

# Patterns of Global Dominance

by Paul Wolf, 27 February 2003

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## Introduction

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## Introduction

Although this news is about Iraq and not Colombia, I thought I'd send it to my Colombia list as well as my US list. The Falk article highlights a major difference in how the concept of human rights is understood in Colombia and the US. In Colombia, human rights is considered a dangerous and subversive concept, somehow associated with the guerrillas. Actually, this is how it's supposed to work, according to Richard Falk and other experts on international law. The primary focus of human rights organizations should be to reform their own societies from within, pointing out crimes committed by their own governments.

In the US, human rights is essentially an interventionist foreign policy that allows us to identify criminals in other countries and do something about them. It does not apply within our own borders, or, for example, to our own president. At times, this can get ugly -- remember that accusations of human rights violations are always at the core of war propaganda. The goal is to use US foreign policy to stamp out human rights violators in other lands.

That's not to say that the reason for US intervention in Colombia is to punish the human rights violators, it's not. The reason really is drugs, in my opinion. Sure, there is oil, there are kidnappings and massacres, but for North Americans, Colombia is the place where drugs come from.

I think the pressure put by the US government on Colombia to break ties with the paramilitaries is a good kind of intervention. My point is that human rights organizations in the US are of an entirely different character than Colombian ones. Where is the Colombian organization pointing out human rights violations by the US? As Falk explains, the accusations tend to flow from North to South.

## **Coalition of the willing?**

### **Make that war criminals**

*The Sydney Morning Herald*

26 February 2003

<http://www.smh.com.au/handheld/articles/2003/02/25/1046064028608.htm>

A pre-emptive strike on Iraq would constitute a crime against humanity, write 43 experts on international law and human rights.

The initiation of a war against Iraq by the self-styled "coalition of the willing" would be a fundamental violation of international law. International law recognises two bases for the use of force.

- The first, enshrined in Article 51 of the United Nations Charter, allows force to be used in self-defence. The attack must be actual or imminent.
- The second basis is when the UN Security Council authorises the use of force as a collective response to the use or threat of force. However, the Security Council is bound by the terms of the UN Charter and can authorise the use of force only if there is evidence that there is an actual threat to the peace (in this case, by Iraq) and that this threat cannot be averted by any means short of force (such as negotiation and further weapons inspections).

Members of the "coalition of the willing", including Australia, have not yet presented any persuasive arguments that an invasion of Iraq can be justified at international law. The United States has proposed a doctrine of "pre-emptive self-defence" that would allow a country to use force against another country it suspects may attack it at some stage.

This doctrine contradicts the cardinal principle of the modern international legal order and the primary rationale for the founding of the UN after World War II - the prohibition of the unilateral use of force to settle disputes.

The weak and ambiguous evidence presented to the international community by the US Secretary of State, Colin Powell, to justify a pre-emptive strike underlines the practical danger of a doctrine of pre-emption. A principle of pre-emption would allow particular national agendas to completely destroy the system of collective security contained in Chapter Seven of the UN Charter and return us to the pre-1945 era, where might equalled right. Ironically, the same principle would justify Iraq now launching pre-emptive attacks on members of the coalition because it could validly argue that it feared attack.

But there is a further legal dimension for Saddam Hussein on the one hand and George Bush, Tony Blair and John Howard and their potential coalition partners on the other to consider. Even if the use of force can be justified, international humanitarian law places significant limits on the means and methods of warfare.

The Geneva Conventions of 1949 and their 1977 Protocols set out some of these limits: for example, the prohibitions on targeting civilian populations and civilian infrastructure and causing extensive destruction of property not justified by military objectives. Intentionally launching an attack knowing that it will cause "incidental" loss of life or injury to civilians "which would be clearly excessive in relation to the concrete and direct overall military

advantage anticipated" constitutes a war crime at international law.

The military objective of disarming Iraq could not justify widespread harm to the Iraqi population, over half of whom are under the age of 15. The use of nuclear weapons in a pre-emptive attack would seem to fall squarely within the definition of a war crime.

Until recently, the enforcement of international humanitarian law largely depended on the willingness of countries to try those responsible for grave breaches of the law. The creation of the International Criminal Court last year has, however, provided a stronger system of scrutiny and adjudication of violations of humanitarian law.

The International Criminal Court now has jurisdiction over war crimes and crimes against humanity when national legal systems have not dealt with these crimes adequately. It attributes criminal responsibility to individuals responsible for planning military action that violates international humanitarian law and those who carry it out. It specifically extends criminal liability to heads of state, leaders of governments, parliamentarians, government officials and military personnel.

Estimates of civilian deaths in Iraq suggest that up to quarter of a million people may die as a result of an attack using conventional weapons and many more will suffer homelessness, malnutrition and other serious health and environmental consequences in its aftermath.

From what we know of the likely civilian devastation caused by the coalition's war strategies, there are strong arguments that attacking Iraq may involve committing both war crimes and crimes against humanity.

Respect for international law must be the first concern of the Australian Government if it seeks to punish the Iraqi Government for not respecting international law. It is clearly in our national interest to strengthen, rather than thwart, the global rule of law.

Humanitarian considerations should also play a major role in shaping government policy. But, if all else fails, it is to be hoped that the fact that there is now an international system to bring even the highest officials to justice for war crimes will temper the enthusiasm of our politicians for this war.

## **THE EXPERTS**

- Don Anton, senior lecturer, ANU;
- Peter Bailey, professor, ANU;
- Andrew Byrnes, professor, ANU;
- Greg Carne, senior lecturer, University of Tasmania;
- Anthony Cassimatis, lecturer, University of Queensland;
- Hilary Charlesworth, professor and director, Centre for International and Public Law, ANU;
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- Penelope Mathew, senior lecturer, ANU;
- Ian Malkin, associate professor, Melbourne University;
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- Tim McCormack, Red Cross professor and director, centre for military law, Melbourne University;
- Sophie McMurray, lecturer, UNSW;
- Anne McNaughton, lecturer, ANU;
- Kwame Mfodwo, lecturer, Monash Law School;
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- Anne Orford, associate professor, Melbourne University;
- Emile Noel, senior fellow, New York University Law School;
- Dianne Otto, associate professor, Melbourne University;
- Peter Radan, senior lecturer, Macquarie Law School;
- Rosemary Rayfuse, senior lecturer, UNSW, Simon Rice OAM, president, Australian Lawyers for Human Rights;
- Donald Rothwell, associate professor, Sydney University;
- Michael Salvaris, senior research fellow, Institute for Social Research, Swinburne University;
- Chris Sidoti, professor, Human Rights Council of Australia;
- John Squires, director, Australian Human Rights Centre, UNSW;
- James Stellios, lecturer, ANU;
- Tim Stephens, lecturer, Sydney University;
- Julie Taylor, University of WA;
- Gillian Triggs, professor and co-director, Institute for International and Comparative Law, Melbourne University;
- John Wade, professor and director of the Dispute Resolution Centre, Bond University;
- Kristen Walker, senior lecturer, Melbourne University;
- Brett Williams, lecturer, Sydney University;
- Sir Ronald Wilson, former High Court judge and president, Human Rights Commission.

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Convention (IV) Relative to the Protection of Civilian Persons in Time of War, August 12, 1949

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Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977,

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- **Internal UN documents on the humanitarian impact of war on Iraq**

<http://www.casi.org.uk/info/undocs/internal.html>

Released by Campaign Against Sanctions on Iraq (CASI) / Emergency Campaign on Iraq - Center for Economic and Social Rights (CESR) on 13 February 2003.

- CESR obtained these confidential documents from several UN personnel who believe that the potential humanitarian impact of war is a matter of global public concern that should be discussed fully and openly.

- **Source:** Office for the Coordination of Humanitarian Affairs, "Integrated Humanitarian Contingency Plan for Iraq and Neighbouring Countries", confidential draft, 7 January 2003.

- **Key Quotes:**

- **"In the event of a crisis, 30 percent of children under 5 would be at risk of death from malnutrition"** [p. 3(5)]

Note: \* 30% of 4.2 million children under five [p. 3(5)] = 1.26 million children under five

- "the collapse of essential services in Iraq ... could lead to a humanitarian emergency of proportions well beyond the capacity of UN agencies and other aid organizations" [p. 4(6)]
- "all UN agencies have been facing severe funding constraints that are preventing them from reaching even minimum levels of preparedness" [p. 1(3)]
- "the effects of over 12 years of sanctions, preceded by war, have considerably increased the vulnerability of the population". [p. 3(5)]
- "WFP [world food programme] estimates that approximately 10 million people ... would be highly food insecure, displaced or directly affected by military action" [p. 11(13)]
- "in the event of a crisis, only 39 percent of the population would be serviced [with water] on a rationed basis" [p. 12(14)]
- "UNHCR estimates that up to 1.45 million refugees and asylum-seekers may seek to flee Iraq in the event of a military conflict" [p. 9(11)]
- "Up to 900,000 people may be displaced in addition to the 900,000-1,100,000 existing IDPs [internally displaced persons]" [p. 10(12)]
- [from tables on p. 12(14)]
  - 5,210,000 are highly vulnerable children under five and pregnant and lactating women.
  - 500,000 potential direct and indirect casualties (overall population).
  - 3,020,000 at nutritional risk (overall population).
  - 18,240,000 might need access to treated water.
  - 8,710,000 may need sanitation facilities.

## **Patterns of Global Dominance and Non-Western Attitudes Toward Human Rights**

By Richard A. Falk,

from *Human Rights Horizons:*

*The Pursuit of Justice in a Globalizing World*, pages 87-93,  
published by Routledge, 2000.

One of the most harmful features of Western-style global dominance is the perpetual rediscovery of its own perceived innocence. No amount of abuse and exploitation, however catastrophic its consequences for the non-Western victims, seems able to erode this sense of innocence. The United States seems especially immune to second thoughts or self-criticism. It retains its sense of self as the last best hope of humanity, as "the city on the hill," "the new Jerusalem" -- all expressions of noble intentions and high expectations. Yet despite the dispossession of the indigenous peoples of North America, despite slavery and its aftermath, despite Hiroshima and Vietnam, this self-proclaimed innocence remains untarnished. This basic self-affirmation seems equally oblivious to the domestic scandals of homelessness, urban decay, and high homicide rates that continue to afflict American society. Americans, leaders and citizens alike, believe they have much to teach, and little to learn, especially on matters of human rights. There are those, of course, who call attention to past or present wrongdoings, yet their voices are seldom heard, and even more seldom heeded.

Such a pattern of cultural denial is enforced both from above and from below. A recent controversy involving the Smithsonian Museum in Washington, D.C., is particularly revealing. Museum curators were planning an exhibition concerning the American use of the atomic bomb against Japan at the end of World War II. Evidence contained in the exhibition cast doubt after fifty years on the official claims of "military necessity." It showed the suffering and devastation caused by the explosions and radiation, and it prompted visitors to question whether the real motives behind the attack were not hatred of and revenge against Japan and intimidation of the Soviet Union. After veterans groups protested, politicians responded, and the Smithsonian exhibit was effectively cancelled; instead of the original material, the show now consisted only of the surviving fuselage of the plane that delivered the first atomic bomb, unaccompanied by commentary or pictures of the human consequences.

Such a deep-seated reluctance to confront openly the legacy of human rights violations within the history of the United States is indicative of the larger, global obstacles facing progressive policymakers, scholars, and activists attempting to be heard amid the strident voices of Western dominance. Indeed, it is very difficult to become disengaged from the distorting misconceptions that are part of the deep structures of conventional Western discourse on human rights, as these structures are often hidden below the level of consciousness. If we are to extricate ourselves from such deep structures, it is crucial to understand and open the mind to three important premises:

1. Responsibilities must be conceived as correlative to rights. Such a premise would be well served by the drafting of a Universal Declaration of Human Responsibilities as an indispensable companion to the Universal Declaration of Human Rights. The Western discourse on human rights works within the invisible boundaries of self-expression and resistance to authority (the individualist ethos that gives rise to consumer absolutism and all forms of permissiveness), and without any sense of responsibility to the well-being and needs of the community. The notion of protecting the individual is a great advance over

its absolutist antecedents, but it needs to be balanced by the acknowledgment that the individual is embedded within a community. The importance of placing limits upon human assertiveness at all levels of social organization is overlooked if the stress is placed only on the protection of individuals.

2. Secularism is not always a necessary precondition for a tolerant society. In other words, a secure environment for human rights is not necessarily inconsistent with the embodiment of religious conviction in public policy and political leadership. The current situation in Malaysia, for example, illustrates the extent to which the governance of a country can be both Islamic and tolerant. The character of the Malaysian state, though not without flaws, is thus a challenge to the contemporary belief structure of Western human rights discourse, which holds that the fusion of religious and political authority always undermines tolerance of different races, religions, and nationalities. Conventional Western discourse refuses to acknowledge that Islam may encourage the leadership of a country to exhibit tolerance toward non-Islamic minorities, rather than being a ground for repression and intolerance. Of course, any degree of historical consciousness would confirm that the past record of interreligious and interethnic tolerance in the Muslim world far exceeds that in the West, perhaps most spectacularly with respect to anti-Semitism.
3. Nongovernmental organizations are not necessarily geopolitically neutral. This last premise contradicts the widespread belief that all NGOs are counter-hegemonic, democratizing forces. The fact is that, by and large, the Western NGO approach shares the statist view that the programmatic content of human rights consists only of political and civil rights and cannot be meaningfully extended to economic and social rights, despite the fact that both categories of rights are treated as equivalent under international law, and despite the greater relevance of economic and social rights to the lives of most people on the planet.

These three premises are just a starting point, however, in reformulating a human rights discourse. It is time for the West to realize that unless rights are balanced by a framework of responsibilities, "freedoms" are likely to degenerate into societal decadence. To be dedicated to forms of secularism that ignore a spiritual sense of human identity is to deprive our political and moral imaginations of the only reliable basis for overcoming the contradictions of modernism.

It should also be emphasized that such premises should not be embraced uncritically. Rather, they should enable us to see the discourse on human rights from without in order to appreciate its limitations and distortions. Such a view from without does not involve any suspension of critical assessment; nor should it be used to exonerate arbitrary or oppressive leadership. It does, however, put the focus more directly on Western contributions to human suffering as a consequence of its role in constructing and maintaining dominance structures.

This view from without, which is in effect a reflection in the mirror of Asian thought and practice, encourages Western self-criticism. It prompts observers to see broader patterns of global dominance -- the distortions of priorities, the long-term deprivations and the deformations of cultural identity being produced in non-Western societies by Western modes of popular culture and consumerism. A government may reasonably have to infringe upon freedom of expression to protect a country from such baleful influences.

The West is no longer a geographic space; today, it exists largely in a nonterritorial and mostly nonaccountable global market that represent the new locus of geopolitics and that sets the agenda in matters of political economy for even the most powerful states by establishing the priorities for global policy, especially on matters of peace and security. In this regard, upholding Western control over oil supplies in the Gulf was deemed worth a major war, but protecting Bosnia or Rwanda from genocide merited only the meekest

gestures of concern, and protecting the Chechens from Russian aggression failed to occasion even a note of condemnation. The impact of this ascendancy of market forces is to reduce the sense of alternatives available to leaders at the level of the state. At risk, in particular, are compassionate approaches to poverty and social vulnerability. The globalized market produces a narrowing of the political space available to the governments of the West. This is true even for the most powerful states.

The imperative of competitiveness drives down wages, weakens safety measures, and also rolls back welfare. Particularly revealing in this period is the collapse of "social democracy" as a more compassionate alternative to market-oriented politics. Whether it is the French "socialism" of Mitterrand, the tilt toward Wall Street by "the new Democrats" in the Clinton administration, the realignment of the British Labour Party and the Japanese Socialist Party, or the move away from the welfare state in Scandinavia, the story is the same. It is evident that social democracy must now submit to the market rather than pursue its own program of action; it seems as if politics is becoming capital-driven rather than people-driven. It is a structural story. And it is one that renders elections and political parties less and less consequential, creating a crisis for constitutional democracy in the West. Until these global market forces can be regulated on the basis of human, and environmental priorities, the dynamics of trade, investment, and growth are likely to gravely jeopardize the mission of human rights to protect those who are most at risk economically, socially, politically, and culturally.

This set of circumstances is aggravated by the degree to which the human rights discourse in the West continues to maintain a dangerous, outmoded deference to the autonomy of market forces and refuses to challenge the consequences of secularism in its postmodern forms, with its strong connections to consumerism and its propagation of a mood of despair. In the most minimal sense this means that the West refuses to acknowledge that homelessness, permanent joblessness, urban squalor, drug culture, crime, and the commercialization of violence are more than mere law and order problems -- they represent a human rights crisis. The UN Social Development Summit, held in Copenhagen in March 1995, was a response to this neglect and was designed to insert these concerns back into the political agenda of states, and to reshape the human rights agenda in light of these developments. Unfortunately, the summit was severely constrained by the political need to win the support of governments, which limited an all-out attack on the role of global market forces in the worst patterns of social abuse.

As mentioned earlier, Western social reality is alienated from its own criminal past to an alarming degree, and is therefore encompassed by it. This is especially true of the United States, whose postal service recently revealed plans to issue a stamp commemorating the fiftieth anniversary of Hiroshima and Nagasaki, with the brazen caption "atomic bombs that saved lives." Japanese protests led to a White House decision to rescind the stamp, yet the effectiveness of Japanese pressure primarily reflected Japan's role as major trading partner and as a crucial member of the Group of Seven. President Clinton's request that the U.S. Postal Service cancel the stamp did not arise because the U.S. government was suddenly willing to confront the criminality of Hiroshima and Nagasaki, or even to challenge the post-cold war military utility of nuclear missiles. We can imagine the sense of indignation and outrage that would follow in the U.S. if Germany issued a stamp interpreting its concentration camps in a self-serving way -- possibly a picture of Auschwitz with the



caption "overcoming the humiliation of Versailles." But is it so different? This criminality of the West includes the genocidal ordeal of indigenous peoples who stood in the way of colonial conquerors; it extends to the horrifying reliance on slavery as the basis of economic development in the New World; and it relates to the deprivations and humiliations of the colonial era, to the continuing exploitation of the poor, and to the ecological plunder of the planet.

An aspect of this refusal by the West to perceive its own role in generating abuses arises from a pervasive misconception that human rights are mainly for others, especially those in the South. Whether it is a matter of government policy or academic literature, the Western, and particularly American, emphasis is on human rights as an instrument of foreign policy, not as a corrective to domestic shortcomings. Recently this has made human rights a central dimension of debates associated with intervention in Haiti and elsewhere, and of inquiries into whether the humanitarian cause is a worthwhile basis for foreign policy. This self-righteous diplomacy is producing a new crusader mentality that underpins the advocacy of humanitarian intervention, the geographic axis of which runs always North to South, with no contemplation that perhaps there are circumstances of abuse that might validate South-to-North forms of intervention. At the same time, where the cause is perceived as mainly humanitarian, as in Bosnia or Chechnya, there is little willingness to take the necessary steps toward implementation.

There is a peculiarly distorting tendency in the current controversies over whether to exclude human rights concerns from economic interactions between the West and the countries of Asia. The source of the distortion is, once again, the self-perceived innocence of the West, which remains oblivious to its own historical role in the region. For example, the U.S. government's self-appointed role as the natural agent for the promotion of human rights in China and Indonesia is hardly credible, given the legacy of abuse. The postcolonial approach has delivered a clear message to Asian countries: adopt Western-style economic growth as your number-one priority, even at the expense of human rights. Revealingly, the predatory capitalism of East Asia was frequently called "a miracle," a description that blatantly overlooks the extent to which management-worker relations in Asia recall the worst excesses of early capitalism in the West (pre-Marx, pre-labor movement, pre-safety regulations and before minimum age and wage laws). This observation does not mean to deny that the economic development of the last few decades for the countries in this region has been remarkable, and even beneficial for many people. The fact is, however, that amid the rampant private-sector growth, those who are vulnerable still need protection. The good will and sense of responsibility of entrepreneurs is not enough. Only vigilance by government and democratic social forces can create a balance between the logic of the market and the ethos of humane social conditions. The regional and global scale of the market requires that this balance be struck at an international level so that all societies within a given region can compete on the basis of common ground rules.

This relative play of forces can be explored by comparing U.S. policy toward China with that toward Haiti. With China, as was predictable, global market forces have deterred the U.S. government from pushing too hard on human rights, since China is a trading partner of increasing importance. Yet, when U.S. intellectual property rights were at risk, then even a trade war was threatened to induce Chinese cooperation.

In relation to Haiti, market forces contributed differently to the formation of policy. The logic of American policy went something like this: If we must intervene to restore Jean-Bertrand Aristide in order to stop the flow of unwanted Haitian refugees into the United States, then we will do so in a manner that doesn't revive his populist program for the Haitian poor.

Notwithstanding the almost 80 percent electoral mandate Aristide's program received from the citizens of Haiti, we will make Aristide swallow the IMF economic austerity pill and adopt an approach to development that makes it impossible to implement economic policies designed to mitigate poverty. To be sure that Aristide has no second thoughts, we will not dismantle or disarm the brutal paramilitary organization FRAPH, in case they need to step in again if Aristide should return to a politics based on a vision of social justice.

Despite such gross contradictions in Western policy, all is not bleak. There have been signs that this domineering, selective, and hypocritical approach to human rights in the West is being powerfully challenged both by social forces within these countries and by those without. Some recent instances are encouraging. For example, indigenous peoples in North and South America displayed a new strength in 1992 by derailing plans to celebrate the five-hundredth anniversary of Columbus' arrival -- and subsequent plunder of -- the new world. Also, women have emerged as a global emancipatory force, managing to reshape the agenda and outcome at the UN Conference on Population and Development held in Cairo in 1994, and exhibiting some possibilities for the emergence of global democracy. Women's groups made clear that improving overall social conditions for women -- especially in the education of young girls -- was more critical by far than promoting birth control in the battle to control population growth.

It is now more critical than ever to embark upon a fundamental rethinking of the Western human rights paradigm. An important aspect of such a rethinking is to establish the connection between a regulatory framework of global and regional market forces and the safeguarding of human rights in the social and economic realm. What is needed is a global vision of the future, in which the tolerance, even the celebration, of diversity combines with a reconstruction of the social and cultural order so as to endow the individual and collective identity of humanity with spiritual significance. Finally, the interplay of different cultural and religious traditions suggests the importance of multicivilizational dialogue involving the participation of various viewpoints, especially those with non-Western orientations. The world does not need a wholesale merging of different cultures and civilizations; rather, it simply needs to foster a new level of respect and reconciliation between and among its ever changing and ever diverse peoples and nations.

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**Draft Impeachment Resolution  
Against President George W. Bush**

**by Francis A. Boyle**  
professor of law, University of Illinois School of Law  
17 January 2003

108nd Congress H.Res.XX

1st Session

Impeaching George Walker Bush, President of the United States, of high crimes and misdemeanors.

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IN THE HOUSE OF REPRESENTATIVES

January \_\_, 2003

Mr./Ms. Y submitted the following resolution; which was referred to the Committee on Judiciary.

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**A RESOLUTION**

Impeaching George Walker Bush, President of the United States, of high crimes and misdemeanors.

Resolved, That George Walker Bush, President of the United States is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of all of the people of the United States of America, against George Walker Bush, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

**ARTICLE I**

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United

States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has attempted to impose a police state and a military dictatorship upon the people and Republic of the United States of America by means of "a long Train of Abuses and Usurpations" against the Constitution since September 11, 2001. This subversive conduct includes but is not limited to trying to suspend the constitutional Writ of Habeas Corpus; ramming the totalitarian U.S.A. Patriot Act through Congress; the mass-round-up and incarceration of foreigners; kangaroo courts; depriving at least two United States citizens of their constitutional rights by means of military incarceration; interference with the constitutional right of defendants in criminal cases to lawyers; violating and subverting the Posse Comitatus Act; unlawful and unreasonable searches and seizures; violating the First Amendments rights of the free exercise of religion, freedom of speech, peaceable assembly, and to petition the government for redress of grievances; packing the federal judiciary with hand-picked judges belonging to the totalitarian Federalist Society and undermining the judicial independence of the Constitution's Article III federal court system; violating the Third and Fourth Geneva Conventions and the U.S. War Crimes Act; violating the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination ; reinstatement of the infamous "Cointelpro" Program ; violating the Vienna Convention on Consular Relations , the Convention against Torture, and the Universal Declaration of Human Rights; instituting the totalitarian Total Information Awareness Program; and establishing a totalitarian Northern Military Command for the United States of America itself. In all of this George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

## **ARTICLE II**

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has violated the Equal Protection Clause of the Constitution. U.S. soldiers in the Middle East are overwhelmingly poor White, Black, and Latino and their military service is based on the coercion of a system that has denied viable economic opportunities to these classes of citizens. Under the Constitution, all classes of citizens are guaranteed equal protection of the laws, and calling on the poor and minorities to fight a war for oil to preserve the lifestyles of the wealthy power elite of this country is a denial of the rights of these soldiers. In all of this George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

### **ARTICLE III**

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has violated the U.S. Constitution, federal law, and the United Nations Charter by bribing, intimidating and threatening others, including the members of the United Nations Security Council, to support belligerent acts against Iraq. In all of this George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

### **ARTICLE IV**

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has prepared, planned, and conspired to engage in a massive war and catastrophic aggression against Iraq by employing methods of mass destruction that will result in the killing of hundreds of thousands of civilians, many of whom will be children. This planning includes the threatened use of nuclear weapons, and the use of such indiscriminate weapons and massive killings by aerial bombardment, or otherwise, of civilians, violates the Hague Regulations on land warfare, the rules of customary international law set forth in the Hague Rules of Air Warfare, the Four Geneva Conventions of 1949 and Protocol I thereto, the Nuremberg Charter, Judgment, and Principles, the Genocide Convention, the Universal Declaration of Human Rights, and U.S. Army Field Manual 27-10 (1956). In all of this George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

### **ARTICLE V**

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has committed the United States to acts of war without congressional consent and contrary to the United Nations Charter and international law. From September, 2001 through January, 2003, the President embarked on a course of action that systematically eliminated every option for peaceful resolution of the Persian Gulf crisis.

Once the President approached Congress for consent to war, tens of thousands of American soldiers' lives were in jeopardy -- rendering any substantive debate by Congress meaningless. The President has not received a Declaration of War by Congress, and in contravention of the written word, the spirit, and the intent of the U.S. Constitution has declared that he will go to war regardless of the views of the American people. In failing to seek and obtain a Declaration of War, George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

## ARTICLE VI

In the conduct of the office of President of the United States, George Walker Bush, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has planned, prepared, and conspired to commit crimes against the peace by leading the United States into aggressive war against Iraq in violation of Article 2(4) of the United Nations Charter, the Nuremberg Charter, Judgment, and Principles, the Kellogg-Briand Pact, U.S. Army Field Manual 27-10 (1956), numerous other international treaties and agreements, and the Constitution of the United States. In all of this George Walker Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States.

Wherefore George Walker Bush, by such conduct, warrants impeachment and trial, and removal from office.

(In memory of Congressman Henry B. Gonzalez - R.I.P. -- and H. Res. 86, 102nd Cong., 1st Sess., Jan. 16, 1991.)

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