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Is Bush's War on Terrorism in Iraq a War Crime?

by Jacob G. Hornberger

After U.S. troops failed to find weapons of mass destruction (WMDs) in Iraq, which had been the Bush administration's primary reason for invading Iraq, one of the president's alternative rationales for his war has been the so-called magnet rationale. It goes like this: Even though we failed to find WMDs in Iraq, we'll make Iraq the central front in the "war on terrorism" by making U.S. troops a "magnet" that will attract "the terrorists" to attack U.S. soldiers in Iraq rather than people in the United States.

But the magnet rationale raises an important question: Why is it moral to use an innocent country for such a purpose, especially when the targeted country is going to be thrown into chaos and destruction and tens of thousands of citizens of that country are going to be killed and maimed in the process?

We must never forget the most important facts about the Iraq War: Iraq never attacked the United States or even threatened to do so. Moreover, neither the Iraqi people nor their government participated in the 9/11 attacks. In this war, the United States was the aggressor nation.

President Bush's primary rationale for waging his war of aggression, a type of war punished by the Nuremberg War Crimes Tribunal, against Iraq was that Iraq's ruler, Saddam Hussein, not only possessed WMDs but also was about to attack the United States with them. Bush and other U.S. officials marketed the war by terrifying the American people into believing that Saddam was about to unleash nuclear, biological, or chemical weapons on American cities. Bush, Vice-President Cheney, and other U.S. officials continually ridiculed UN inspections as incompetent and inadequate and constantly emphasized that Saddam Hussein was a liar when he denied possessing WMDs.

Soon after the invasion, when U.S. officials discovered that Saddam's denials regarding WMDs had been true, they had two options. One option was to apologize for their mistake and immediately exit the country. That was not the option they chose. Instead, they continued waging

war, killing and maiming countless Iraqi soldiers who were continuing to resist an invasion that had been based on a false premise and thousands of Iraqi civilians as “collateral damage.”

Permit me to digress once again to address the other alternative rationale that U.S. officials relied upon when the WMDs failed to materialize — that the invasion was mounted out of love and concern for the Iraqi people in order to liberate them from a dictator. All the circumstantial evidence leads to but one conclusion — that this alternative rationale is a lie. Recall the evidence: There was the Persian Gulf intervention, in which thousands of Iraqis were killed without any remorse on the part of U.S. officials. There was the Pentagon’s [intentional destruction](#) of Iraq’s water and sewage facilities, knowing that infection and disease would spread among the Iraqi people. There were the [brutal sanctions](#) that contributed to the deaths of hundreds of thousands of Iraqi children. There was the U.S. government position that the deaths of those children were “[worth it](#).” There were the illegal [no-fly zones](#) in which more Iraqis were killed. And there were the torture, sex abuse, rape, and murder of Iraqis detained in U.S. prisons in Iraq, even after the fall of Saddam Hussein. I repeat: All the circumstantial evidence leads to an attitude of callous ruthlessness toward the Iraqi people on the part of U.S. officials, not love and concern for their freedom and welfare.

Let us return to the magnet rationale — that it’s better that U.S. troops fight “the terrorists” in Iraq rather than here in the United States.

But where is the morality and legality in using an innocent country to serve as a “war-on-terrorism” magnet, especially when the use of a country for that purpose generates even more terrorism? If there is a war between “the terrorists” and the U.S. government, why should the Iraqi people be made to pay the price for such a war? Why should their homeland be devastated, their people killed, their museums ransacked, their economy destroyed, and their entire nation thrown into chaos and conflict? What did they have to do with the war between the U.S. government and the “terrorists”? Why was it right to use their nation as a terrorism magnet — attracting violent insurgents and suicide bombers — and even taunt the terrorists to “bring it on”? Where is the morality in the deaths and maiming of tens of thousands of Iraqi people, both military and civilian, as part of a “war on terrorism” that was no business of the Iraqi people? Where is the legality, under U.S. law or international law, of using Iraq for such a purpose?

Since neither the Iraqi people nor their government ever attacked the United States or even threatened to do so — and since their ruler had complied with the UN’s resolutions that required him to destroy his WMDs, they had a right to be left alone by the U.S. government. They had a right not to have their nation turned into a “magnet” for “the terrorists.” They had a right to be left out of the U.S. government’s “war on terrorism.”

No matter how brutal Saddam was, that was the business of the Iraqi people, not the business of the U.S. government, just as brutal dictators in Saudi Arabia, Egypt, Pakistan, Iran,

Syria, North Korea, China, Vietnam, Cuba, and Venezuela are the business of citizens of those countries, not the business of the U.S. government.

Some argue that the solution to all this is simply for U.S. troops to exit Iraq. That's not enough. The only genuine foreign policy solution is to dismantle the U.S. Empire, end the U.S. government's role as international policeman, interloper, and aggressor, and restore a constitutional republic to our land along with the peace, stability, prosperity, and harmony that would come with it.

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