

A War Crime in Real Time: Obliterating Fallujah

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The obliteration of Fallujah continues apace. Article 6(b) of the 1945 Nuremberg Charter defines a Nuremberg War Crime in relevant part as the “. . . wanton destruction of cities, towns or villages. . .” According to this definitive definition, the Bush Jr. administration’s destruction of Fallujah constitutes a war crime for which Nazis were tried and executed. There is nothing surprising about that.

Since the Bush Jr. administration’s installation in power by the United States Supreme Court in January of 2001, the peoples of the world have witnessed a government in the United States of America that has demonstrated little if any respect for fundamental considerations of international law, international organizations, and human rights, let alone appreciation of the requirements for maintaining international peace and security. What the world has watched instead is a comprehensive and malicious assault upon the integrity of the international legal order by a group of men and women who are thoroughly Machiavellian in their perception of international relations and in their conduct of both foreign policy and domestic affairs. This is not simply a question of giving or withholding the benefit of the doubt when it comes to complicated matters of foreign affairs and defense policies to a U.S. government charged with the security of both its own citizens and those of its allies in Europe, the Western Hemisphere, and the Pacific. Rather, the Bush Jr. administration’s foreign policy constitutes ongoing criminal activity under well-recognized principles of both international law and U.S. domestic law, in particular the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles. So their obliteration of Fallujah was to be expected.

One generation ago the peoples of the world asked themselves: Where were the “good” Germans? Well, there were some good Germans. The Lutheran theologian and pastor Dietrich Bonhoeffer was the foremost exemplar of someone who led a life of principled opposition to the Nazi-terror state even unto death.

Today the peoples of the world are likewise asking themselves: Where are the “good” Americans? Well, there are some good Americans. Like three Catholic Nuns in Denver, they are getting arrested and going to jail for protesting against United States weapons of mass destruction (WMD) whose power for human extermination far exceeds even the wildest fantasies of Hitler and the Nazis. Or else for protesting against illegal U.S.. military interventions around the world. Just recently the Nuclear Resister estimated that since the Fall of 2002, there have been more than 9,500 anti-war related arrests in the United States alone. Many more will be coming.

In international legal terms, the Bush Jr. administration itself should now be viewed as

constituting an ongoing criminal conspiracy under international criminal law in violation of the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles, due to its formulation and undertaking of aggressive war policies that are legally akin to those perpetrated by the Nazi regime. As a consequence, American citizens possess the basic right under international law and the United States domestic law, including the U.S. Constitution, to engage in acts of non-violent civil resistance in order to prevent, impede, thwart, or terminate ongoing criminal activities perpetrated by U.S. government officials in their conduct of foreign affairs policies and military operations purported to relate to defense and counter-terrorism.

This same right of civil resistance extends *pari passu* to all citizens of the world community of states. Everyone around the world has both the right and the duty under international law to resist ongoing criminal activities perpetrated by the Bush Jr. administration and its nefarious foreign accomplices such as Blair, Berlusconi, Howard, Koizumi, Kwasniewski, etc. by all non-violent means possible. If it is not so restrained, the Bush Jr. administration could very well precipitate a Third World War.

The time for preventive action is now. Civil resistance is the way to go. People power can overcome power politics. Popular movements have succeeded in toppling tyrannical, dictatorial and authoritarian regimes throughout former Communist countries in Eastern Europe, as well as in Asia, and most recently in Latin America. It is time once again to exercise People Power here in the United States of America: "When in the Course of human Events. . . We hold these Truths to be self-evident. . . . we mutually pledge to each other our Lives, our Fortunes, and sacred Honor."

Despite the best efforts by the Bush Jr. Leaguers to the contrary, we American Citizens still have our First Amendment Rights: Freedom of Speech, Freedom of Association, Freedom of Assembly, Freedom to Petition our Government for the Redress of these massive Grievances, Civil Resistance, etc. We are going to have to start vigorously exercising all of our First Amendment Rights right now. We must use them or else, as the saying goes, we will lose them. We must act not only for the good of the Peoples of Southwest Asia, but for our future, that of our children, that of our nation as a democratic society committed to the Rule of Law and the U.S. Constitution. The Nazis had their "homeland" too.

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