

U.S. Terrorism 101: The Bert Sacks Story

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Since the annual U.S. Veterans Day holiday honoring military veterans was just observed on November 11, it seems more than appropriate to suggest the creation of a U.S. Victims Day, just as in a similar effort at truth in labeling, the Defense Department should be renamed the Offensive War Department.

For the victims of American terrorism far outnumber the American soldiers who have died in its wars, although I consider most U.S. veterans to be victims also, having been propagandized from birth to buy the glory of war, not the truth that it’s a racket that serves the interests of the ruling class.

Such wars, carried out with bombs, drones, mercenaries, and troops, or by economic embargoes and sanctions, are by their nature acts of terrorism. This is so whether we are talking about the mass fire bombings of Japanese and German cities during WW II, the nuclear bombings of Hiroshima and Nagasaki, the carpet bombings and the agent orange dropped on Vietnam, the depleted uranium on Iraq, the use of terrorist surrogates everywhere, the economic sanctions on Cuba, Iran, Syria, etc. The list is endless and ongoing. All actions aimed at causing massive death and damage to civilians.

According to U.S. law (6 USCS § 101), terrorism is defined as an act that is dangerous to human life or potentially destructive of critical infrastructure or key resources; is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and appears to be intended to intimidate or coerce a civilian population; to influence

the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

By any reasonable interpretation of the law, the United States is a terrorist state.

Let me tell you about [Bert Sacks](#). Perhaps you've heard of him. His experiences with the U.S. government regarding terrorism tell an illuminating story of conscience and hope. It is a story of how one person can awaken others to recognize and admit the truth that the U.S. is guilty of crimes against humanity, even when one is unable to stop the carnage. It is a tale of witness, and how such witness is contagious.

In November 1997 Sacks led a delegation to Iraq to deliver desperately needed medicines (\$40,000 worth, all donated) that were denied into the country because of US/UN economic sanctions. For such an act of human solidarity, he was later fined \$10,000 by the U.S. Office of Foreign Assets Control (OFAC). Sacks had refused to ask for a license to travel to Iraq or to subsequently pay the fine for compelling reasons connected to his non-violent Gandhian philosophy, which teaches that non-cooperation with evil is as much an obligation as cooperation with good.



Source: iraqikids.org

For years previously, Sacks had been learning, as would have anyone who was following the news, that the American sanctions under George H. W. Bush and Bill Clinton following the illegal and unjust Gulf War, had been aimed at crippling the Iraqi infrastructure upon which all civilian life depended. Iraq had been devastated by the U.S. war of aggression, and a great deal of its infrastructure, especially electricity and therefore water purification systems, had already been destroyed. Clinton kept up the sanctions and the bombing in support of Bush's war intentions. So much for differences between Republicans and Democrats! Regular Iraqis were suffering terribly. All this was being done in the name of punishing Saddam Hussein in order to oust him from power, the same Hussein whom the U. S. had supported in Iraq's war with Iran by assisting him with chemical and biological weapons.

As Sacks later (2011) wrote in his [declaration](#) to the United States District Court for the Western District of Washington when he sued OFAC:

Weeks after the end of the Gulf War, on March 22, 1991, I read a New York Times front-page story covering the UN report by Martti Ahtisaari on the devastating, 'near-apocalyptic conditions' in Iraq after the Gulf War. The report said, 'famine and epidemic [were imminent] if massive life-supporting needs are not rapidly met. The long summer... is weeks away. Time is short.' The same article explained U.S. policy this way: '[By] making life uncomfortable for the Iraqi people, [sanctions] will eventually encourage them to remove President Saddam Hussein from power.' This sentence has stayed with me for twenty years. It says to me that my government - by inflicting suffering and death on Iraqi civilians - hoped to overthrow President Saddam Hussein, and that we would simply call it "making life uncomfortable." *[my emphasis]*

The years to follow the first war against Iraq revealed what that Orwellian phrase really meant.

In 1994 Sacks read a survey on health conditions of Iraqi children in *The New England Journal of Medicine* that said: “These results provide strong evidence that the Gulf War and trade sanctions caused a threefold increase in mortality among Iraqi children under five years of age. We estimate that an excess of more than 46,900 children died between January and August 1991.”

And that was just the beginning. For the number of dead Iraqi children [and adults] kept piling up as a result of “making life uncomfortable.”

Anton Chekov’s story “Gooseberries” pops into my mind:

Everything is quiet and peaceful, and nothing protests but mute statistics: so many people gone out of their minds, so many gallons of vodka drunk, so many children dead from malnutrition. . . . And this order of things is evidently necessary; evidently the happy man only feels at ease because the unhappy bear their burdens in silence, and without that silence happiness would be impossible. It’s a case of general hypnotism. There ought to be behind the door of every happy, contented man someone standing with a hammer continually reminding him with a tap that there are unhappy people; that however happy he may be, life will show him her laws sooner or later, trouble will come for him — disease, poverty, losses, and no one will see or hear, just as now he neither sees nor hears others.

Sacks has long been that man with a gentle hammer, far from happy, comfortable, or contented in what he was learning. In 1996 he watched the infamous CBS *60 Minutes* interview of Madeleine Albright by Leslie Stahl who had recently returned from Iraq. Albright was then the U.S. Ambassador to the United Nations and soon to be the Secretary of State. Stahl, in reference to how the sanctions had already killed 500,000 Iraqi children, asked her, “Is the price worth it?” - [Albright blithely answered, “The price is worth it.”](#)

In April 1997, a *New England Journal of Medicine* editorial said that “Iraq is an even more disastrous example of war against the public health . . . The destruction of the country’s power plants had brought its entire system of water purification and distribution to a halt, leading to epidemics of cholera, typhoid fever, and gastroenteritis, particularly among children. Mortality rates doubled or tripled among children admitted to hospitals in Baghdad and Basra...” [my emphasis]

The evidence had accumulated since 1991 that the U.S. had purposely targeted Iraqi civilians and especially very young children and had therefore killed them as an act of war. This was clearly genocide. In its 1999 news release, UNICEF announced: “if the substantial reduction in child mortality throughout Iraq during the 1980s had continued through the 1990s, there would have been half a million fewer deaths of children under-five in the country as a whole during the eight year period 1991 to 1998.”

The British journalist Robert Fisk called this intentional destruction of Iraq’s infrastructure “biological warfare”: “The ultimate nature of the 1991 Gulf War for Iraqi civilians now became clear. Bomb now: die later.” In his declaration to the court, Sacks wrote that the Centers for Disease Control, in warning about potential terrorist biological attacks on the U.S., clearly lists attacks on water supplies as terrorism and biological warfare:

Water safety threats (such as *Vibrio cholerae* and *Cryptosporidium parvum*): Cholera is an acute bacterial disease characterized in its severe form by sudden onset, profuse

painless watery stools, nausea and vomiting early in the course of illness, and, in untreated cases, rapid dehydration, acidosis, circulatory collapse, hypoglycemia in children, and renal failure. Transmission occurs through ingestion of food or water contaminated directly or indirectly with feces or vomitus of infected persons.

By January 1997, as a result of such statements and those of U.S. military and government officials and reports in medical journals and media, Sacks concluded that the United States government was guilty of the crime of international terrorism against the civilian population of Iraq. And being a man of conscience, he therefore proceeded to lead a delegation to Iraq to alleviate suffering, even while knowing it was a drop in the bucket.

It is important to emphasize that the U.S. government knew full well that its intentional destruction of Iraq's infrastructure would result in massive death and suffering of civilians. Secretary of Defense Dick Cheney said of such destruction that "If I had to do it over again, I would do exactly the same thing." All the deaths that followed were done as part of an effort at regime change - to force Hussein out of office, something finally accomplished by the George W. Bush administration with their lies about weapons of mass destruction and their 2003 war against Iraq that killed between 1-2 million more Iraqis. The recent accolades heaped on Colin Powell, who as Secretary of State consciously lied at the UN and who led the first war against Iraq - two major war crimes - should be a reminder of how unapologetic U.S. leaders are for their atrocities. I would go so far as to say they revel in their ability to commit them. Because he called them out on this by doing what all journalists and writers should do, they have pursued and caged Julian Assange as if he were a wild dog who walked into their celebratory dinner party.

In this 1991 U.S. Defense Intelligence Agency [document](#), "Iraq Water Treatment Vulnerabilities," you can read how these people think. And read Thomas Merton's poem "[Chant to be Used in Processions around a Site With Furnaces](#)," and don't skip its last three lines and you can grasp the bureaucratic mind at its finest. Euphemisms like "uncomfortable" and "collateral damage" are their specialties. Killing the innocent are always on their menu.

Bert Sacks and his delegation got some brief media publicity for their voyage of mercy. He believed that if the American people really knew what was happening to Iraqi children, they would demand that it be stopped. This did not happen. His tap with the hammer of conscience failed to awaken the hypnotized public who overwhelmingly had elected Clinton to a second term in 1996 six months after the *60 Minutes* interview. Yes, "Everything is [was] quiet and peaceful, and nothing protests but mute statistics."

Although the evidence was overwhelming that Iraqi children in the 1990s were dying at the rate of at least 5,000 per month as a direct result of the sanctions, very few major media publicized this. The *60 Minutes* show, with its shocking statement by Albright, was an exception and was seen by millions of Americans. After that show aired, to claim you didn't know was no longer believable. And although most mainstream media buried the truth, it was still available to those who cared. There were some conscience-stricken officials, however. In his declaration to the court, Sacks wrote:

The first two heads of the "Oil-for-Food" program - Denis Halliday and Hans von Sponeck - each resigned a position as UN Assistant Secretary General to protest the consequences of the U.S. imposed sanctions policy on Iraq. Mr. Halliday said, 'We are in the process of destroying an entire society. It is as simple and terrifying as that.' He

called it genocide.

There were also, doctors, politicians, independent writers, and Nobel Peace Laureates who called the policy genocide and said, "Sanctions are the economic nuclear bomb." Sacks told the court that "Finally, this list includes a 32-year career, retired U.S. diplomat – Deputy Director of the Reagan White House Cabinet Task Force on Terrorism – who says: 'you can think of a number of countries that have been involved in [terrorist] activities. Ours is one of them.'"

Military planners, moreover, wrote in military publications that it was desirable to kill Iraqi civilians; that it was an essential part – if not the major part – of war strategy. They called it "dual-use targeting" and called themselves "operational artists."

Sacks was able to reach a few officials and journalists who realized this was not art but massive war crimes. This showed that it is not impossible to change people, hard as it is. The judge in his court case, James L. Robart, while agreeing that OFAC had not exceeded its authority in fining him, acknowledged that the court had to accept as true that the deaths of 500,000 Iraqi children as reported by UNICEF had come to constitute genocide, but [my emphasis] U.S. law prohibited the bringing of any consideration of genocide into a legal proceeding, which allows the U.S. government to commit this crime while barring any other party from raising the issue legally.

In other words, the U.S. government can accuse others of committing genocide, but no one can legally accuse it. It is above all laws.

Ten months before his 1997 trip to Iraq, Sacks met with Kate Pflaumer, the U.S. Attorney for the Western District of Washington. He says:

We met in her office and I asked her for the legal definition of terrorism pursuant to the laws of the United States. She asked what could she do for me. I said "Prosecute me for violating U.S. Iraq sanctions by bringing medicine there." She said, "I won't do that for you! Can I help in any other way?" I asked for the U.S. legal definition of terrorism. She pulled out a law book, had her secretary copy the page for me, and didn't forget my request. When she left office, she wrote the op-ed on June 21, 2001...calling U.S. Iraq policy terrorism! The two main elements relevant to the issue here are: (1) it is an act dangerous to human life; and (2) done apparently to coerce or intimidate a civilian population or a government (see 18 U.S.C. § 2331).

On June 21, 2001, Ms. Pflaumer, then the former U.S. Attorney, wrote in the *Seattle Post-Intelligencer* the following:

The reality on the ground in Iraq is not contested. Thousands of innocent children and adult civilians die every month as a direct result of the 1991 bombing of civilian infrastructure: sewage treatment plants, electrical generating plants, water purification facilities. Allied bombing targets included eight multipurpose dams, repeatedly hit, which simultaneously wrecked flood control, municipal and industrial water storage, irrigation and hydroelectric power. [Four of seven major pumping stations were destroyed, as were 31 municipal water and sewerage facilities. Water purification plants were incapacitated throughout Iraq. We did this for "long term leverage." These military decisions were sanctioned by then Secretary of Defense Dick Cheney.]

In May 1996, Secretary of State Madeleine Albright reaffirmed that the “price” of 500,000 dead Iraqi children was “worth it. ”

Article 54 of the Geneva Convention states: “It is prohibited to attack, destroy or render useless objects indispensable to the survival of the civilian population” and includes foodstuffs, livestock and “drinking water supplies and irrigation works.”

Title 18 U.S. Code Section 2331 defines international terrorism as acts dangerous to human life that would violate our criminal laws if done in the United States when those acts are intended to intimidate or coerce a civilian population or to influence the policy of a government by intimidation or coercion.

Thus did Kate Pflaumer, in an act of conscience and upholding her legal obligation as an attorney, call the U.S a terrorist state. This probably never would have happened without the non-violent hammer of Bert Sacks, who over the years has made nine trips to Iraq with other brave and determined souls who are a credit to humanity. Messengers of love, truth, and compassion.

Despite their witness, such U.S. terrorism continues as usual.

We cannot let “nothing protest but mute statistics.” The first lesson in U.S. Terrorism 101 is to become people with hammers, and hammer out truth and justice for the world to hear. Bert Sacks has done this. We must follow suit.

Therein lies our only hope.

For by any reasonable interpretation of the law, the United States is a terrorist state – beyond the law.

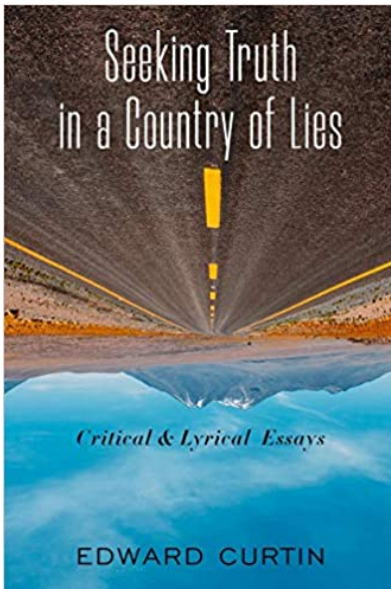
P.S. The case against Sacks was eventually dismissed because the U.S. government did not sue Sacks in a timely manner.

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He is the author of *Seeking the Truth in a Country of Lies*

To order his book [click the cover page](#).

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“A powerful exposé of the CIA and our secret state... Curtin is a passionate long-time reform advocate; his stories will rouse your heart.” Oliver Stone, filmmaker, writer, and director

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