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## American Hegemony Under the Garb of Democracy

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**M**an, since time immemorable, has tried to prove his supremacy over others by show of strength. This desire for hegemony has resulted in skirmishes turning into battles and battles escalating to wars. Most people throughout history have lived under some form of hegemony, and the current system, with not a single professed empire, is, historically speaking, an anomaly.<sup>1</sup>

To understand this tendency to acquire control over others and establish their hegemony we will have to try and understand the human mind. History is full of examples when powerful men have tried and succeeded in establishing an empire for themselves and at the same time history also narrates stories of well established democratic systems being brought to an end by the hegemonic desires of popularly elected leaders. From Julius Caesar (although he failed) to Napoleon, this tendency of showing disregard towards the democratic institutions, capable of sustaining the world order and carrying on the work entrusted to them, has been the greatest challenge for civilized and peace-loving people. In fact if we make an attempt of rewriting history by including only such examples, it will still be very voluminous. Fortunately a silver lining on these dark clouds looming over the world right now is knowledge of the fact that all these hegemons and their hegemonies were brought to a bitter end by the combined efforts of democratic people every time.

In this fast-emerging era of globalization when we find this world changing into a global village, the Big Question is not of the integration of different cultures but of the election or imposition of the Village Head. In the current scenario and world political developments the United States of America is clearly emerging as the most eager candidate for this hegemonic post. The sheer fact that it has been a global leader for more

than a century now, coupled with the recent actions of the States under the garb of 'democracy promotion' are clear indications that this headship is not going to be a contested one but a forced imposition on all the nations of the world, irrespective of their view or opinion. The Greater Middle East Initiative (GMEI) is just another pretext to provide ideological justification for the imperialistic attitude shown by the United States as we have seen and heard such rhetoric many times in the past: stopping communism, stopping tyranny, humanitarian interventions, etc., just to name a few 'justified causes' under which the U.S. tried to spread its monopoly over world affairs. President Bush's statement claiming the new policy to bring freedom to the people of the Middle East is not about increasing freedom but a false pretext for continuing U.S. political and economic control of the region and through it of the world. In plain words it is nothing but establishing U.S. hegemony under the garb of democracy.

The earliest example of the manifestation of hegemony by democratic governments in the modern period is found in the dominance of the British Empire during the 19th Century. So vast were its possessions and control that it was aptly said that the sun never set in the British Empire. This hegemony, or dominance, of Britain was not only due to great military power on the seas, but also because of its financial control as well as ideological power in both its Empire and other parts of the world. But the British Empire met its challenge soon in the form of the United States of America which, at that time, was welcomed as a breath of fresh air in the stale colonial world of empire builders. The new state, through its efforts and values, soon rose to prominence and a visible change in world attitudes was witnessed when the erstwhile empires of Europe asked for the

help of the U.S. during the First World War.

The end of the First World War ushered in a new era, a period of struggle between the Capitalist and Communist ideologies and their followers. The distrust between the two compelled the U.S. and European countries to practice a policy of appeasement, which became the major cause of World War II. The mutual distrust and the desire to overpower others remained buried even after the war came to an end. By this time Communism had spread to major parts of Eastern Europe and few Asian countries. Its threat could be felt closer to home in the form of Cuba by the people of United States. This insecurity on the part of democratic nations gave rise to the concept of "proletarian dictatorship" or the attempt of communist regimes to establish hegemony over the world, and it became one of the pet themes of the theorists and political strategists of these nations. This very concept of fear that arose from the differences in ideologies and way of governance resulted in domination of the world by a global power and division of the world into groups, each having its own acceptable hegemon to rule and dictate their policies.

The formation of two distinct groups, the Warsaw Pact led by the USSR and NATO led by the United States of America after the Cold War period (1945–1990), was a show of hegemony between the two superpowers which led the world towards the arms race and regional tensions. This polarization created unnecessary problems for the whole world as insignificant regional problems were blown up to such huge proportions that they necessitated the intervention of the superpowers to further strengthen the need and dominance of ideological hegemons.

Thankfully enough this period too came to an end with the disintegration of the USSR and the dissolving of the Proletarian Camp. But Hegemony is still the dominant driving force in the world political scenario. With the rise of a unipolar world, the United States of America has emerged as the sole superpower (analysts use the term "hegemony" to describe the United States' role in the modern world) and today's most dominant hegemony is constituted of the dominant classes of the United States, consisting of the most powerful politicians and government bureaucrats, international corporations, and of course the Army. This hegemony is maintained through unrestricted use of global media corporations, by international trade agreements and financial institutions, and by military and monetary support given to other states by the United States government.

America is a nation with a short yet eventful history, on which volumes have been written, yet the task of historians does not seem to end. Great forces, which changed the course of the world, were nurtured in its lap and its impact could be felt right from day one of its existence as an independent nation. A democracy which was won by battles and supported by thinkers, a constitution which was framed by those who valued human lives and liberty above all other things in the world. Centuries have passed and sea changes have taken place in the world scenario since the discovery of America but it still remains the world of hopes and opportunities in the dreams of millions of men and women.

The history of this dreamland known as America is bereft of descriptions of the glamour of courts and knights, but recent happenings indicate the fascination of its democratically elected presidents towards the old feudal system of the knights & emperors. It is very strange that the nation which stood for human values, independence and sovereignty, a nation which was bold enough to announce the rights of man and citizens, a nation which opposed the very concept of an empire in its foundations, is fast emerging as an empire builder. The oldest republican democracy of the world is waging wars to force republics to dance to its tunes, thus directly or indirectly it is acting as a hegemon of the feudal period and its hegemony is going to be the most difficult one to tackle.

The question which now arises is: Is the U.S. an empire or a hegemon? American Empire—hailed by some, denounced by others—is accepted as inevitable by a majority. It is therefore natural to assume that America already enjoys a world-imperial position and is launched on an imperial course. But that assumption automatically diverts the train of thought to another assumption, that by virtue of being the only superpower in this unipolar world of post cold war period, America is already an empire, or at least is behaving like an empire, by virtue of its military supremacy, economic power, global influence, technological and scientific prowess, and world-wide alliances.

At this point I feel it necessary to discuss the crucial difference between hegemony and empire because the theme of the conference is Dreams/Nightmares of an Empire, Hegemony or Survival in the 21st century. The Dictionary defines Hegemony as the dominance of one group over other groups, with or without the threat of force, to the extent that, for instance, the dominant party can dictate the terms of trade to its advantage;

the cultural control that hegemony asserts affects commonplace patterns of thought: hegemony controls the way new ideas are rejected or become naturalized in a process that subtly alters notions of common sense in a given society. Empire is on the other hand is defined as Supreme Rule, Absolute Power or authority; an extensive social or economic organization under the control of a single person, family or corporation. An Empire is often stated as a state that extends dominion over areas and populations, distinct culturally and ethically from the imperial power.

Thus we can summarize the differences between hegemony and imperialism:

1. Hegemony means clear, acknowledged leadership and dominant influence by one unit within a community of units. Principally speaking the hegemon is first among equals, whereas an imperial power rules over subordinates.
2. A hegemonic power is the one without whom no final decision can be reached within a given system; its responsibility is essentially managerial, to see that a decision is reached. An imperial power rules the system, imposes its decision when it wishes.
3. Hegemony in principle is compatible with the international system we now have, composed of autonomous, coordinate units enjoying juridical equality (status, sovereignty, rights, and international obligations) regardless of differences in power. Empire is not.

Powerful implications flow from this definition and distinction; we can easily see that when the world speaks of American Empire it is actually describing its current position and status in world scenario, rather than the empire building tendencies. It is its unchallenged hegemony that is the cause of worry for most of them.

This hegemony or dominance of the United States has its roots in history in a political theory called The Monroe Doctrine. The Monroe Doctrine is a U.S. Doctrine which, on December 2, 1823, proclaimed that European Powers should no longer colonize or interfere with the affairs of the nations of the Americas. The United States planned to stay neutral in wars between the European powers and their colonies. However, if

these latter types of wars were to occur in the Americas, the United States would view such action as hostile.

Theodore Roosevelt added to the doctrine, and summed up his additions with the statement, "Speak softly and carry a big stick." Viewing into historical facts and events we often find that, in practice, the Monroe Doctrine has served as a declaration of hegemony and a right of unilateral intervention over the nations of the Western Hemisphere by the United States. The 79 U.S. military interventions in Latin America and Haiti since 1846 and the work of mercenaries such as William Walker, who briefly installed himself as president of Nicaragua, strengthen this belief.

The United States has been a hegemonic power for almost a century now and whether it be the call for "Democracy Promotion" and "making the world safe for democracy" during cold war period, or it be the cry for "war against terrorism" as a cure for the breeding terrorism in the Middle East, everywhere a strong overpowering U.S. presence and interest could be felt by all. Economists world-wide are analyzing it not as a war for democracy but about increasing U.S. economic and political control of the region. They claim that the United States believes that it is necessary to control the Middle East in order to control the fast emerging political and economic powers of the European Union, China, and India.<sup>2</sup>

Looking into the affairs of the Middle East a few years back we find that the above statement does not seem very unlikely either. Under the doctrine of Middle East 'exceptionally', the US supported autocratic and dictatorial regimes for a long period. The idea of a Soviet threat was used as a deterrent to justify U.S. presence in the region. In 1953 when Prime Minister Mohammad Mossadegh of Iran was overthrown and the Shah was reinstated on the throne, he received full U.S. support. History suggests that the moves of the U.S. have often been to destroy democracy rather than establishing it, and it seems hypocritical for the U.S. to accuse the Middle East of being undemocratic when it has never promoted democracy in the region. We must not forget how undemocratic the popularly elected, forward looking, democratic government of Turkey seemed to the angry U.S. officials when the Turkish parliament barred U.S. military forces from invading Iraq from Turkish soil. It has been reported that in spring 2005, the then U.S. ambassador, Kenneth Edelman, had requested the Turkish PM to ask the Turkish newspapers not to publish articles critical of the U.S., and still they call such

interventions as efforts for spreading democracy, and opening up civil society.

This hegemony exercised by the U.S. since the end of the cold war has lowered it in the public opinion of the world, who are now viewing the U.S. as a bully who uses international laws and organizations for its convenience, and who, in pursuing its policies of self promotion, does so with utter disregard to others' independence or opinion.<sup>3</sup> What more proof does one require than the Iraq war? The ongoing war is just another example of the hegemonic character of the U.S., exercised for the promotion of its economical and political hold. False pretences were used to launch the war and even to date all the covert war practices, such as use of banned weapons,<sup>4</sup> illegal arrests, torture etc. are being applied in Iraq, thereby showing open disdain and disregard for international laws.<sup>5</sup>

Mao Tse-Tung, the communist leader of China, once said that politics is war without bloodshed while war is politics with bloodshed. Surprisingly, that exactly is what the U.S., the die hard opponent of communism, is doing in Iraq and everywhere else.<sup>6</sup> Iraq was attacked under the pretext of its being in possession of weapons of mass destruction, and when that was found to be false then they started crying hoarsely that it was to save democracy. The million dollar question is, whose democracy? Surely not that of any nation in the Middle East. The barbaric war is going on not against a standing army or armed combatants but against innocent civilians suspected to be supporters of a particular leader or group.<sup>7</sup> The civilian population of Iraq (under continuing military occupation about 90% of the victims are non combatants civilians) is targeted as 'enemies', deliberate violations of the Geneva and the Hague Conventions,<sup>8</sup> genocide of half a million Iraqi children (more than the number who died at Hiroshima) certainly is a cruel reminder of the East Europe military occupations by Nazi forces and cannot be called a fight for democracy by any standard. Using depleted uranium weapons, known to have carcinogenic effects particularly among children,<sup>9</sup> and leading to silent killing through cancer, the deliberate use of water supply, sewage system and hospitals for creating health havocs are not aimed at saving democracy. (The United Nations Special Rapporteur on the right to food, Jean Ziegler of Switzerland, cites violations of Article 54 of Protocol Additional I in Tall Afar, Fallujah and a number of other locations in Iraq<sup>10</sup> where there have been reports of widespread withholding of food and water as well as rampant malnutrition of

Iraqi civilians, in particular, the children. Further, there was serious damage done to the water installations and agricultural areas by the U.S. forces during the initial military actions and the ground invasion that has yet to be adequately repaired. A second area where the U.S. has received widespread condemnation for violations is in the complete breakdown of Iraq's medical infrastructure, coupled with continued attacks on hospitals and other protected medical facilities and equipment. The UN expert human rights body was so shocked at the blatant disregard for the continued military operations against the medical infrastructure in Iraq that it issued Resolution 2005/ 2: Prohibition of military operations directed at medical facilities, transport and personnel entitled to protection during armed conflict. Both the United Nations High Commissioner for Human Rights and the International Committee of the Red Cross issued strong condemnations following the attacks on Fallujah's medical infrastructure in November 2004. Attacks on Fallujah's medical infrastructure was followed by attacks on hospitals in Haditha, Al-Qaim, Tall Afar, Ramadi, prompting a major campaign sponsored by the Brussels Tribunal and many other international groups.<sup>11</sup>) Are they trying to root out terrorism or generate causes for its further breeding by the premeditated and systematic destruction of Iraq's civilian infrastructure? Saddam might be a tyrant, a dictator, an inhuman ruler—but do we fail to remember whose creation he was? Who was supporting him in his initial years? It is common knowledge that they were the same persons who took him to the noose without even giving him a chance for a fair trial. They are the same persons, who, with utter disregard for the sentiments of other races, have had him hanged just one day before Id.<sup>12</sup> They are the same persons who hold maximum nuclear weapon stocks and impose economic sanctions on others who dare manufacture a few of their own. This, certainly, is not saving democracy but bringing it to an abrupt end.

Bismarck had once remarked very cynically that "A Special Providence protects fools, drunkards, small children and the United States of America."

Seeing the world situation, we may have some doubts about others but the U.S. certainly is protected by some Special Providence. But for how long? Until and unless the world starts looking for possible alternatives, this hegemonic empire of the U.S. will destroy all that which has been created over the years. World peace is in danger and so is sovereignty and independence of all those who do not choose to follow United States of

America blindly.<sup>13</sup> We need an alternative, but what can it be?

To me, an alternative to this rising hegemony, which is threatening to the world solidarity, is strengthening of the United Nations, created by great statesmen and thinkers, who joined heads to create such an institution in good faith but alas they could not visualize the flaws they were leaving in their creation. It is now clear that the victors of the World War II wanted to have the maximum share of power in their own hands. They wanted to control the world at their own sweet will and that is why the UN, although effective in certain non political aspects has failed to rise to the occasion under crisis situations created by the world powers.<sup>14</sup>

- We need to strengthen the United Nations, to improve upon its constitution and not let it be a mere puppet in the hands of a few. The victors of World War II have played their role, now they ought to step down from the podium and give others a chance. The result cannot be worse than what the world is already going through.
- The Security Council should be completely changed: no permanent seat should be allowed in the council which is responsible for world security. Let it be a universally elected body, let the representatives of the world elect the members for a fixed period of time to ensure continuous rotation and make other members feel equally responsible in the matters of the world.
- Veto power provided to the few should be withdrawn. How can a world organization profess to save democracy when in its core we find the very undemocratic principle and practice of discrimination? Veto power gives a few nations the right to steer the world organization for their personal benefit. If we want world peace, the veto and permanent membership have to go.
- Every nation should be given a chance to be heard fairly before passing sanctions against it and world representatives should also consider the after-effects of such sanctions.
- Disarmament should not be a mere talking agenda; it should be implemented with strong resolve. Each and every Nation, including the superpowers, must

destroy all their reserves and sign CTBT.

These are tough times with terrorism taking the form and characteristics of multi-national crime. With its ability to operate seamlessly and mercilessly across borders it is creating a situation where the fight against its breeding centers has become a Necessity. But fighting terrorism and its transnational perpetrators is one thing, destroying for that purpose a generally well-working international system is totally different.<sup>15</sup> There have been circumstances when empires promising stability and order have been successful for a short time but inevitably accompanying this short period of stability there is overt and latent violence, disorder, and war, whereas the attempts of a relatively stable international system of autonomous units to generate stability and order have always been successful if not interfered with. The world stands witness to the fact that any attempt to disrupt the work of such agencies has always produced massive instability, disorder, and war.

We all must unite against anyone trying to destroy world peace. We need a morally committed leadership, not hegemony based on military power and economic exploitation. Hegemony is always a nightmare; dreams do not consist of military occupation, the rape of humanity, and the massacre of innocent children. Dreams are always of lush green meadows, sprawling fields, singing maidens, and school-going children. If we want to realize our dreams we must look for a better alternative to the U.S. hegemony, an alternative which creates a peaceful democratic world, not wars to protect democracy.

At the end I would like to quote Grover Cleveland, the 22nd and 24th President of U.S.A., who had once said, "The United States is not a nation to which peace is a necessity."

We may agree with you Sir, but the fact remains that for the rest of the world peace is a way of life, a pathway to survival with dignity and we all should join hands to preserve it.

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#### Endnotes

1. Manek Kriplani and Mika Gabrielssons, "Global Strategies: A Control Perspective", *World Affairs* Autumn 2006 Vol. 10 no. 3
2. Girdner, Eddie J., "The US Neo-Wilsonian Grand Strategy For the Middle East: Subterfuge For Neo-Liberal Conquests," *World Affairs*

Autumn 2006, Vol. 19, No. 3.

3. Tucker, Robert W and Hendrickson, David C, "The Sources of American Legitimacy", *Foreign Affairs*, November/December 2004, pp. 18-32.
4. The U.N. expert body addressed the issue of cluster (fragmentation) bombs, found to be illegal as they easily spread from legal to illegal military targets (they typically spread over an area of several football fields), and, because they have a poor detonation record, continue as unexploded ordinance (UXOs) for many years unless cleaned up. These cluster bombs were used in Iraq war against urban population. U.S. military commanders also acknowledged, after initial denials, that Napalm was dropped on Iraqi troops during the advance on Baghdad and to the use of white phosphorus by the U.S. forces during the siege of Fallujah. in November 2004 Other credible sources also reported its use in Fallujah, forcing the issue with the U.S., James T. Cobb, "Indirect Fires in the Battle of Fallujah," *Field Artillery*, March-April 2005, pp. 23-28. [http://www.ringnebulacom/FieldArtillery\\_MarApr2005.htm](http://www.ringnebulacom/FieldArtillery_MarApr2005.htm).
5. Principle VI of Principles of Nuremberg; Adopted by the U.N. International Law Commission in 1950 states that: "The crimes hereinafter set out are punishable as crimes under international law: a. Crimes against peace: i. Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances: ii. Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i). b. War crimes: Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labor or for any other purpose of civilian population of or in occupied territory, murder or ill treatment of prisoners of war, of persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity. c. Crimes against humanity: Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.
6. Even before the war in Iraq began, the United States initiated defensive measures to protect itself from liability for war crimes in Iraq by seeking bilateral treaties with most States. These agreements state that the other States would "decline" to prosecute or to bring U.S. citizens before the International Criminal Court. States that did sign such agreements suffered substantial withholding of U.S. aid. Even though patently illegal, and therefore ultimately void in international law, a number of States did enter into these agreements. At present there are some groups in Europe seeking to void those signed in European countries. Most countries in Latin America refused to sign these agreements, and most were "punished" by losing U.S. aid.
7. Civilians in an occupied country are protected by applicable human rights law as well as by Geneva Convention IV relating to civilians and the provisions relating to civilians in Protocol Additional I. A civilian who takes up arms against the Occupying Power although loses rights as a civilian, but takes on the rights and obligations of combatant forces. The Geneva Conventions recognize the combatant status of persons who spontaneously take up arms on the approach of the enemy. This rule is augmented by the principle of self-determination and under it, a people have the right to resist, with force if necessary, an alien or foreign occupier The fact that some of the people resisting the U.S./ British occupation of Iraq were not part of the pre-invasion Iraqi armed forces is not relevant, as persons who were civilians can take up arms as insurgents against any occupier. As protected combatants they have the right to take up arms against the Occupying Power and cannot be criminally charged except for acts that violate the laws and customs of war. As in case of U.S. treatment of Iraqi civilians, who had spontaneously taken to arms and organized themselves into defense forces, by considering them to be "terrorists" instead of combatants,

would mean that persons under attack from a foreign or oppressive force would not be able to fight back and resist without being considered terrorist. (The right to self determination is one of the most fundamental in the UN Charter and human rights treaties, being prominent in Article 1 of the Charter).

8. The Geneva Conventions and their Additional Protocols are international treaties that contain the most important rules limiting the barbarity of war. They protect people who do not take part in the fighting (civilians, medics, aid workers) and those who can no longer fight (wounded, sick and shipwrecked troops, prisoners of war). The Conventions and their Protocols call for measures to be taken to prevent (or put an end to) what are known as “grave breaches”; those responsible for breaches must be punished. The following acts shall be regarded as grave breaches of this Protocol, when committed willfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health: (a) making the civilian population or individual civilians the object of attack; (b) launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a)(iii); (c) launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a)(iii); (d) making non-defended localities and demilitarized zones the object of attack; (e) making a person the object of attack in the knowledge that he is hors de combat; (f) the perfidious use, in violation of Article 37, of the distinctive emblem of the red cross, red crescent or red lion and sun or of other protective signs recognized by the Conventions or this Protocol.
9. The use of weapons containing depleted uranium (DU) was widely condemned by nongovernmental organizations at the 2003 session of the United Nations Commission on Human Rights. Many of the tanks employed in Iraq fire DU-coated projectiles, and many experts insist that the larger missiles used in “shock and awe” were also DU coated. U.S. concedes it uses DU weapons, but insists that DU weapons are not illegal. However, as UN and other experts argue, DU weapons can be considered illegal because of the prohibitions in The Hague Convention of 1907 on poisons, the 1925 Protocol on Gases, Protocol I of the 1983 Convention (17 June 1925): Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare on “Conventional” weapons that prohibits non-detectible fragments and because they are indiscriminate. DU particles cannot be detected or contained to the legal field of battle, cannot be “disengaged” when the war is over, cause medical catastrophes long after the cessation of hostilities and are therefore inhumane, and pollute the environment. Widespread use of DU weapons in Iraq has resulted in an escalating incidence of birth defects, cancers, and other illnesses and conditions related to use of this type of uranium.
10. UN press release of October 16, 2005 (World Food Day) issued by the Special Rapporteur. He also discusses violations in his 2005 report to the UN Commission on Human Rights, UN Doc. E/CN.4/2005/47, para. 19.
11. The attack on Falluja’s medical infrastructure in November 2004 prompted a legal action by the Association of Humanitarian Lawyers against the U.S. at the Organization of American States, Inter-American Commission on Human Rights, registered as Petition No. P-1258-04 by the Commission. The Brussels Tribunal initiative was supported by literally hundreds of organizations and prominent persons and follows a report it issued by Dahr Jamail about hospitals in Iraq. See D. Jamail, 2005, “Iraqi Hospitals Ailing Under Occupation,” [www.brussels-tribunal.org/pdf/healthCareUnderOccupationDahrJamail.pdf](http://www.brussels-tribunal.org/pdf/healthCareUnderOccupationDahrJamail.pdf).
12. On 19 March 2003, President Bush Jr. commenced his criminal war against Iraq by ordering a so-called decapitation strike

against the President of Iraq in violation of a 48-hour ultimatum he had given publicly to the Iraqi President and his sons to leave the country. This duplicitous behavior violated the customary international laws of war set forth in the 1907 Hague Convention on the Opening of Hostilities to which the United States is still a contracting party, as evidenced by paragraphs 20, 21, 22, and 23 of U.S. Army Field Manual 27-10 (1956). Furthermore, President Bush Jr.'s attempt to assassinate the President of Iraq was an international crime in its own right. Of course the Bush Jr. administration's war of aggression against Iraq constituted a Crime against Peace as defined by the Nuremberg Charter (1945), the Nuremberg Judgment (1946), and the Nuremberg Principles (1950) as well as by paragraph 498 of U.S. Army Field Manual 27-10 (1956), Boyle, Francis A, Iraq and the Laws of War, [www.dissidentvoice.org](http://www.dissidentvoice.org), October 31, 2005.

13. On June 22, 2006, U.S. Army Lt. Ehren Watada refused to board a Middle East bound plane. The army court-martialed him for "missing movement," refusing to deploy to Iraq, and for conduct unbecoming an officer. In pre trial sessions, the presiding military judge, Lt. Col. John Head tried to convince Watada, unsuccessfully, that the Nuremberg defense made no sense. Head saw no way for soldiers to resist orders – even ones to commit genocide. When Watada insisted on Nuremberg\*9Ref. E.N. 5) as his defense, Ignoring his case, Head wrote: "A hearing on the 'Nuremberg defense' would consist of witnesses who would testify that the war in Iraq was a crime against peace, a war of aggression, and a violation of the United Nations Charter, other international law, and U.S. law. The accused would testify that his refusal to go to Iraq was based upon the belief that he would be committing war crimes because the United States was involved in a war of aggression and a crime against peace." Head would not allow such witnesses.
14. UN Security Council resolution 1546 of June 8, 2004, while seeming to recognize Iraq's sovereignty, is notable for its contradictions and ambivalence. It records "that ...by 30 June 2004, the occupation will end and the Coalition

Provisional Authority will cease to exist, and that Iraq will reassert its full Sovereignty," but then notes "the situation in Iraq continues to constitute a threat to international peace and security," thus requiring that "the multinational force shall have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq...."

15. The United Nations Charter Article 2 requires the peaceful resolution of disputes. Under the terms of Article 39-42, only the U.N. Security Council can determine if conditions warrant the use of force. In spite of the clear rules, and absent Security Council approval, the U.S. and the U.K. invaded Iraq in 2003, based on a rationale that generated suspicion months before the invasion. This justly classifies as an attempt to wreck the world agency set up to maintain peace.

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