In our op-ed (below) published on April 29, 2015 by the *Brainerd Dispatch* newspaper (which built upon a related [one we wrote in 2012](#)), Robin Hensel and I decided, by contrast, to focus on the illegality of the U.S. high-tech "warfare." Brainerd, Minnesota, is not far from the Camp Ripley National Guard base that trains military personnel on the "Shadow" and other smaller drones that started out being used for surveillance but have now become weaponized.

Naturally our comments attracted some dissent, a substantive critique coming from Attorney Larry Frost of Paladin Law PLLC, Bloomington, Minnesota, which in furtherance of a robust debate, I'm reposting directly below our piece with Mr. Frost's permission:

Guest Opinion: The illegality of high tech war

By Robin Hensel and Coleen Rowley on April 29, 2015

Why has the United Nations Special Rapporteur called drone strikes extrajudicial killing?

Why has a [Pakistani judge recently filed criminal charges](#) against a former top CIA lawyer who oversaw its drone program and a former station chief in Islamabad over a 2009 strike that killed two people? The Islamabad High Court ruled CIA officials must face charges including murder, conspiracy, waging war against Pakistan and terrorism.

Why is a case being heard in May against the German government on behalf of three Yemeni survivors of a U.S. drone strike? The lawsuit argues it is illegal for the German government to allow the U.S. air base at Ramstein to be used for drone murders abroad, especially after the passage of a resolution in the European Parliament in February 2014 urging European nations to "oppose and ban the practice of extrajudicial targeted killings" and to "ensure that Member States, in conformity with their legal obligations, do not perpetrate unlawful targeted killings or facilitate such killings by other states."

Why have Sicilians been protesting construction – which in 2013 led to the President of the Region of Sicily temporarily revoking construction authorization – of a US Navy base in their desert which would house Lockheed Martin's new satellite communications system? Part of the effort to automate war, to entrust the choice of targets to machines, a principal function of the system would be to remotely pilot drones all over the world, ultimately reaching the North Pole.

Closer to home, why have protests arisen of Camp Ripley's drone training? When Col. St. Sauver, the commander at Camp Ripley, weighed in on the beginning controversy in September 2012, he lauded unmanned aircraft systems (UAS) as being used "to increase efficiency, save money, enhance safety and even save lives." He hit all the Pentagon talking points. The smaller "Shadow" drones at Camp Ripley were initially used to conduct surveillance and identify people (targets) for the lethal punch of the larger "Reaper" and "Predators." The smaller drones then served merely as an accomplice in the illegal drone assassination program, also termed President Obama's "Disposition Matrix" kill list.

The goal of the U.S. State Department was, however, to arm the Shadows with guided bombs weighing under 25 pounds. Cleared for treaty compliance in 2011, Raytheon successfully tested a new 5 pound warhead developed for the Shadow that same year and in 2012, tested a 13 pound warhead. The Marine Corps thereafter sent armed Shadows to Afghanistan as a combat demonstration program.

As a result of this high tech trend, some military officials have become even more effusive in their praise of "federated airpower as small UAVs (like the Shadow) can be bought and operated in numbers that provide far wider battlefield coverage. ... When smart networks communicate, almost brain-like systems will emerge."

Down on earth, however, the short answer to all the questions posed above is that the law may be catching up with the stars in militarists' eyes. While commentators generally agree UAS technology is not illegal per se (which people often confuse the drone debate as being), when and how it's being used to extra-judicially kill in our self-declared "global war" is another story.

The following constitutes a consensus of legal opinion:

Outside a war zone, a State can legally kill only where (1) necessary to save a life, and no other option is available, or alternatively (2) it's the result of fair judicial process [e.g., death penalty after decent adjudication].

So drones – at least those used for targeting killing – are basically not legal

unless the looser “law of armed conflicts” (aka international humanitarian law, IHL) applies. IHL only governs in unique, geographically constrained and limited situations, not in a “war of choice” or a “global war.” Even under IHL, you can’t kill civilians (those not operating as forces of a warring State) unless they’re directly participating in hostilities, or in a “continuous combat function.” This may explain why the U.S. has thus far refused to provide information about its strikes. Lastly, under IHL, even if you have a valid target, you still can’t kill that target if the civilian casualties would be disproportionate to the particular objective.

A final problem with how we use our drones is more a problem of angering other nations, increasing enemies and setting bad precedent. Obviously, a foreign country does not have the right to come into the United States and kill people. The guiding document is the U.N. Charter, which doesn’t allow force against a State unless it’s self-defense, or the Security Council authorizes it. So consider if a country, take China for example, decided to someday post drones over U.S. cities and execute people when it determined that people here were fighting against it, knowing civilian casualties are to be accepted, as long as China doesn’t consider our casualties disproportionate to its military objectives.

You don’t have to be a legal expert to understand the terrifying precedent the U.S. is setting.

Robin Hensel is a free speech and peace activist in Little Falls who organizes the annual “Peace Fair” and anti-drone warfare protests there.

Coleen Rowley is a retired FBI agent in Apple Valley who served as Minneapolis Division Legal Counsel from 1990 to 2003.

Counter-argument by Attorney Larry Frost, Paladin Law PLLC, Bloomington, MN

What one ‘spikes’ – leaves out or does not report – is usually far more important than what one says. Colleen Rowley left out two very significant legal points without which the debate is not complete. That leaves us as far or farther from the truth than a complete exposition would.

First, any nation “A” that harbors forces “F” which attack state “B” has an obligation under traditional international law to stop such attacks. If it cannot, or will not stop “F”, then state B may choose either to declare war on state A, or to enter state A’s territory to attack and destroy the hostile forces “F”. The normal rules of war apply (except with respect to the forces of F, more on which in a moment).

That means that if citizens of A are killed during operations against hostile forces F, nation B is not legally in the wrong (if the general rules of due care, proportionality etc are observed). So in many cases, drone attacks are legally justified. Note, state A does not have to know specifically that the target hit was there – it is enough that A knows that forces F are there and is not stopping them. If A even allows F to recruit in its territory, this law applies. This is not new law; it is in fact very old customary international law. A simplified but readable explanation can be found at <http://www.aware.org/legal-articles/11-karen-macnutt/78-the-law-of-war>.

Second, Rowley uses the term ‘war zone’. The problem is that legal definitions of war, and ‘war zone’, arose in the context of war between states. War between a state and a non-state actor (in our case terrorists, ‘terrs’) is utterly different, and very poorly covered by either traditional international law. For the terrs, the ‘war zone’ is everywhere their targets exist. If their targets are citizens of a certain state, then the terrs will attack them even in the territory of other nations. The traditional notion of ‘war zone’ simply does not even address the reality of the situation of a war against terrs.

Failing to address this issue – to change the traditional definitions of war to fit a war against global terrs – would be fatal to the civilized West if we followed traditional international law. That is unacceptable. The flip side is that mis-applying traditional law of war concepts leads to declaring the whole world a war zone – and that leads to results we don’t want.

For example, establishing a precedent that China could use to attack targets in the United States – if China decided we were ideologically hostile to the Dictatorship of the Proletariat in China, for example (we are) and that constituted valid cause to attack us. In fact, China is attacking us – by computer – so this is not a foolish example.

Technical war – internet attacks and others, including EMP attacks which can be carried out by detonating high-yield nuclear weapons outside the territory of the target – also fall outside the competence of traditional and current treaty international law. When terrorists are driven by the savage, uncivilized doctrines of a seventh-century mentality, doctrine has to change to deal with that reality. And yes, current US practice is generating ill-will, and that too is a factor to consider in reshaping our policy and the law which governs it.

End of Exchange

Attorney Frost and I actually share some agreement that U.S. drone strikes are generating both bad politics and bad precedent internationally and that the law has not caught up with development of high-tech modes of warfare. I will note,

however, that following the McNutt interpretation, outlined by Frost, would allow Cuba to “legally” drone bomb Miami to target for killing those CIA-supported “Bay of Pigs” Cuban-American survivors and other anti-Castro terrorists.

Cuba’s “legal” targets would certainly include Miami resident Luis Clemente Faustino Posada Carriles, a well-known terrorist and former Central Intelligence Agency (CIA) agent who was convicted in absentia of various terrorist attacks and of having brought down a Cuban airliner killing 73 innocent civilians. The bottom line is that all law, but most importantly international law, which is sometimes called “soft law” due to its lack of formalized international police enforcement, derives its legitimacy and power from principles of reciprocity and equality, not from the double standards that Harold Koh, John Yoo and other war enablers have worked at legalizing inside and outside our government.

International legal principles must therefore not only be rooted in universal Kantian ethics but must also be efficacious and pragmatic, not counterproductive as more and more research is showing is the case with U.S. drone assassination policy that serves to promote and increase terrorism worldwide. To stand the test of time regardless of evolving technology, international law must “work” from all participants’ standpoints, not just those nations which view themselves as most militarily powerful at the moment.

Unfortunately the Nuremberg Principle has largely been forgotten that wars of aggression, aka wars of choice, are the supreme crime because they encompass and lead to all other war crimes, regardless of whether utilizing low-end box cutters or high-end drone and satellite technology.

That is why, when examining how to fix our mistakes, as President Obama rightly urged in recently acknowledging and apologizing for the mistaken drone killing of American and Italian aid workers, he was wrong to call attention, in the same breath, to America’s exceptionalism. Setting ourselves above the law, as Nixon believed he was entitled to do domestically, will only open Pandora’s Box and establish bad legal precedents that will come back to haunt the U.S.

Coleen Rowley is a retired FBI agent and former chief division counsel in Minneapolis. She’s now a dedicated peace and justice activist and board member of the Women Against Military Madness and works with the Veterans for Peace chapter in Minneapolis, Minnesota.

Double Standards for US War Crimes

U.S. pundits cheer when some African warlord or East European brute is dragged before an international tribunal, but not at the thought of justice being meted out to George W. Bush or other architects of post-9/11 torture and aggressive war on Iraq, as John LaForge notes.

By John LaForge

In response to regular reports of atrocities by U.S. soldiers, drone controllers, pilots and interrogators, the White House routinely tries to help. Every president promises to honor U.S. armed forces and says they are the finest military of all, etc.

At Veterans' Day ceremonies, president fill-in-the-blank boast, "America is and always will be the greatest nation on Earth." This past Nov. 11, President Barack Obama said that since 9/11 the U.S. is "defining one of the greatest generations of military service this country has ever produced," and, of course, "[W]e have the best-led, best-trained, best-equipped military in the world."

Really? On Veterans' Day 2011, one headline blared: "American Soldier is Convicted of Killing Afghan Civilians for Sport." U.S. aggression, occupation, torture of prisoners, massacres, drone attacks, offshore penal colonies and sexual assaults against our own service members, take the luster from the official self-image of "exceptionality."

In a bold invitation, Human Rights Watch has called on 154 parties to the UN Convention on Torture to bring charges against U.S. officials under explicit language in the treaty, ratified by the US in 1994.

The treaty requires such action when reputable allegations are not prosecuted by the accused governments, and ours doesn't need any more evidence, just some of which may be found in these mainstream U.S. media stories:

â€¢ "US Practiced Torture after 9/11, Nonpartisan Review Concludes" (Apr. 16, 2013)

â€¢ "Afghans Say an American Tortured Civilians" (May 13, 2013)

â€¢ "CIA Drones Kill Civilians in Pakistan" (Mar. 18, 2011)

â€¢ "GI Kills 16 Afghans, Including 9 Children, in Attacks on Homes" (Mar. 12, 2012)

â€¢ “Libya Effort is Called Violation of War Act” (May 26, 2011)

â€¢ “NATO and Afghan forces killed 310 civilians over the same period, mostly from airstrikes, the UN reports” (Aug. 3, 2009)

â€¢ “100,000 Iraqis killed since U.S. invasion analysis says” (Oct. 29, 2004)

â€¢ “U.N. Chief Ignites Firestorm by Calling Iraq War ‘Illegal’” (Sep. 17, 2004);

â€¢ “Iraq Says Blast in Baghdad Kills Dozens of Civilians: U.S. Blamed” (Mar. 29, 2003)

â€¢ “U.S. Presses for Total Exemption from War Crimes Court” (Oct. 9, 2002)

â€¢ “Pentagon Says U.S. Airstrike Killed Women and Children” (Mar. 13, 2002)

â€¢ “Bombing Necessary Despite Toll on Civilians, U.S. Envoy Says” (Jan. 9, 2002);

â€¢ “U.S. helicopters fire on women, children in Somalia” (Sep. 10, 1993)

â€¢ “US forces buried enemy forces alive” (Sep. 13, 1991)

â€¢ “200,000 died in Gulf War, and counting” (May 30, 1991)

The Military’s Dirty War on Women

Atrocities against people of occupied or targeted countries aren’t the only ones accumulating. According to a July 2012 report by the Pentagon, over 25,000 sexual assaults occurred in fiscal year 2012, a 37 percent increase from FY 2011. About “500 men and women were assaulted each week last year,” USA Today reported July 25. See: “Reports of Military Sexual Assault Rise Sharply,” NY Times, Nov. 7; & “Sexual Assaults in Military Raise Alarm: 26,000 Cases Last Year,” May 7, 2013.

Throughout the Army, Navy, Air Force and Marines, according to the Pentagon, 74 percent of females report one or more barriers to reporting sexual assault. In addition, 62 percent of victims who reported sexual assault indicated they experienced some form of retaliation.

This is why, according to Sen. Tammy Baldwin, D-Wisconsin., more than 85 percent of all military sexual assaults go unreported. In fact, Sen. Baldwin says, “overall rates of reporting dropped from 13.5 percent in 2011 to 9.8 percent in 2012.”

In view of the staggering numbers, and to help end the cover-up and suppression

of sexual assault reporting, Sen. Kirsten Gillibrand, D-New York, has proposed removing investigation and disposal of such allegations from the military chain of command and place these cases with military prosecutors.

Currently, commanders, superior to victims and perpetrators, decide whether or not to prosecute an accused G.I. Commanders even have the power to reduce or overturn a judge or jury's conviction.

Gillibrand's Military Justice Improvement Act of 2013, S. 967, would give military prosecutors, instead of commanders, the independent authority to decide whether or not felony cases go to trial. The proposal has earned broad bipartisan support. It would reform the Code of Military Justice to make the system independent at the felony level.

A related bill, the Military Sexual Assault Prevention Act, S. 548, sponsored by Sens. Amy Klobuchar, D-Minnesota, and Lisa Murkowski, R-Alaska, would prevent those convicted of sexual crimes from serving in the military, improve tracking and review of sexual assault claims in the military, and help ensure victims have access to criminal justice.

Presidential speeches can't permanently obscure our record of military outrages. Some congressional reform could at least confront the ones committed against women in uniform.

John LaForge is a Co-director of Nukewatch, a nuclear watchdog and environmental justice group in Wisconsin, edits its quarterly newsletter, and writes for [PeaceVoice](#).

The CIA's Drone-Strike Revenge

Despite President Obama's plan to curtail the use of lethal drones, he assented to a CIA strike this month against a Taliban leader as part of the CIA's revenge for a 2009 suicide bombing that killed seven of its people, reports Gareth Porter for Inter Press Service.

By Gareth Porter

After a drone strike had reportedly killed Pakistani Taliban leader Hakimullah Mehsud on Nov. 1, the spokesperson for the U.S. National Security Council declared that, if true, it would be "a serious loss" for the terrorist organization.

That reaction accurately reflected the Central Intelligence Agency's argument for the strike. But the back story of the episode is how President Barack Obama supported the parochial interests of the CIA in the drone war over the Pakistani government's effort to try a new political approach to that country's terrorism crisis.

The failure of both drone strikes and Pakistani military operations in the FATA tribal areas to stem the tide of terrorism had led to a decision by Prime Minister Nawaz Sharif to try a political dialogue with the Taliban. But the drone strike that killed Mehsud stopped the peace talks before they could begin.

Pakistani Interior Minister Chaudhry Nisar Ali Khan immediately denounced the drone strike that killed Mehsud as "a conspiracy to sabotage the peace talks." He charged that the United States had "scuttled" the initiative "on the eve, 18 hours before a formal delegation of respected ulema [Islamic clerics] was to fly to Miranshah and hand over this formal invitation."

An unidentified State Department official refused to address the Pakistani minister's criticism, declaring coolly that the issue was "an internal matter for Pakistan." Three different Taliban commanders told Reuters on Nov. 3 they had been preparing for the talks but after the killing of Mehsud, they now felt betrayed and vowed a wave of revenge attacks.

The strategy of engaging the Taliban in peace talks, which was supported by the unanimous agreement of an "All Parties Conference" on Sept. 9, was not simply an expression of naivete about the Taliban as was suggested by a Nov. 3 New York Times article on the Pakistani reaction to the drone strike.

A major weakness of the Tehreek-e-Taliban Pakistan (TTP) lies in the fact that it is a coalition of as many as 50 groups, some of whose commanders are less committed to the terrorist campaign against the Pakistani government than others. In the aftermath of the Mehsud killing, several Taliban militants told Reuters that some Taliban commanders were still in favor of talks with the government.

The most important success achieved by Pakistan in countering Taliban violence in the past several years has been to reach accommodations with several militant leaders who had been allied with the Taliban but agreed to oppose Taliban attacks on government officials and security forces.

Sharif and other Pakistani officials were well aware that the United States could unilaterally prevent such talks from taking place by killing Mehsud or other Taliban leaders with a drone strike. The government lobbied the United States in September and October to end its drone war in Pakistan or at least to

give the government a period of time to try its political strategy.

Obama had already suggested in a May 23 speech at National Defence University that the need for the strikes was fast diminishing and would soon end, because there were very few high value targets left to hit, and because the U.S. would be withdrawing troops from Afghanistan. In August, Secretary of State John Kerry had said the end might come "very, very soon."

After the meeting with Sharif on Oct. 23, Obama said they had agreed to cooperate in "ways that respect Pakistan's sovereignty, that respect the concerns of both countries" and referred favorably to Sharif's efforts to "reduce these incidents of terrorism."

Shortly after the meeting, Sharif's adviser on national security and foreign affairs, Sartaj Aziz, said in an interview with Al Jazeera that the Obama administration had promised to "consider" the prime minister's request to restrain drone attacks while the government carried out a political dialogue.

A "senior Pakistani official" told the Express Tribune that Obama had "assured Premier Nawaz that drone strikes would only be used as a last option" and that he was planning to end the drone war once "a few remaining targets" had been eliminated. The official said the Pakistani government now believed the unilateral strikes would end in "a matter of months."

But Obama's meeting with Sharif evidently occurred before the CIA went to Obama with specific intelligence about Mehsud, and proposed to carry out a strike to kill him. The CIA had an institutional grudge to settle with Mehsud after he had circulated a video with Humam Khalil Abu-Mulal al-Balawi, the Jordanian suicide bomber who had talked the CIA into inviting him to its compound at Camp Chapman in Khost province, where he killed seven CIA officials and contractors on Dec. 30, 2009.

The CIA had already carried out at least two drone strikes aimed at killing Mehsud in January 2010 and January 2012. Killing Mehsud would not reduce the larger threat of terrorism and would certainly trigger another round of TTP suicide bombings in Pakistan's largest cities in retaliation. Although it would satisfy the CIA's thirst for revenge and make the CIA and his administration look good on terrorism to the U.S. public, it would also make it impossible for the elected Pakistani government to try a political approach to TTP terrorism.

Obama appears to have been sympathetic to Sharif's argument on terrorism and had no illusions that one or a few more drone strikes against leading Taliban officials would prevent the organization from continuing to mobilize its followers to carry out terror attacks, including suicide bombers.

But the history of the drone war in Pakistan shows that the CIA has prevailed even when its proposed targets were highly questionable. In March 2011, U.S. Ambassador to Pakistan Cameron Munter had opposed a CIA proposal for a drone strike just as CIA contractor Raymond Davis was about to be released from a jail in Lahore.

Munter had learned that the CIA wanted the strike because it was angry at Pakistan's ISI, which regarded the Haqqani group as an ally, over Davis's incarceration, according to an AP story on Aug. 2, 2011. The Haqqani group was heavily involved in fighting U.S. and NATO troops in Afghanistan but was opposed to the TTP's terror attacks in Pakistan.

CIA Director Leon Panetta rejected Munter's objection to the strike, however, and Obama had supported Panetta. It was later revealed that the strike had been based on faulty intelligence. It was not a meeting of Haqqani network that was hit but a conference of tribal leaders from all over the province on an economic issue. But the CIA simply refused to acknowledge its mistake and continued to claim to journalists that only terrorists had attended the meeting.

After the strike, Obama had formalized the ambassador's authority to oppose a proposed drone strike, giving Munter what he called a "yellow card." But despite the evidence that the CIA had carried out a drone strike for parochial reasons rather than an objective assessment of evidence, Obama gave the CIA director the power to override an ambassadorial dissent, even if the Secretary of State supported the ambassador.

The extraordinary power of the CIA director over the drone strike policy, which was formalized by Obama after that strike, was evident in Obama's decision to approve the CIA's proposal for the Mehsud strike. The director was now John Brennan, who had shaped public opinion in favor of drone strikes through a series of statements, interviews and leaks as Obama's deputy national security adviser from 2009 to 2013.

Even though Obama was determined to phase out the drone war in Pakistan and apparently sympathized with the need for the Pakistani government to end it within a matter of months, he was unwilling to reject the CIA's demand for a strike that once again involved the agency's parochial interests.

A late July 2013 survey had shown that 61 percent of U.S. citizens still supported the use of drones. Having already shaped public perceptions on the issue of terrorism, Obama allowed the interests of the CIA to trump the interests of Pakistan and the United States in trying a different approach to Pakistan's otherwise intractable terrorism problem.

Gareth Porter, an investigative historian and journalist specializing in U.S. national security policy, received the UK-based Gellhorn Prize for journalism for 2011 for articles on the U.S. war in Afghanistan. [This article previously appeared at Inter Press Service.]
