

We Must Not Forget the U.S. War on Afghanistan

By [Jacob G. Hornberger](#)

Global Research, December 09, 2022

[The Future of Freedom Foundation](#) 8
December 2022

Region: [USA](#)

Theme: [Intelligence](#), [US NATO War Agenda](#)

In-depth Report: [AFGHANISTAN](#), [UKRAINE REPORT](#)

All Global Research articles can be read in 51 languages by activating the Translate Website button below the author's name.

To receive Global Research's Daily Newsletter (selected articles), [click here](#).

Follow us on [Instagram](#) and [Twitter](#) and subscribe to our [Telegram Channel](#). Feel free to repost and share widely Global Research articles.

When the Pentagon used NATO to provoke Russia into invading Ukraine, it had to know that one of the great benefits to such an invasion would be that it would enrich U.S. weapons manufacturers, who, of course, are an important, integral, and loyal part of America's national-security state form of governmental structure.

And sure enough, those weapons manufacturers now have a lot to be grateful for. According to [an article](#) in the *Wall Street Journal*,

The world's biggest arms makers are scaling up production of rocket launchers, tanks and ammunition as the industry shifts to meet what executives expect to be sustained demand triggered by the war in Ukraine.

The Pentagon has committed more than \$17 billion in weapons and services to Ukraine, most of it drawn from existing stocks. It has also awarded about \$3.4 billion in new contracts to replenish domestic and allies' stocks.

The Pentagon knew that when it was forced to exit Afghanistan, where it had used a massive amount of weaponry for some twenty years to wreak death and destruction on that impoverished Third World country, its loyal army of arms manufacturers might begin to suffer. The crisis that the Pentagon has ginned up in Ukraine has clearly helped to alleviate that suffering.

But the Russian invasion of Ukraine had had another beneficiary — the Pentagon itself. That's because before Americans had a real opportunity to focus on the Pentagon's 20-year deadly and destructive debacle in Afghanistan, everyone began focusing exclusively on Russia's invasion of Ukraine. Thanks to the crisis in Ukraine, the entire Afghanistan misadventure has been relegated to a memory black hole.

But we really still need to do some serious soul-searching, examination, and analysis of the

Afghanistan debacle. We cannot let the Pentagon use the crisis that it has ginned up in Ukraine as a way to shift our attention away from what happened in Afghanistan. It would be a grave mistake to just “move on” from Afghanistan and permit the Pentagon to focus our attention exclusively on the evil Russians and their invasion of Ukraine.

It is important to focus on the Constitution, the document that President Biden and the Democrats and even some Republicans have suddenly discovered and begun revering. It requires a congressional declaration of war before a president can legally wage war. There was never a congressional declaration of war against Afghanistan. That made the Pentagon’s war against Afghanistan an illegal one under our form of constitutional government.

Equally important, if President George W. Bush had sought a declaration of war from Congress, it is a virtual certainty that he would not have been able to secure it. That’s because Bush would not have been able to provide any evidence whatsoever of Taliban complicity in the 9/11 attacks. Without any evidence of such complicity, it is difficult to imagine Congress issuing a declaration of war against Afghanistan, especially knowing that such a war would inevitably wreak massive death and destruction on that impoverished Third World country.

Bush claimed that his invasion of Afghanistan was morally justified under the principle of “self-defense.” But that claim necessarily depended on showing that the Taliban regime was involved in the 9/11 attacks. No such evidence existed, and Bush knew it. Thus, if he had gone to Congress and sought a declaration of war based on “self-defense,” he would have gone there empty-handed insofar as evidence is concerned.

In fact, if Bush really believed that the Taliban regime had attacked the United States, he would never have gone to the United Nations seeking its approval to defend itself by invading Afghanistan. No president would do that.

What about the “harboring” charge? Bush claimed that his invasion of Afghanistan was morally justified because Afghanistan was “harboring” Osama bin Laden. Bush’s claim is without validity. To warrant a “harboring” charge, Bush would have to provide evidence that the Taliban regime had foreknowledge of the 9/11 attacks and was knowingly conspiring with bin Laden to provide him a base to plan the attacks. Bush knew that he had no evidence to support such a charge.

What Bush actually meant by his “harboring” charge was that the Taliban was refusing to comply with Bush’s unconditional extradition demand for bin Laden. But under international law, the Taliban regime had every right to refuse Bush’s extradition demand. That’s because there was no extradition treaty between Afghanistan and the United States. When there is no extradition treaty between two nations, neither one is required to comply with an extradition demand from the other.

What about the claim that the 9/11 attacks were an “act of war” and, therefore, the United States had the legitimate authority to invade Afghanistan to kill or capture bin Laden, who was living in Afghanistan?

It was a bogus justification for invading Afghanistan. Under U.S. law, terrorism is a criminal offense, not an act of war. That’s why terrorism prosecutions are brought in U.S. District Courts. No nation has the legitimate authority to invade another nation to kill or capture a

suspected criminal who is residing in that country.

One of the most notorious terrorists was a CIA man named Jose Posada Carriles. He is widely considered to be one of the people who brought down a Cuban airline with a bomb over Venezuelan skies. He later safely ensconced himself in the United States.

When Venezuela demanded Posada's extradition, U.S. officials protected him by refusing to comply, notwithstanding the fact that there was an extradition treaty between Venezuela and the United States.

Would interventionists who supported the deadly and destructive invasion of Afghanistan to kill or capture bin Laden have supported a similar deadly and destructive Venezuelan invasion of the United States to kill or capture Posada? I think not.

Using NATO to gin up the crisis in Ukraine is bad enough. While U.S. arms manufacturers are clearly a beneficiary of that crisis, so is the Pentagon because it has caused people to forget what the Pentagon did to the people of Afghanistan and to just "move" on to Russia's invasion of Ukraine. We must not let that happen, especially given the massive death and destruction that the Pentagon wreaked in its immoral and illegal war against an impoverished Third World country.

*

Note to readers: Please click the share buttons above. Follow us on Instagram and Twitter and subscribe to our Telegram Channel. Feel free to repost and share widely Global Research articles.

Jacob G. Hornberger is founder and president of The Future of Freedom Foundation. He was born and raised in Laredo, Texas, and received his B.A. in economics from Virginia Military Institute and his law degree from the University of Texas. He was a trial attorney for twelve years in Texas. He also was an adjunct professor at the University of Dallas, where he taught law and economics. In 1987, Mr. Hornberger left the practice of law to become director of programs at the Foundation for Economic Education. He has advanced freedom and free markets on talk-radio stations all across the country as well as on Fox News' Neil Cavuto and Greta van Susteren shows and he appeared as a regular commentator on Judge Andrew Napolitano's show Freedom Watch. View these interviews at LewRockwell.com and from [Full Context](#). Send him [email](#).

Featured image is from The Global Times

The original source of this article is [The Future of Freedom Foundation](#)
Copyright © [Jacob G. Hornberger](#), [The Future of Freedom Foundation](#), 2022

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Jacob G.](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca