

U.S. Aggression-Time Once Again

The Fourth U.S. "Supreme International Crime" in 7 Years Is already Underway

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U.S. Aggression-Time Once Again: The Fourth U.S. "Supreme International Crime" in Seven Years Is Already Underway, With the Support of the Free Press and "International Community"

With the United States having initiated wars in violation of the UN Charter, and hence engaged in the "supreme international crime,"¹ against Yugoslavia, Afghanistan, and Iraq in 1999, 2001, and 2003, one might have expected that its commencement of a fourth aggression only a few years later against Iran would arouse the UN, EU, other international institutions and NGOs, and even the supposedly moral and independent Free Press, to serious protest and counter-action, including referral to the UN Security Council under Chapter VII's "threat of peace" articles and support of possible diplomatic and economic sanctions. This has not happened, and in fact the Bush administration has successfully mobilized the UN, whose "primary responsibility" is the "maintenance of international peace and security," and the EU, as well as the Free Press, to facilitate its fourth attack.

We say that the fourth aggression is already underway, because once again, as in the Iraq case, the United States has been attacking Iran for many months, and not just with verbal insults and threats. It has been flying unmanned aerial surveillance drones over Iran since 2004; it has infiltrated combat and reconnaissance teams into Iran "to collect targeting data and to establish contact with anti-government ethnic minority groups" (Seymour Hersh);² it has bestowed an ambiguous "protected" status upon the Mujahedin-e Khalq, a group which, since 1997, the U.S. Department of State has designated a Foreign Terrorist Organization, but a group that the Washington regime now uses to launch cross-border attacks on Iran from within U.S.-occupied Iraq;³ and it and its Israeli client have repeatedly threatened larger scale and more open attacks. This pre-invasion aggression was an important feature of the overall aggression against Iraq, where the US and British greatly increased their "spikes of activity" with massive bombing well before the March 19, 2003 invasion⁴—major acts of war and aggression begun as early as April 2002, that were almost wholly ignored by the Free Press and "international community."

What is mind-boggling in all this is that new attacks and threats by a country that is in the midst of a serial aggression program, that runs a well documented and widely condemned global gulag of torture,⁵ that has committed major war crimes in Iraq—Fallujah may well replace Guernica as a symbol of murderous warfare unleashed against civilians⁶—and that openly declares itself exempt from international law and states that the UN is only relevant when it supports U.S. policy,⁷ is not only not condemned for its Iran aggression, but is able to enlist support for it in the EU, UN and global media. This enlistment of support occurs despite the further fact that it is now generally recognized that the Bush and Blair

administrations lied their way into the Iraq invasion-occupation (but still quickly obtained UN and EU acceptance of the occupation and ensuing ruthless pacification program),⁸ and that they cynically misused the inspections program, all of which makes the new accommodation to the aggression-in-process and planned larger attack truly frightening.

The mechanism by which this is accomplished by the aggressor state is to cry-up an allegedly dire threat that Iran might be embarking on a program to obtain nuclear weapons—it might be doing this secretly, and although it has submitted itself to IAEA inspections for the past three years, it has not been 100 percent cooperative with the Agency.⁹ Combining this with demonization,¹⁰ intensive and repeated expressions of indignation and fear, and threats to do something about the intolerable threat, the Washington regime has managed to produce a contrived “crisis,” with huge spikes in media attention and supportive expressions of concern and actions by the UN, IAEA, and international community.¹¹ These groups join the aggressor partly to avoid offending it, but also to try to constrain its determination to get its way—but in the process they accept its premises that there is a real threat and hence give at least tacit support to its aggression program, and sometimes more. On the home front, with the acceptance of the seriousness of the manufactured crisis by the mainstream media and Democrats, and with leading politicians like Hillary Clinton and Evan Bayh even egging Bush on, the noise creates its own self-fulfilling pressures on the leadership that manufactured the crisis, who now must “do something” about it to avoid political loss.¹²

This time, the EU appears to be cooperating even more fully in the developing aggression against Iran than it did in the Iraq case. Although Iran has an absolute and “inalienable” right to enrich uranium under NPT rules (i.e., the NPT’s sole condition is that the enrichment can only be “for peaceful purposes”), and although the NPT imposes upon other parties to the treaty the obligation to “facilitate...the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy,”¹³ under British, French and German urging Iran, in November 2004, agreed “on a voluntary basis to continue and extend its suspension to include all enrichment related and reprocessing activities,” while these states agreed to continue negotiations in good faith for the sake of an agreement that “will provide objective guarantees that Iran’s nuclear programme is exclusively for peaceful purposes,” and “firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues.”¹⁴

But subsequent stages of negotiations foundered mainly because the three EU states could not provide Iran with guarantees on security-related issues without also securing U.S. guarantees for the same—and not only were U.S. guarantees never forthcoming, but Washington and Israel escalated their threats instead. Moreover, it is the longstanding U.S. position that “no enrichment in Iran is permissible,” in the words of U.S. Ambassador to the United Nations John Bolton. “The reason for that,” he added, “is that even a small so-called research enrichment program could give Iran the possibility of mastering the technical deficiencies it’s currently encountering in its program. Once Iran has the scientific and technological capability to do even laboratory size enrichment, that knowledge could be replicated in industrial-size enrichment activities elsewhere, that’s why we’ve felt very strongly that no enrichment inside Iran should be permitted, and that remains our position.”¹⁵ In short, the United States unilaterally refuses to allow Iran its rights granted it by the NPT.

Now some 18 months later, a U.S.-led consortium of states has introduced a draft resolution within the UN Security Council with the intent of imposing upon Iran a deadline for

terminating all indigenous “enrichment-related and reprocessing activities” (pars. 1-2), as well as calling on all states to prevent the transfer of the technology and the expertise “that could contribute to Iran’s enrichment-related and reprocessing activities and missile program” (par. 4)—thereby following the U.S. lead and criminalizing Iran’s and only Iran’s pursuit of its “inalienable” rights under Article IV of the NPT, and treating Iran’s otherwise legal, NPT-sanctioned enrichment program as a Chapter VII threat to international peace and security. Equally striking, this draft resolution also expresses the Security Council’s “intention to consider such further measures as may be necessary to ensure compliance with this resolution...” (par. 7).¹⁶ This is exactly the kind of phraseology that, if adopted, the Washington regime would have been eager to interpret as a use-of-force type resolution, regardless of whether other members of the Security Council went along with it.

We regard the terms of this draft resolution as well as the general thrust of British, French, German, and European Union diplomacy on the Iranian nuclear issue to be a perfect accommodation to the needs of the aggressor state, which openly denies Iran its “inalienable” rights under NPT rules. This also constitutes a death-blow-by-politicization to the NPT and a gross abuse of the functions and powers of the Security Council, all in deference and service to a program in violation of the most basic principle of the UN Charter—that all members “shall settle their international disputes by peaceful means” and refrain from the “threat or use of force” (Article 2).

Since the spring of 2003, U.S. power has produced a steady and indignant focus on Iran’s alleged foot-dragging on inspections. As in the case of Iraq’s failure through March 2003 to prove that it did not possess any “weapons of mass destruction” (WMD), the U.S.-driven allegations and inspections regime channeled through the IAEA have focused on Iran’s parallel failure to disprove a negative—namely, that Iran prove that it is not secretly engaging in practices that are prohibited under the NPT and subsequent Safeguards Agreement (May 15, 1974) and the Additional Protocols (signed December 18, 2003, though only observed “on a voluntary basis”). Moreover, throughout the current 38-month cycle of allegations and inspections to which the IAEA has now subjected Iran, the IAEA has repeatedly adopted a phraseology to the effect that the IAEA is “unable to confirm the absence of undeclared nuclear material and activities inside Iran”—an inherently politicized condition that no state would be capable of meeting, no matter what it agreed to do, and whose application depends ultimately on the strength of the political forces that pressure the IAEA to continue the search.¹⁷ With enough political pressure, no amount of “transparency” and “confidence-building” measures on the part of the accused state can meet it, as was evident in the Iraq case. And as long as the IAEA reports that it is unable to confirm the absence of undeclared nuclear material and activities inside Iran, Iran is helpless before the IAEA’s negative condition.

The “threat” and crisis have been sustained in the media by the use of patriotic and fear-mongering frames and suppressions of relevant fact that may even be more brazen and misleading than those justifying the invasion of Iraq. The crisis-supporting frames are: (1) that Iran is a dangerous theocratic state, with an irrational and unstable political and clerical leadership that has supported terrorists and threatened Israel and is therefore not to be trusted with a nuclear program; (2) that it has been secretive about its nuclear program, has not been fully cooperative with the inspections program of the IAEA, and that the reason for this secrecy is Iran’s intention to develop nuclear weapons; (3) that its acquisition of a nuclear weapons capability would be intolerable, would destabilize the Middle East if not the whole of Western Civilization, and must be stopped.

In sustaining these frames it is necessary to suppress major facts, such as: (1) that there is no proof that Iran plans to go beyond the civilian uses of nuclear materials to which it is entitled under the NPT and the IAEA has never claimed that it has evidence of such weapons efforts or plans; (2) that both the United States and Israel possess large and usable nuclear arsenals,¹⁸ and both have attacked other countries in violation of the UN Charter, which Iran has not yet done; (3) that Iran is far less dangerous than Israel and the United States because it is very much weaker than the two that threaten it, and could only use nuclear weapons in self-defense—offensive use would be suicidal, which is not the case should the United States and Israel attack Iran; (4) that Iran was secretive about its nuclear program because it recognized that the United States and Israel would have opposed it bitterly, but Iran at least did sign up with the NPT and has allowed numerous intrusive inspections, whereas Israel was allowed to develop a nuclear weapons program secretly, with U.S., U.K., French and Norwegian aid, refused to join the NPT, and remains outside the inspections system;¹⁹ (5) that both the United States and Israel are virtual theocratic states, profoundly influenced by religious parties whose leaders are arrogant, racist, and militaristic, and who have posed persistent threats to international peace and security; (6) that both the United States and Israel have supported terrorists on a larger scale than Iran (e.g., Posada, Bosch and the Cuban terrorist network, the Nicaraguan contras, Savimbi and UNITA, the South Lebanon Army, among many others); and (7) that it is the United States and Israel that have destabilized the Middle East, by aggression and ethnic cleansing in violation of international law and by forcing a huge imbalance in which only Israel is allowed nuclear weapons among the countries of the Middle East, a condition which allowed Israel to invade Lebanon and enables it to ethnically cleanse the West Bank without threat of retaliation.

A first alternative-frame that might be used but is not to be found in the mainstream media is based on the fact that, year-in and year-out, the United States has been a chronic violator of the NPT's Article VI requirement that all parties "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." In the context of the U.S.-driven accusations about Iran's violations of the NPT, it is worth emphasizing that in a 1996 decision by the International Court of Justice, the fourteen judges on the Court ruled unanimously that "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."²⁰ The United States has brazenly ignored this ruling, refusing to countenance any form of disarmament or international control over its sovereign rights on questions of war and peace, openly working on improving its nuclear weapons,²¹ and even threatening to use them against Iran.²²

Hence the United States not only has unclean hands, but its own illegal policies and threats pose a clear and present danger that the UN and international community should be addressing right now. Furthermore, not only is Iran not an immediate threat, but given the U.S. threat to Iran and the U.S. refusal to work toward the elimination of nuclear weapons and to pledge non-use against nuclear weapons-free countries like Iran, Iran has a moral right to try to acquire such weapons for self-defense. Noting what the Americans had done to a nuclear-weaponless Iraq in 2003, the Israeli historian Martin van Creveld has written, "Had the Iranians not tried to build nuclear weapons, they would be crazy."²³

This point is reinforced by a second alternative frame: namely, that the United States is

using the Iran nuclear threat as a gambit closely analogous to the WMD claim that it employed as the lying rationale for the invasion-occupation of Iraq. As before, the gambit is a cover for a desire to force a “regime change” in Iran to make it into another amenable client state. This is sometimes even openly acknowledged, and helps explain the frenzied threat-inflation and artificial creation of a crisis that can be used as the pretext for an attack and possibly produce turmoil and political change in Iran. It also helps us understand the continual U.S. refusal to negotiate with Iran and/or to offer a security guarantee in exchange for possible Iranian concessions on its nuclear plans. The same process occurred in the run-up to the Iraq invasion—the United States inflated the threat, created a crisis, refused to negotiate with Iraq, and would not allow inspectors to complete their search for WMD allegedly because of the dire threat, but more plausibly because of a longstanding U.S. determination to engineer a regime change.

As noted, the mainstream media have followed the party line on the Iran “crisis” and failed almost without exception to note the problems and deal with matters raised in the alternative frames. Remarkably, despite their acknowledged massive failures as news organizations and de facto propaganda service for the Bush administration in the lead up to the Iraq invasion,²⁴ with the administration refocusing on the new dire threat from Iran it took the mainstream media no time whatsoever to fall into party-line formation—from which they have not deviated. Thus, they never go into the U.S. violations of its NPT obligations, never discuss international law and its possible application to U.S. pre-invasion aggression and threats of open attack, just as they ignored the subject in reference to the Iraq invasion.²⁵ They never challenge the threat-inflation or consider any possible Iranian right of self-defense. (We may recall that the Free Press was able to make an almost completely disarmed Guatemala a frightening threat back in 1954, as well as the badly weakened Iraq in 2002-3.) The media never suggest that the United States may be abusing the inspections process—never harking back to its abuses and outright lying as regard the Iraq inspections effort—and they never suggest ulterior motives for the aggressor.

In treating EU, UN and IAEA responses, the media never suggest that the real problem is containing the United States. In the comical version offered and hardly contested in the media, it is often suggested that there is a threat of “appeasement” of Iran, and that if the world is “to avoid another Munich,” and the “Security Council fails to confront the Iranian threat,” it is up to the United States to “form an international coalition to disarm the regime.”²⁶ But there is never a hint that the problem might be appeasement of the United States. Or that the applicable Munich analogy might not apply to the Iranian nuclear program at all, as the 1938 Pact among the European powers that impelled Czechoslovakia to accept the cession of the Sudetenland to the Nazis is analogous to the ongoing UN and EU role in facilitating the designs the United States is pursuing toward Iranian territory.²⁷

Pravda could not have done a better job for any planned Soviet venture abroad than the Free Press is once again doing for the Bush administration.

Conclusion

It is clear that when it comes to actions that the superpower (or its leading client states) chooses to take, international law is completely inoperative, and that this has become institutionalized and accepted by the “international community” (which doesn’t include the global underlying population). In the case of Iran, it is as if the lessons of the recent past, and even of the ongoing present in Iraq, simply disappear, and similar imaginary “threats” and misuse of supposedly neutral international bodies like the IAEA and its “inspections”

can be re-run in a miasma of hypocrisy. In fact, as we have noted, the situation has deteriorated, with the UN and EU now playing an active aggression-supportive role, following the U.S. lead in denying Iran its “inalienable” rights under the NPT and making its pursuit of those rights into a criminalized “threat to peace,” setting the stage for a more direct U.S. attack.

Our conclusion is twofold. First, given the U.S. and Israeli possession of nuclear weapons, their threat to possibly use them in attacking Iran, and the record of both countries in major law violations such as the U.S. violation of the UN Charter prohibition of aggression and the Israeli violations of the Fourth Geneva Convention on obligations of an occupying power, and given the fact that the Washington regime is already in the early phases of aggression against Iran, the UN and Security Council should be urgently focusing on the U.S. aggression instead of some minor inspection delinquencies on the part of Iran (and it goes without saying, instead of giving positive aid to the aggressor’s program).

Second, if there is a concern over violations of the NPT, far more important than Iran’s deficiencies are the U.S. failure to undertake any measures to eliminate nuclear weapons and its protection of Israel as the sole nuclear power in the Middle East, and remaining outside IAEA jurisdiction. In fact, the United States is improving its nuclear arsenal with the express intention of making nuclear strikes more “practicable.” As these threaten Iran as well as many other countries, common sense dictates that this violation of the NPT is vastly more important than any attributable to Iran—real or imaginary.

In a decent and sane world, bringing the U.S. violations of the NPT and its nuclear improvement actions before the UN and Security Council ought to have a very high priority, second only to stopping the U.S. aggression already underway against Iran and which threatens an enlargement of the conflagration begun by its prior and still raging “supreme international crime” in Iraq.

Endnotes

1. “To initiate a war of aggression...is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.” See [“The Common Plan or Conspiracy and Aggressive War ,”](#) in [Judgment of the International Military Tribunal for the Trial of German Major War Criminals](#) , part of the [Nuremberg War Crimes Trials](#) website maintained by the [Avalon Project at Yale Law School](#) .

2. Seymour Hersh, [“The Iran Plans ,”](#) New Yorker, April 17, 2006.

3. See [“Foreign Terrorist Organizations ,”](#) Ch. 8 of [Country Reports on Terrorism 2005](#) , U.S. Department of State, April, 2006, pp. 30/212 - 31/213. On the U.S. Government’s decision in July 2004 to grant “protected” status to the MEK members semi-permanently encamped at Ashraf in eastern Iraq, see [“Daily Press Briefing ,”](#) Adam Ereli, Deputy Spokesman, U.S. Department of State, July 26, 2004. As the spokesman for Tehran’s Foreign Ministry noted in reaction, “The United States is using its fight against terrorism as a tool, and we knew from the beginning that this fight is void and they are not serious. Using the Geneva Convention to protect this terrorist group is naive and unacceptable.” [“U.S. war on terror is a sham, says Iran ,”](#) Daily Times (Pakistan), July 28, 2004.

4. See Matthew Rycroft, [“The secret Downing Street memo ,”](#) July 23, 2002 (as posted to the Times Online, May 1, 2005); also Michael Smith, [“The war before the war ,”](#) New Statesman, May 30, 2005; Michael Smith, [“General admits to secret air war ,”](#) Sunday Times, June 26, 2005; David Peterson, [“‘Spikes of Activity’ ,”](#) ZNet, July, 2005; and David

Peterson, "[British Records on the Prewar Bombing of Iraq](#)," ZNet, July, 2005.

5. Jonathan Steele and Dahr Jamail, "[This is our Guernica](#)," The Guardian, April 27, 2005; Mike Marqusee, "[A name that lives in infamy](#)," The Guardian, November 10, 2005.

6. See, e.g., Gretchen Borchelt et al., [Break Them Down: Systematic Use of Psychological Torture by U.S. Forces](#), Physicians for Human Rights, May, 2005; Leila Zerrougui et al., [Situation of detainees at Guantánamo Bay \(E/CN.4/2006/120\)](#), UN Commission on Human Rights, February 15, 2006; and [By the Numbers: Findings of the Detainee Abuse and Accountability Project](#), Center for Human Rights and Global Justice, Human Rights First, and Human Rights Watch, February, 2006.

7. At a symposium in 1994 titled "Global Structures: A Convocation: Human Rights, Global Governance and Strengthening the UN," the current U.S. Ambassador to the United Nations John R. Bolton stated: "The United States makes the U.N. work when it wants it to work, and that is exactly the way it should be, because the only question — the only question — for the United States is what's in our national interest? And if you don't like that, I'm sorry. But that is the fact." See Nomination of John R. Bolton, Hearing before the Committee on Foreign Relations, U.S. Senate, April 11, 2005.

8. The blood spilled during the criminal U.S. and U.K. military seizure of Iraq had yet to dry before the UN Security Council placed its stamp upon the occupation with a litany of scramble-for-Iraq resolutions, beginning with [Resolution 1483](#) (May 22, 2003), lifting economic sanctions that dated all the way back to [Resolution 661](#) (August 6, 1990).

9. See "[The Iran 'Crisis'](#)," Edward S. Herman and David Peterson, ColdType, November, 2005.

10. On demonization, see David Peterson, "[The Language of Force](#)," ZNet, January 16, 2006.

11. For some recent opinion surveys of American beliefs and attitudes, all of which, in the manufactured crisis of the moment, find Iran and Muslims to be grave threats to Americans, see Jeffrey M. Jones, "[Americans Rate Iran Most Negatively of 22 Countries](#)," Gallup, February 23, 2006; Joseph Carroll, "[Americans Say Iran Is Their Greatest Enemy](#)," Gallup, February 23, 2006; Claudia Deane and Darryl Fears, "[Negative Perception Of Islam Increasing](#)," Washington Post, March 9, 2006; "[States of Insecurity](#)," Atlantic Monthly, April, 2006; Dana Blanton, "[FOX News Poll: Do Not Trust Iran](#)," FOXNews.com, May 9; "[FOX News / Opinion Dynamics Poll](#)," May 9.

12. On the American Democratic Party not only "not differ[ing] significantly from the administration," but "trying to outflank the administration by being even more hardline," see Anatol Lieven, "[There is menace in America's policy of prevention](#)," Financial Times, March 20, 2006 (as posted to the website of the [New American Foundation](#)). The lunatic (though still counterfactual) scenario laid out by Timothy Garton Ash in "[The tragedy that followed Hillary Clinton's bombing of Iran in 2009](#)" (The Guardian, April 20, 2006), is imaginable in the first place only because in the democratically crippled American political system, what are marketed as alternatives remain captive of the reigning de facto consensus.

13. Here quoting Article IV of the [Treaty on the Non-Proliferation of Nuclear Weapons](#) (effective March 5, 1970).

14. See the copy of the agreement between the E3/EU and Iran signed in Paris on November 15, 2004, as reproduced in [INFCIRC 637](#), IAEA, November 26, 2004, pp. 3-4.

15. Quoted in "No uranium enrichment 'permissible' for Iran—US envoy," Agence France Presse, March 6, 2006. Note that we can find no entry for Bolton's remarks on the website of the [United States Mission to the United Nations](#), e.g., under Press Releases, [January – March, 2006](#). Also see David Peterson, "[Overthrowing the NPT the American Way](#)," ZNet, March 7, 2006..

16. For the actual text of the draft resolution as it existed on May 3, see [“TEXT-UN council gets draft text on Iran nuclear program,”](#) Reuters-AlertNet, May 3. And for reporting on the May 3 draft, see, e.g., Elaine Sciolino, [“U.S., Britain and France Draft U.N. Resolution on Iran’s Nuclear Ambitions,”](#) New York Times, May 3; [“UN Security Council considers action on Iran’s nuclear programme,”](#) UN News Center, May 3; John Ward Anderson and Colum Lynch, [“U.S. Crafts Response on Iran,”](#) Washington Post, May 3; Maggie Farley, [“Security Council Gets Iran Nuclear Resolution,”](#) Los Angeles Times, May 4; Warren Hoge, [“Britain and France Press U.N. to Oppose Iran Nuclear Efforts,”](#) New York Times, May 4; Colum Lynch, [“Security Council Is Given Iran Resolution,”](#) Washington Post, May 4; Edward Alden and Caroline Daniel, [“US pushes for Iran financial sanctions,”](#) Financial Times, May 8. Also see Marjorie Cohn’s [“Bush Setting up Attack on Iran,”](#) Truthout, May 8.

17. To quote the latest installment in the IAEA’s series of reports to its Board of Governors (at least the 17th overall), “the Agency is unable to make progress in its efforts to provide assurance about the absence of undeclared nuclear material and activities in Iran.” [Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran \(GOV/2006/27\)](#), April 28, 2006, par. 33, p. 7. IAEA-channeled allegations about the Iranian nuclear program have been formulated in this manner since the very beginning.

18. For a current assessment of the U.S. nuclear stockpile, see Robert S. Norris and Hans M. Kristensen, [“U.S. nuclear forces,”](#) Bulletin of the Atomic Scientists, January/February, 2006; and for Israel’s, see Robert S. Norris et al., [“Israel nuclear forces, 2002,”](#) Bulletin of the Atomic Scientists, September/October, 2002.

19. For a history of Israel’s development its nuclear weapons, entirely outside the NPT and international controls, see Avner Cohen and William Burr, [“Israel crosses the threshold,”](#) Bulletin of the Atomic Scientists, May/June, 2006; and [“Israel Crosses the Nuclear Threshold,”](#) National Security Archive Update, April 28, 2006. And on Britain’s role, see [“UK helped Israel get nuclear bomb,”](#) BBC News, August 4, 2005.

20. See [Legality of the Threat or Use of Nuclear Weapons](#), International Court of Justice, July 8, 1996, pars. 98 – 103, and Opinion F. Although an “advisory opinion,” and thus not legally binding on states, to date this counts as the most authoritative legal decision to have been produced on issues stemming from the existence of nuclear weapons and states’ obligations under the NPT.

21. On U.S. plans to upgrade its already peerless nuclear stockpile and the means of delivering it, see James Sterngold, [“Upgrades planned for U.S. nuclear stockpile,”](#) San Francisco Chronicle, January 15; Walter Pincus, [“U.S. Plans to Modernize Nuclear Arsenal,”](#) Washington Post, March 4.

22. On the potential U.S. threat to use nuclear weapons against Iran—a case in which even so much as a hint or a whisper of threat is deafening, and leaked warnings about such threats even louder—see Hersh, [“The Iran Plans,”](#) New Yorker, April 17, 2006; Sarah Baxter, [“Gunning for Iran,”](#) Sunday Times, April 9, 2006; and Peter Baker et al., [“U.S. Is Studying Military Strike Options on Iran,”](#) Washington Post, April 9, 2006. Also see the material reported under the [“Divine Strake”](#) entry on the [Weapons of Mass Destruction](#) webpage of [GlobalSecurity.org](#).

23. Martin van Creveld, [“Sharon on the warpath: Is Israel planning to attack Iran?”](#) International Herald Tribune, August 21, 2004.

24. The classic case having been [“The Times and Iraq,”](#) New York Times, May 26, 2004; and the accompanying webpage The Times devotes to this topic, [“The Times and Iraq: A Sample of the Coverage,”](#) May, 2004. Though we add the caveat that the documents contained herein, and the conclusions affirmed by The Times about the role that it played during the build-up for the invasion, grossly understate The Times’s real culpability.

25. Howard Friel and Richard Falk, *The Record of the Paper: How the New York Times*

Misreports US Foreign Policy (London: Verso, 2004). In 70 editorials on Iraq between September 11, 2001 and March 21, 2003, The Times editors never once mentioned international law. See chapter 1.

26. Nile Gardiner and Joseph Loconte, "[The Gathering Storm Over Iran](#)," Boston Globe, May 3. Conversely, usage of the false Munich analogy and the charge of "appeasement" abounds. See, e.g., "[Iran's Nuclear Challenge](#)," Editorial, Washington Post, January 12; William Kristol, "[And Now Iran; We can't rule out the use of military force](#)," Weekly Standard, January 23; and Kim Willsher, "['Only a fraction of Teheran's brutality has come to light'](#)," Daily Telegraph, March 19. This last example was particularly revealing. In it, Maryam Rajavi, described as the "leader of the largest exiled Iranian opposition group," the National Council for Resistance for Iran, reportedly "says Western governments must end their 'dangerous appeasement' of Iran's regime and recognise the worth of her group...." Unmentioned is the fact that the U.S. Government (officially, anyway) includes her group along with the Mujahedin-e Khalq on its list of Foreign Terrorist Organizations. See note 3, above.

27. The Iran gambit could be a cover for a partial invasion-occupation of the geographic region of Iran where in the words of the U.S. Department of Energy the "vast majority of Iran's crude oil reserves are located," that is, "in giant onshore fields in the southwestern Khuzestan region near the Iraqi border." Contrary to popular myth, this would not entail going "all the way to Tehran," as a saying attributed to the Neoconservatives has it, but only as far as the greatest concentration of Iran's proven oil reserves extend, where southeastern Iraq borders Khuzestan. See "[Iran](#)," U.S. Energy Information Administration, January, 2006, p. 2. As this same report adds, "in September 2005, several bombs were detonated near oil wells in Khuzestan, raising concerns about unrest amongst ethnic Arabs in the region" (p. 2).

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