

US Journalists and War Crime Guilt

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With few exceptions, mainstream U.S. news personalities are again selling war to the American people, this time on Syria by [asserting false certainty](#) on who launched the Aug. 21 chemical weapons strike and pretending the Syrian government – not the rebels – [blocked peace talks](#), a media crisis that lingers from the Iraq War, as Peter Dyer wrote in 2008.

By Peter Dyer (Originally published on Oct. 15, 2008)

On Oct. 16, 1946, Julius Streicher was hanged, a historical precedent that should hold considerable interest for American journalists who have written in support of “Operation Iraqi Freedom” – the invasion and occupation of Iraq.

Streicher was one of a group of 10 Germans executed that day following the judgment of the first Nuremberg Trial – a 40-week trial of 22 of the most prominent Nazis. Each was tried for two or more of the four crimes defined in the Nuremberg Charter: crimes against peace (aggression), war crimes, crimes against humanity, and conspiracy.

Julius Streicher, a German publisher and Nazi propagandist who was hanged at Nuremberg after being judged complicit in crimes against humanity. All who were sentenced to death were major German government officials or military leaders. Except for Streicher. Julius Streicher was a journalist.

Editor of the vehemently anti-Semitic newspaper Der Stürmer, Streicher was convicted of, in the words of the judgment, “incitement to murder and extermination at the time when Jews in the East were being killed under the most horrible conditions clearly constitut(ing) ... a crime against humanity.”

Presenting the case against Streicher, British prosecutor Lieutenant Colonel M.C. Griffith-Jones said:

“My Lord, it may be that this defendant is less directly involved in the physical commission of the crimes against Jews. ... The submission of the Prosecution is that his crime is no less the worse ... that he made these things possible – made these crimes possible which could never have happened had it not been for him and for those like him. He led the propaganda and the education of the German people in those ways.”

The critical role of propaganda was affirmed at Nuremberg not only by the prosecution and in the judgment but also in the testimony of the most prominent Nazi defendant, Reichsmarshall Hermann Goering: “Modern and total war develops, as I see it, along three lines: the war of weapons on land, at sea and in the air; economic war, which has become an integral part of every modern war; and, third, propaganda war, which is also an essential

part of this warfare.”

Two months after the Nuremberg hangings, the United Nations General Assembly passed Resolution 59(I), declaring: “Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent.”

The next year another General Assembly Resolution was adopted: Res. 110 which “condemns all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression.”

Although UN General Assembly Resolutions are not legally binding, Resolutions 59 and 110 carry considerable moral weight. This is because, like the United Nations itself, they are an expression of the catastrophic brutality and suffering of two world wars and the universal desire to avoid future slaughter.

Propaganda Crimes

Most jurisdictions have yet to recognize propaganda for war as a crime. However several journalists have recently been convicted of incitement to genocide by the International Criminal Tribunal for Rwanda. Because there is stiff resistance, especially from the United States, the effort to criminalize war propaganda faces an uphill battle.

However in legal terms it seems relatively straightforward: if incitement to genocide is a crime, then incitement to aggression, another Nuremberg crime, could and should be as well. After all, aggression – starting an unprovoked war – is “the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole,” in the words of the judgment at Nuremberg.

Criminal or not, much of the world now sees incitement to war as morally indefensible. In this light and in light of Goering’s three-part recipe for war (weapons, economic war and propaganda), it is instructive to look at the role which American journalists and war propagandists have recently played in bringing about and sustaining war.

The Bush administration began to sell the invasion of Iraq to the American public soon after 9/11. In order to coordinate this effort President Bush’s chief of staff, Andrew Card, established the White House Iraq Group (WHIG) in the summer of 2002 expressly for the purpose of marketing the invasion of Iraq.

Among the members of WHIG were media figures/propagandists Karen Hughes and Mary Matalin. WHIG was remarkable not only for its recklessness with the truth but for the candor with which it acknowledged it was running an advertising campaign.

A Sept. 7, 2002, New York Times article entitled *TRACES OF TERROR: THE STRATEGY; Bush Aides Set Strategy to Sell Policy on Iraq* reported: “White House officials said today that the administration was following a meticulously planned strategy to persuade the public, the Congress and the allies of the need to confront the threat from Saddam Hussein....

“‘From a marketing point of view,’ said Andrew H. Card Jr., the White House chief of staff

who is coordinating the effort, ‘you don’t introduce new products in August.’” It was as if the “product” – the unprovoked invasion of a sovereign state – was a consumer good, like a car or a TV show. The sales pitch was the manufactured “imminent threat” of Iraqi weapons of mass destruction.

In other words, the business of WHIG was incitement to aggressive war primarily through the propaganda of fear. Along those lines WHIG’s most prominent member, National Security Advisor Condoleezza Rice, invoked the specter of an Iraqi-generated nuclear holocaust in a Sept. 8, 2002, CNN interview with Wolf Blitzer:

“We do know that there have been shipments going into Iran, for instance – into Iraq, for instance, of aluminum tubes that really are only suited to – high-quality aluminum tools that are only really suited for nuclear weapons programs, centrifuge programs. ... The problem here is that there will always be some uncertainty about how quickly he can acquire nuclear weapons. But we don’t want the smoking gun to be a mushroom cloud.”

The smoking gun/mushroom cloud images were among the most memorable of all the White House war propaganda. They were generated just a few days earlier in a WHIG meeting by speechwriter Michael Gerson. (Gerson is now a Washington Post columnist.)

The existence of Iraqi weapons of mass destruction was central to the Bush administration’s campaign for war. Other important elements were Saddam Hussein’s ties with Al Qaeda and the strongly implied association of Iraq with the tragedies of 9/11. All were false. In propaganda, though, selling the product trumps truth.

Unquestioning Submission

The role played by American mainstream media during the run-up to the invasion of Iraq was marked by widespread unquestioning submission to the Bush administration and abandonment of the most fundamental journalistic responsibility to the public.

This responsibility is embodied not only in Resolution 59 but in the Society of Professional Journalists Code of Ethics as well, which states: “Journalists should test the accuracy of information from all sources and exercise care to avoid inadvertent error.”

The failure of influential American journalists, such as the New York Times’ Judith Miller, to test the accuracy of information played a critical role in the Bush administration’s successful effort to incite the American public to attack a country which was not threatening us.

Though she was far from alone in selling the case for war, Miller — through her seemingly uncritical reliance on dodgy informants — was probably responsible to a larger degree than any other American journalist for spreading the fear of nonexistent Iraqi weapons of mass destruction.

As such she and other influential journalists who failed in this way bear a share of moral, if not legal, responsibility for hundreds of thousands of deaths, millions of refugees and all the other carnage, devastation and human suffering of “Operation Iraqi Freedom.”

Some prominent American media figures, however, went considerably further than simple failure to check sources. Some actively and passionately encouraged Americans to commit and/or approve of war crimes, before and during Operation Iraqi Freedom.

Prominent among these was Fox News' Bill O'Reilly who - regarding both Afghanistan and Iraq - advocated such crimes forbidden by the Geneva Convention as collective punishment of civilians (Gen. Con. IV, Art. 33); attacking civilian targets (Protocol I, Art. 51); destroying water supplies (Protocol I Art. 54 Sec. 2) and even starvation (Protocol I, Art. 54 Sec. 1).

Sept. 17, 2001: "The U.S. should bomb the Afghan infrastructure to rubble: the airport, the power plants, their water facilities, and the roads" in the event of a refusal to hand over Osama bin Laden to the U.S. Later, he added: "This is a very primitive country. And taking out their ability to exist day to day will not be hard. ... We should not target civilians. But if they don't rise up against this criminal government, they starve, period."

On March 26, 2003, a few days after the invasion of Iraq began, O'Reilly said: "There is a school of thought that says we should have given the citizens of Baghdad 48 hours to get out of Dodge by dropping leaflets and going with the AM radios and all that. Forty-eight hours, you've got to get out of there, and flatten the place." [See Peter Hart's "O'Reilly's War: Any rationale—or none—will do" *Fairness & Accuracy in Reporting*, May/June 2003]

Collective Punishment

Another tremendously influential journalist, Pulitzer Prize winner and former executive editor of the New York Times, the late A.M. Rosenthal, also advocated attacking civilian targets and collective punishment in regard to waging war against Muslim nations in the Middle East.

In a Sept. 14, 2001, column, "How the U.S. Can Win the War," Rosenthal wrote that the U.S. should give Afghanistan, Iraq, Iran, Libya, Syria and Sudan three days to consider an ultimatum demanding they turn over documents and information related to weapons of mass destruction and terrorist organizations.

During these three days, "the residents of the countries would be urged 24 hours a day by the U.S. to flee the capital and major cities, because they would be bombed to the ground beginning the fourth day."

Right-wing media figure Ann Coulter, on the Sean Hannity Show on July 21, 2006, called for another war and more punishment of civilians, this time in Iran: "Well, I keep hearing people say we can't find the nuclear material, and you can bury it in caves. How about we just, you know, carpet-bomb them so they can't build a transistor radio? And then it doesn't matter if they have the nuclear material."

This pattern of the major U.S. news figures advocating aggressive wars even predated 9/11. Three-time Pulitzer Prize winner Thomas Friedman published a strident call for war crimes including collective punishment of Serbs and the destruction of their water supplies over the Kosovo crisis:

"But if NATO's only strength is that it can bomb forever, then it has to get every ounce out of that. Let's at least have a real air war. The idea that people are still holding rock concerts in Belgrade, or going out for Sunday merry-go-round rides, while their fellow Serbs are 'cleansing' Kosovo, is outrageous. It should be lights out in Belgrade: every power grid, water pipe, bridge, road and war-related factory has to be targeted.

"Like it or not, we are at war with the Serbian nation (the Serbs certainly think so), and the

stakes have to be very clear: Every week you ravage Kosovo is another decade we will set your country back by pulverizing you. You want 1950? We can do 1950. You want 1389? We can do 1389 too." [New York Times, April 23, 1999]

These casual — even joking — comments about inflicting war on relatively weak countries came from American journalists and media figures at the very top of their profession. Each was addressing an audience of millions. It is difficult to overstate their influence.

Over the past decade alone, the massive destruction and carnage wreaked by American pursuit of “the supreme international crime” of aggression has been enabled by negligent, reckless and/or malicious use of this influence.

Sadly, the words of Nuremberg Prosecutor Griffith-Jones concerning the propaganda of German journalist Julius Streicher hold considerable meaning today for some of the most prominent journalists in the country which, after World War II, provided the guiding light at Nuremberg: Streicher “made these things possible – made these crimes possible which could never have happened had it not been for him and for those like him.”

In 1947, the United Nations General Assembly passed Resolution 127 in which “the General Assembly ... invites the Governments of States Members ... to study such measures as might with advantage, be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States.”

Unfortunately, more than six decades later, little progress has been made. War propaganda is still legal and very much alive – flourishing, in fact, as demonstrated by periodic calls for one more invasion of a country which has never threatened the U.S.: Iran.

As matters stand today, with the United States still the world’s preeminent military power, the American propagandists who enabled Operation Iraqi Freedom and other wars of aggression have little need to worry about their legal responsibilities under the Nuremberg principles. A strong case can be made, though, that they have blood on their hands.

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