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Killing Iraqi Children

By Jacob G. Hornberger

06/20/06 "[Lew Rockwell](#)" -- -- In a short editorial, the *Detroit News* asked an [interesting question](#):

“Some war critics are suggesting Iraq terrorist Abu Musab al-Zarqawi should have been arrested and prosecuted rather than bombed into oblivion. Why expose American troops to the danger of an arrest, when bombs work so well?”

Here’s one possible answer: In order not to send a five-year-old Iraqi girl into oblivion with the same 500-pound bombs that sent al-Zarqawi into oblivion.

Of course, I don’t know whether the *Detroit News* editorial board, if pressed, would say that the death of that little Iraqi girl was “worth it.” Maybe the board wasn’t even aware that that little girl had been killed by the bombs that killed Zarqawi when it published its editorial. But I do know one thing: killing Iraqi children and other such “collateral damage” has long been acceptable and even “worth it” to U. S. officials as part of their long-time foreign policy toward Iraq.

This U.S. government mindset was expressed perfectly by former U.S. official Madeleine Albright when [she stated](#) that the deaths of half a million Iraqi children from the U.S. and UN [sanctions](#) against Iraq had, in fact, been “worth it.” By “it” she was referring to the U.S. attempt to oust Saddam Hussein from power through the use of the sanctions. Even though that attempt did not succeed, U.S. officials still felt that the deaths of the Iraqi children had been worth trying to get rid of Saddam.

It’s no different with respect to President Bush’s war on Iraq and the resulting occupation, which has killed or maimed tens of thousands of Iraqi people, including countless children. (The Pentagon has long had a policy of not keeping

count of the number of Iraqi people, including children, it kills.) In the minds of U. S. officials, the deaths and maiming of all those Iraqi people, including the children, while perhaps unfortunate “collateral damage,” have, in fact, been worth it.

That’s why U.S. officials gave nary a thought to the death of that five-year-old girl who was bombed into oblivion with the bomb that did the same to Zarqawi. The child’s death was “worth it” because the bomb also killed a terrorist, which U.S. officials believe, brings the Middle East another step closer to peace and freedom.

Wars of aggression versus defensive wars

Some would argue that such “collateral damage” is just an unfortunate byproduct of war. War is brutal. People get killed in war. Compared with the two world wars, not that many people have been killed in Iraq, proponents of the Iraq war and occupation would claim.

Such claims, however, miss an important point: U.S. military forces have no right, legal or moral, even to be in Iraq killing anyone. Why? Because neither the Iraqi people nor their government ever attacked the United States. The Iraqi people had nothing to do with the 9/11 attacks in New York and Washington. Thus, this was an optional war against Iraq, one that President Bush and his military forces did not have to wage.

The attack on Iraq was akin to, say, attacking Bolivia or Uruguay or Mongolia, after 9/11. Those countries also had nothing to do with the 9/11 attacks and so it would have been illegal and immoral for President Bush to have ordered an invasion and occupation of those countries as well. To belabor the obvious, the fact that some people attacked the United States on 9/11 didn’t give the United States the right to attack countries that didn’t have anything to do with the 9/11 attacks.

That made the United States the aggressor nation and Iraq the defending nation in this conflict. That incontrovertible fact holds deep moral implications, as well as legal ones, for U.S. soldiers who kill people in Iraq, including people who are simply trying to oust the occupiers from Iraq. Don’t forget that aggressive war was punished as a war crime at Nuremberg.

Suppose an armed robber enters a person’s home and the owner’s neighbor comes over to help him. The homeowner and his neighbor fire at the robber who fires back, killing both the homeowner and his neighbor.

Can the robber claim self-defense? No, because he had no right to be in the home

in the first place. The intruder is guilty of murder, both morally and legally, because he doesn't have the right to be where he is when he shoots the homeowner and his friend.

The situation is no different in Iraq because U.S. soldiers don't have any right to be there. "But they were ordered to invade Iraq by their commander in chief." They could have refused to obey orders to deploy to Iraq, just as [Lt. Ehren Watada has done](#). Watada refused to loyally obey the orders of his commander in chief. Instead, he chose to obey his conscience and also to fulfill the oath he took to support and defend the Constitution.

Many Americans have a difficult time processing this because they simply want to block out of their minds that their own federal government – the paternalistic government that takes care of them with Social Security, Medicare, Medicaid, welfare, and education and protects them from drug dealers, immigrants, terrorists, and big oil – would ever do anything gravely wrong.

Let's put the situation this way. Suppose a coalition of Muslim countries successfully invaded the United States to overthrow the Bush regime and that foreign troops were now occupying the country and supervising new elections. Suppose some Americans began violently resisting the occupation and that British citizens came over to help them. While there undoubtedly would be some Americans supporting the foreign occupation of America and cooperating with it, my hunch is that most Americans would support the resistance.

Or put it this way: Suppose it was the Soviet Union that had done everything to Iraq that the U.S. government has done: imposed brutal sanctions that contributed to the deaths of hundreds of thousands of children, invaded Iraq, and then had Soviet troops occupying the country while organizing elections, killing insurgents and resisters, censoring the press, confiscating guns, conducting warrantless searches, detaining people without trials, and torturing and sexually abusing detainees.

Is there any doubt that a large segment of the American people, especially conservatives and neo-conservatives, would be railing like banshees against the Soviet communist forces in Iraq?

War versus occupation

Moreover, what people often forget is that the United States is no longer at war in Iraq. This is an occupation, not a war. The war ended when Saddam Hussein's government fell. At that point, U.S. forces could have exited the country. (Or they

could have exited the country when it became obvious that Saddam's infamous WMDs were nonexistent.) Instead, the president opted to have the troops remain in Iraq to "rebuild" the country and to establish "democracy," and the troops opted to obey his orders to do so. Occupying Iraq, like invading Iraq, was an optional course of action.

As an occupation force serving a sovereign regime, U.S. forces are not engaged in a war but instead are simply serving as a domestic police force for the sovereign Iraqi regime. The problem, however, is that they've been trained as soldiers, not policemen.

The military mindset is totally different from the police mindset. Assume that there is a suspected terrorist hiding among 10 innocent people. How would the military and the police deal with that situation?

The military would not chance the suspected terrorist's escaping or his killing a soldier in a gun battle. As we have seen in the al-Zarqawi killing, the military would simply drop a bomb on the suspect, even knowing that the innocent people around him would also be killed. In the mind of the military, the "collateral damage" would be worth it, even if it included children.

This military mindset was put on display a few years ago by a CIA paramilitary operation in Yemen. Convinced that an automobile in Yemen was being driven by an al-Qaeda terrorist, the CIA [fired a missile](#) into the car, killing all six people in the car, including an American citizen. As the *Detroit News* would ask, why bother with trying to capture the suspects and then go through all the hassles associated with extradition and trial when one missile can do the trick? And how exactly do we know that everyone in the car was guilty of terrorism and deserving of the death penalty? Because the CIA (which claimed that there were WMDs in Iraq) said so.

Consider another real-world example. A few years ago, the Washington, D.C., area was terrorized by two gunmen who were sporadically shooting and killing people at random. The police were having a very difficult time capturing them. One day, someone spotted the suspected snipers parked at a highway roadside park where lots of other cars were parked.

Taking the chance that the suspected snipers could escape to kill again, the cops slowly surrounded the roadside park. They then approached the car and took both of the suspects into custody, after which they were tried and convicted.

What would have been the military response? Drop a couple of 500-pound bombs on them, just as they did with the terrorist Zarqawi. After all, in the words of the

Detroit News, why take the chance that the suspects could escape and kill even more people? So what if the bystanders, including children, would be also killed in the process? That collateral damage would be worth it because the suspects would very likely have gone on to kill more people than the bombs did. Of course, the dead would include American children, rather than Iraqi children, but certainly that wouldn't be an important distinction to the Pentagon, or would it?

That raises another distinction between the military and the police. It's not difficult to see that the military holds the Bill of Rights in contempt, which is precisely why the Pentagon established its torture and sex abuse camps in Cuba and former Soviet-bloc countries – so as to avoid the constraints of the U.S. Constitution and any interference by our country's federal judiciary.

It is not a coincidence that in the Pentagon's three-year effort to "rebuild" Iraq it has done nothing to construct a judicial system that would have independent judges issuing search and arrest warrants or that would protect due process, habeas corpus, jury trials, and the right to counsel. To the military, all that is anathema, not only because it would presumably enable lots of guilty people to go free but also because it might inhibit the ability of the military to take out people without having to go through all those legal and technical niceties.

Several months ago, a U.S. attorney told a federal court of appeals that the United States is as much a battleground in the war on terrorism as other countries in the world, including Iraq. Heaven forbid that the American people ever permit the U.S. military to expand to the United States the war-on-terrorism tactics it has employed overseas.

More important, all too many Americans have yet to confront the moral implications of invading and occupying Iraq. U.S. officials continue to exhort the American people to judge the war and occupation on whether it proves to be "successful" in establishing "stability" and "democracy" in Iraq. If so, the idea will be that the deaths of tens of thousands of Iraqis, including countless Iraqi children, will have been worth it. It would be difficult to find a more morally repugnant position than that.

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