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AfPak: Illegal, Immoral, Fattening

By Jeff Huber

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Missing from the debates regarding our wars these days is their moral and legal aspects.

UN human rights investigator Philip Alston says the U.S. needs to explain the legal basis for assassinating suspected terrorists in Afghanistan and Pakistan with [drone strikes](#). That's an explanation I'd like to hear. It probably starts with "hamana, hamana, hamana..."

Alston says the CIA needs to be accountable to international laws that ban arbitrary executions. The CIA won't be able to do that, nor will the [Joint Special Operations Command](#) (JSOC), Gen. Stanley McChrystal's old outfit that whacked people in the Middle East on the arbitrary orders of Dick Cheney's office.

I'm uncertain whether drone strikes, per se, are the primary issue. The JSOC and, I'm sure, the CIA, have been doing assassinations of suspected terrorists the old fashioned way as well — with snipers.

While taking someone down with a bullet seems cold, it's actually more humane than dropping a bomb on the individual that will smother all the other individuals in the vicinity. The problem with using snipers is that it takes a lot longer to put the snipers in place. Drones move fairly quickly.

But in either case, we're talking about what Alston describes as "arbitrary" and "extrajudicial" executions. There's no denying that that's exactly what we're doing.

The U.S. says the Human Rights Council has no business sticking its nose into killings related to an armed conflict. Alston calls that assertion "simply untenable."

Much of our problem is that what we're in the middle of is barely recognizable as an armed conflict. In Afghanistan and Pakistan, particularly, we're conducting nation-building projects that involve counterinsurgency and counter-terror combat operations. At what point are we conducting war, and at what point are we just whacking people?

Moreover, on what basis are we determining which suspects to whack? Our intelligence in the Middle East is goosey at best. We crawl into the sack with a lot of scumbags. So we give Willy the Warlord a crate of guns and a stack of greenbacks to be our buddy, and ask him to tell us who the bad guys are, and he gives us a list of his lifelong enemies, and we kill them for him. Is that any way to do business?

In so many of our dirty little conflicts since World War II we've looked back to see we were on the wrong side. We backed Saddam Hussein against Iran, we backed [Manuel Noriega](#) before we invaded Panama to remove him from power. And we supported al-Qaeda and the [Taliban](#) in their fight against the Soviets.

The Taliban were able to take power in Afghanistan because of the corruption and brutality of the Mujahideen warlords, the same warlords who presently back our puppet ruler, [Hamid Karzai](#).

The only legal basis of our AfPak war is the [Authorization for Use of Military Force](#) passed by Congress on Sept. 18, 2001. Viewed by many as a "blank check," it was condemned as an abnegation by Congress of its constitutional responsibilities to dictate when and where a president can wage foreign wars. In the Obama era, these concerns have vanished. If Obama, or any other president, can create any loose connection between terror and whatever aggressive military action he wants to take, he can take it.

That's not what the founders had in mind when they gave Congress, not the executive, the power to declare war.

In an excellent op-ed piece titled "[Blood for Nothing](#)," military affairs pundit Ralph Peters notes, "We enforce rules of engagement that kill our own troops to avoid alienating villagers who actively support the Taliban and celebrate our deaths."

This is the moral and legal point that offends me the most. We send these kids into wars that our top military and civilian leadership can't coherently justify, and send them out on offensive missions, and give them rules of engagement that essentially say "kill the bad guys if you can, but get killed yourself before you kill any civilians."

There are no civilians in AfPak. Everybody's in on the action, or is related to somebody who is.

We are not the good guys in this war. As Peters aptly observes, "The Taliban are the patriots. We're the Redcoats."

The "classic" counterinsurgency (COIN) operation McChrystal wants to mount is based on lies. Again from Peters: "Our counterinsurgency (COIN) theory — hatched by military pseudo-intellectuals and opportunists — has no serious historical basis. It *ignores* the uncomfortable lessons of 3,000 years of fighting insurgencies and terrorists. Its authors claim Vietnam and Algeria as success stories."

"As for the claim that COIN worked in Iraq," Peters writes, "it's nonsense." The "successful" surge in Iraq was a crafted illusion that Gen. David Petraeus created by bribing everybody not to use the weapons he gave them. That's what COIN doctrine boils down to: attempting to tame a corrupt and violent society by pouring graft and weapons into it. It's an excuse to make the fat cats in the U.S. military industrial complex fatter. It's a sin.

The CIA has had [Karzai's brother](#), a major drug dude, on its dole for years. The Karzai government and the drug lords have a "marriage of convenience."

We don't need to fight this kind of war. We have enough dirt and blood on our hands. We need to become the nation of [enlightenment](#) that our founders meant us to be. Finally.