

America's Renegade Warfare. Is the U.S. Guilty of Genocide

Claiming the right to launch preemptive wars and fighting an ill-defined "global war on terror," the U.S. government has slaughtered vast numbers of civilians in defiance of international law, says Nicolas J S Davies.

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Seventy-seven million people in North and South Korea find themselves directly in the line of fire from the threat of a Second Korean War. The rest of the world is recoiling in horror from the scale of civilian casualties such a war would cause and the unthinkable prospect that either side might actually use nuclear weapons.

Since the first Korean War killed at least [20 percent of North Korea's population](#) and left the country in ruins, the U.S. has repeatedly failed to follow through on diplomacy to establish a lasting peace in Korea and has instead kept reverting to illegal and terrifying threats of war. Most significantly, the U.S. has waged a relentless propaganda campaign to discount North Korea's legitimate defense concerns as it confronts the threat of a U.S. war machine that has only grown more dangerous since the last time it destroyed North Korea.

The North has lived under this threat for 65 years and has watched Iraq and Libya destroyed after they gave up their nuclear weapons programs. When North Korea discovered [a U.S. plan for a Second Korean War](#) on South Korea's military computer network in September 2016, its leaders quite rationally concluded that a viable nuclear deterrent is the only way to guarantee their country's safety.

What does it say about the role the U.S. is playing in the world that the only way North Korea's leaders believe they can keep their own people safe is to develop weapons that could kill millions of Americans?

The Changing Face of War

The Second World War was the deadliest war ever fought, with at least 75 million people killed, about five times as many as in the First World War. When the slaughter ended in 1945, world leaders signed the United Nations Charter to try to ensure that that scale of mass killing and destruction would never happen again. The U.N. Charter is still in force, and it explicitly [prohibits the threat or use of military force](#) by any nation.

It was not just the scale of the slaughter that shocked the world's leaders into that brief moment of sanity in 1945. It was also the identities of the dead. Two-thirds of the people

killed in the Second World War were civilians, a drastic change from the First World War, only a few decades earlier, when an estimated 86 percent of the people killed were uniformed combatants. The use of nuclear weapons by the United States raised the specter that future wars could kill an exponentially greater numbers of civilians, or even end human civilization altogether.

War had become “total war,” no longer fought only on battlefields between soldiers, but between entire societies with ordinary people, their homes and their lives now on the front line. In the Second World War:

- Fleets of warplanes deliberately bombed cities to [“dehouse”](#) civilian populations, as British officials described their own bombing of Germany. “As I write this,” George Orwell wrote from London in 1941, “Highly civilized human beings are flying overhead, trying to kill me.”

- Submarines sank hundreds of merchant ships in an effort to starve their enemies into submission. General Carter Clarke, who was in charge of interpreting Japanese intelligence for President Truman, said in [a 1959 interview](#) that Japan surrendered because it faced mass starvation due to the sinking of its merchant shipping, not because of the gratuitous U.S. nuclear attacks on Hiroshima and Nagasaki. It was estimated that [7 million more civilians](#) would die of starvation if Japan fought on until 1946.

- Genocidal mass extermination campaigns killed civilians based only on their political affiliation or ethnicity. Under cross-examination by a young American prosecutor, Benjamin Ferencz, SS Gruppenfuhrer Dr. Otto Ohlendorf [explained patiently to a courtroom](#) in Nuremberg why he found it necessary for the “preemptive defense” of Germany to order the killing of hundreds of thousands of civilians. He explained that even children had to be killed to prevent them too becoming enemies of Germany when they grew up and found out what happened to their parents.

Despite the U.N. Charter and international efforts to prevent war, people in countries afflicted by war today still face the kind of total war that horrified world leaders in 1945. The main victims of total war in our “modern” world have been civilians in countries far removed from the safe havens of power and privilege where their fates are debated and decided: Yugoslavia; Afghanistan; Iraq; Somalia; Pakistan; Yemen; Libya; Syria; Ukraine. There has been no legal or political accountability for the mass destruction of their cities, their homes or their lives. Total war has not been prevented, or even punished, just externalized.

But thanks to billions of dollars invested in military [propaganda and public relations](#) and the corrupt nature of for-profit media systems, citizens of the countries responsible for the killing of millions of their fellow human beings live in [near-total ignorance](#) of the mass killing carried out in their name in these “red zones” around the world.

People in ever-spreading war zones are living under the very conditions of total war that the world recoiled from at the end of the Second World War. Like Orwell in London in 1941, they hear highly civilized human beings flying overhead trying to kill them, human beings who know nothing about them beyond the name of the city where they live and its strategic value in wars that offer them, the victims, nothing but death or destitution.

In the case of drones, the human beings trying to kill them from the other side of the world are so highly civilized that they can hop into cars and drive home to have dinner with their

families at the end of their shifts, while another “team member” efficiently takes over the “joy-stick” and carries on killing.

People in Yemen, Syria, Iraq and Libya have been subjected to hunger and starvation under sieges and naval blockades that are as brutally effective as German and American submarines were in World War Two. [Millions of people in Yemen](#) face an imminent danger of starvation under the U.S.-backed naval blockade and Saudi and Emirati [bombing of Yemeni ports](#).

In retaliation for one missile fired at Riyadh, the Saudi capital, last week, the U.S.-backed coalition completely closed all Yemen’s ports, tightening the blockade on millions of starving people. The requirements of [necessity and proportionality](#), which have been basic principles of customary international law since the Nineteenth Century, lie buried in the graveyards of Iraq and Afghanistan.

Is the U.S. Guilty of Genocide?

The U.S. military occupations of Afghanistan and Iraq quickly adopted “divide and rule” strategies that targeted Pashtuns in Afghanistan and Sunni Arabs in Iraq. When I pointed this out to a friend who teaches military history in 2005, he asked only, “How else can you do it?” I reminded him that “you” don’t have to “do it” at all.



American military police pose with naked detainees at Abu Ghraib prison in Iraq.

U.S. and allied forces in Iraq have killed [at least 10-15 percent of Iraq’s Sunni Arabs](#) and displaced about half of them. [Sunni Arabs have been relentlessly targeted](#) for detention, torture and summary execution since 2004, when ex-Drug Enforcement Administration intelligence chief [Steven Casteel](#), retired Colonel [James Steele](#) and [a CIA team](#) reportedly based on the eighth floor of the Iraqi Interior Ministry recruited, trained and equipped “Special Police” death squads to conduct a reign of terror that tortured and killed tens of thousands of men and boys in Baghdad and elsewhere.

After training by James Steele’s Special Police Training Teams, each Iraqi Special Police unit

worked closely with a U.S. Special Police Transition Team (SPTT), and their operations were commanded and controlled from a [high-tech command center](#) staffed by U.S. and Iraqi personnel. An SPTT assigned to the notorious Wolf Brigade in Baghdad was from the [160th Special Operations Aviation Regiment](#), the “Nightstalkers,” who usually [provide helicopter transport](#) for U.S. special operations but in this case appear to have used their helicopters mainly to fly detainees to their deaths.

After the exposure of their [Al Jadiriyah torture prison](#) in November 2005, the Special Police were rebranded as the National Police (and the Wolf Brigade, incongruously, as the Freedom Brigade). But their torture and killing raged on, under cover of an official narrative of “sectarian violence” which scrupulously ignored the command and control of these forces by the Iraqi Interior Ministry, the CIA and the U.S. military.

At the peak of this campaign in July-October 2006, supported by the U.S. Operations Together Forward I & II, National Police death squads flooded the main morgue in Baghdad with [up to 1,600 bodies per month](#). Thousands more Iraqis were killed and buried elsewhere or just disappeared, while [2 million people were displaced inside Iraq and another 2 million fled the country](#).

[This ethnic cleansing campaign](#) has continued under the U.S-backed Shiite government and has kept driving Sunni Arab Iraqis into armed resistance groups, of which Islamic State is only the latest, creating pretexts for endless violence against them. [Kurdish military intelligence reports](#) have estimated that 40,000 civilians were killed in the recent U.S.-led assault on Mosul, by [tens of thousands](#) of bombs and missiles dropped by U.S. and “coalition” warplanes, U.S. Marine 220-lb [HiMARS rockets](#) and U.S., French and Iraqi heavy artillery. This is still only an estimate, and the true number of civilians killed in Mosul was [probably higher](#).

From 2004 on, the ethnic cleansing of Iraq’s Sunni Arabs has been a deliberate, calculated element of the U.S.’s “divide and rule” policy in Iraq, with the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group.” That is the legal definition of genocide in Article II of the [1948 Genocide Convention](#). The working title of [my book](#) about the U.S. invasion and destruction of Iraq was *From Aggression to Genocide*.

As for the killing of “enemy” children, President Obama justified the [murder of 16-year-old American Abdulrahman al-Awlaki](#) in Yemen in October 2011, two weeks after the assassination of his father, the Yemeni-American preacher Anwar al-Awlaki. In one of Donald Trump’s first acts as president, he authorized a U.S. special operations attack that [killed Abdulrahman’s 8-year old sister Nawar](#) and other family members in January 2017 – after Trump, on the campaign trail, had vowed to [kill the families](#) of suspected terrorists.

Benjamin Ferencz, the by then 81-year-old American lawyer who prosecuted SS Gruppenfuhrer Ohlendorf and his accomplices at Nuremberg, was [interviewed by NPR](#) eight days after the mass murders of Sept. 11, 2001.

“It is never a legitimate response to punish people who are not responsible for the wrong done,” Ferencz insisted. “We must make a distinction between punishing the guilty and punishing others. If you simply retaliate en masse by bombing Afghanistan, let us say, or the Taliban, you will kill many people who don’t approve of what has happened... I say to the skeptics, ‘Follow your procedure and you will see what happens.’ ... We will have more

fanatics and more zealots deciding to come and kill the evil, the United States.”

But in the courtroom of American politics, hopelessly corrupted by [the CIA's politicized intelligence and manufactured crises](#) and the “[unwarranted influence](#)” of the Military Industrial Complex, our leaders chose Ohlendorf's logic over Ferencz's. Neither the [millions of people killed](#) in 16 years of war, nor its legacy of ruin and chaos in country after country, nor the utter failure of the “war on terror” on its own terms have led to any change in this illegitimate, criminal and, in the case of Sunni Arabs in Iraq, genocidal U.S. policy.

The Geneva Conventions

As well as the unfulfilled promise of peace in the U.N. Charter, the post-World War II effort to prevent the future mass slaughter of civilians led to a major revision of the Geneva Conventions in 1949. That included a brand new convention, the [Fourth Geneva Convention](#), dedicated entirely to the protection of civilians in wartime or under military occupation.



High-ranking Nazis on trial at Nuremberg

[Two additional protocols](#) were added to the Geneva Conventions in 1977, to adapt them to the changing nature of war and to provide even greater protections to civilians. The First Additional Protocol has been signed and ratified by 174 countries and the Second by 168 countries. The United States has not ratified either of the Additional Protocols, but it is legally bound by them because treaties that have been ratified by large majorities of countries automatically become part of customary international law, which is universally binding.

To mark the 50th anniversary of the 1949 Conventions in 1999, the International Committee of the Red Cross (ICRC) conducted a survey of 17,000 people in 17 countries to see how well people around the world understood “the rules and limits of what is permissible in war” under the Geneva Conventions. The study was titled [People on War – Civilians in the Line of Fire](#).

The 17 countries surveyed included 12 where wars had recently been fought, four of the permanent members of the U.N. Security Council, and Switzerland, where the ICRC is based. The introduction to the *People on War* report noted that 90 percent of the people killed in recent wars were civilians and that, in today's world, “war is war on civilians.” But the report went on:

“...the more these conflicts have degenerated into wars on civilians, the more people have reacted by reaffirming the norms, traditions, conventions and rules that seek to create a barrier between those who carry arms into battle and the civilian population... Large majorities in every war-torn country reject attacks on civilians in general and a wide range of actions that by design or default could harm the innocent.”

People interviewed in Switzerland and the four Security Council permanent member countries were asked to choose between a firm statement that armed forces “must attack only other combatants and leave civilians alone,” and a weaker statement that, “combatants should avoid civilians as much as possible.” About three-quarters of

respondents in the U.K., Russia, France and Switzerland chose the first statement, which correctly summarizes the rules of the Fourth Geneva Convention, while 26 percent in the U.K. and 16-17 percent in Russia, France and Switzerland chose the weaker one.

When it came to the United States, though, a very different pattern emerged. Only 52 percent of Americans understood that attacking civilians is strictly prohibited, while 42 percent chose the weaker option, twice as many as in the other four countries. The ICRC report noted that, “Across a wide range of questions, in fact, American attitudes towards attacks on civilians were much more lax.”

The survey also asked whether it is lawful to attack “enemy combatants in populated villages or towns in order to weaken the enemy, knowing that many civilians would be killed.” Once again, while only 20-29 percent of people in the other four countries thought this was allowed, that increased to 38 percent among Americans. Since 1999, this question has arisen again and again across America’s war zones, most recently in the [U.S.-led massacres](#) of Iraqi and Syrian civilians in Mosul and Raqqa.

During the U.S. occupation of Iraq, U.N. human rights reports repeatedly reminded U.S. officials of their duty as an occupying power to protect civilians, and notified them that U.S. military operations in civilian areas were routinely violating international humanitarian law. John Pace, who headed the U.N. Assistance Mission to Iraq during the U.S. occupation, compared U.S. efforts to police Iraq by military force to [“trying to swat a fly with a bomb,”](#) a fitting metaphor for the entire “war on terror.”

The *People on War* survey also found large discrepancies in attitudes to the Geneva Conventions themselves. In countries that had recently experienced war, only 28 percent of people agreed with a statement that the Conventions “make no real difference” to the brutality of war. But in the U.S. (57 percent) and U.K. (55 percent), twice as many people agreed with that statement.

U.S. War Crimes

We could speculate on why Americans are so exceptionally “lax” in their attitudes toward protecting civilians in wartime. But in practice, the real-world impact of these exceptional attitudes could be overcome if Americans who joined the armed forces received serious training in their responsibilities under the Fourth Geneva Convention. Tragically, they do not.

U.S. military recruits receive only a [50-minute class](#) on the laws of war, focused mainly on the Third Geneva Convention and the rights of POWs, and a refresher of the same 50-minute class before deployment. A retired JAG officer who taught law of war classes and veterans who have sat through them have all told me that the Fourth Geneva Convention and the rights of civilians as “protected persons” were barely mentioned, if at all.

The lax attitude of Americans toward the killing of civilians and the poor training of U.S. troops in their responsibilities under the Geneva Conventions have combined to make invasion and occupation by *American* forces especially deadly, dangerous and terrifying for civilians in Afghanistan, Iraq and wherever U.S. forces are deployed.

In practice, U.S. forces operate under much lower standards than those of the Geneva Conventions, and civilians whose countries have fallen prey to U.S. aggression do not enjoy

the protections guaranteed to them under the laws of war. As I wrote in an article in 2016, this is a classic case of the [“normalization of deviance,”](#) a sociological term for the way that powerful institutions like the U.S. military tend to develop weaker, looser norms of conduct than the formal or legal rules that officially apply to them.

Illegal U.S. rules of engagement in Iraq and Afghanistan have included: [systematic, theater-wide use of torture](#); orders to [“dead-check”](#) or kill wounded enemy combatants; orders to [“kill all military-age males”](#) during certain operations; and “weapons-free” zones that mirror Vietnam-era “free-fire” zones. A U.S. Marine corporal told a court martial prosecuting one of his men for “dead-checking” a wounded Iraqi civilian that “Marines consider all Iraqi men part of the insurgency,” nullifying the critical distinction between combatants and civilians that is the very basis of the Fourth Geneva Convention.

When junior officers or enlisted troops have been charged with war crimes against civilians, they have often been exonerated or given light sentences because courts martial have found that they were acting on orders from more senior officers. But the senior officers implicated in these crimes have been allowed to testify in secret or not to appear in court at all, and have almost never been charged.

To make matters even worse for civilians in Iraq, U.S. military and civilian officials, including [Secretary of State Colin Powell](#), misled the troops they sent to kill and die in Iraq with lies about shadowy connections between the people of Iraq and the young Saudis who committed the crimes of September 11th. In 2006, three years into the war, a Zogby poll of U.S. troops in Iraq found that 85 percent of them still believed that their mission in Iraq was to [“retaliate for Saddam’s role in the 9/11 attacks.”](#)

A million Iraqis have paid with their lives for these American lies and the war crimes they have served to justify, while the U.S. officials involved are still walking free, and in many cases still climbing the twisted ladder of success inside the U.S. Military Industrial Complex. Colonel Jeffrey Buchanan, [who headed a Special Police Transition Team](#) in Iraq at the time of the exposure of the Al Jadiriyah torture prison in 2005, has been promoted to the rank of Lieutenant General and is currently in charge of hurricane relief to Puerto Rico.

A New Body of Research

After 16 years of ever-spreading and intractable war, a significant body of research is finally emerging to clarify who exactly the U.S. is fighting in its ever-expanding war zones and what drives civilians to join armed groups like the Taliban, Al Qaeda or Islamic State.



Barack Obama and George W. Bush at the White House.

In the looking-glass world of U.S. propaganda, U.S. forces are “fighting them there” so that we don’t have to “fight them here.” But researchers are learning that, like the Iraqis who rose up to resist the illegal U.S. invasion and occupation of their country, most of the people joining armed groups across Africa and the Middle East are only fighting at all because U.S. and allied forces are “fighting them there,” in their countries, cities, villages and homes.

Researchers have interviewed people who have joined armed resistance groups in countries across the world to ask them about what drove them to join an armed group and take part in guerrilla warfare or terrorism. In 2015, the Center for Civilians in Conflict published the results of interviews with 250 people who joined armed groups in Bosnia, Somalia, Gaza and Libya in a report titled, [*The People’s Perspective: Civilian Involvement in Armed Conflict*](#). One of its main findings was that,

“The most common motivation for involvement, described by interviewees in all four case studies, was the protection of self or family.”

If most of the people fighting U.S. forces and their allies across the world, from Niger to Ukraine to the Philippines, are just trying to defend themselves and their families against our “counterterrorism” operations, that turns the whole basis of the U.S. “war on terror” on its head. The most effective way to reduce violence and terrorism would obviously be to stop putting them in such an intolerable position in the first place.

Also in 2015, Lydia Wilson, a researcher for the Center for the Resolution of Intractable Conflict at Oxford University, was allowed to [*interview a number of captured Islamic State fighters*](#) in Kirkuk, Iraq. Wilson’s fellow researchers included retired U.S. Major General Doug Stone, who managed U.S. military prisons in Iraq during the U.S. occupation and did some of the [*first serious Western research*](#) into the motivations of Iraqi resistance fighters.

It was hard for Wilson to find captured Islamic State fighters to interview, because Kurdish and U.S.-backed Iraqi government forces summarily execute Islamic State fighters that they capture. But the police in Kirkuk were at least putting prisoners on trial before killing them, so Wilson got permission from the police chief to talk to some prisoners who were awaiting execution.

The first prisoner Lydia Wilson interviewed was captured, tried and sentenced to death for exploding at least four car-bombs and a scooter-bomb in Kirkuk. But his interview was not exceptional – Wilson found that his account of his motivations was repeated by every other prisoner. He explained that his first loyalty was to his wife and two children, and that he joined ISIS (as Islamic State is commonly known) to support his family. He told Wilson, “We need the war to be over, we need security, we are tired of so much war... all I want is to be with my family, my children.”

At the end of the interview, Wilson asked the prisoner if he had any questions. By then he knew that General Stone, one of Wilson’s colleagues, was ex-U.S. military, and, instead of asking a question, he just exploded in anger at him,

“The Americans came. They took away Saddam but they also took away our security. I didn’t like Saddam, we were starving then, but at least we didn’t have war. When you came here, the civil war started.”

General Stone was not surprised. This was the same outraged speech he had heard from nearly every prisoner since he started interviewing his own prisoners in Iraq in 2007, identifying the poisonous and blood-soaked legacy of the U.S. invasion and occupation as the driving force behind their actions.

Lydia Wilson summarized what she learned about the prisoners in Kirkuk in [an article for *The Nation*](#): “They are children of the occupation, many with missing fathers at crucial periods (through jail, death by execution or fighting in the insurgency), filled with rage against America and their own government. They are not fueled by the idea of an Islamic caliphate without borders; rather, ISIS is the first group since the crushed Al Qaeda to offer these humiliated and enraged young men a way to defend their dignity, family and tribe. This is not radicalization to the ISIS way of life, but the promise of a way out of their insecure and undignified lives; the promise of living in pride as Iraqi Sunni Arabs, which is not just a religious identity, but cultural, tribal and land-based, too.”

The recent killing of four U.S. soldiers in Niger surprised many Americans, but the U.S. has [6,000 troops in 53 countries in Africa](#), so we should be ready to welcome home flag-draped coffins from seemingly random countries across the continent. But before our deluded leaders reduce the entire continent of Africa to a new U.S. “battlefield,” Americans should take note of a new report published by the U.N. Development Program (UNDP), titled [Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment](#).

This report is based on 500 interviews with militants from across Africa. As its title suggests, the interviewers questioned the militants specifically about the “tipping point” that decided each of them to actually join an armed group such as Boko Haram, Al-Shabab or Al Qaeda. By far the largest number (71 percent) said that some kind of “government action,” such as “killing of a family member or friend” or “arrest of a family member or friend,” was the final straw that pushed them over the red line from civilian life to guerrilla war. By contrast, religious ideology was generally not a decisive factor in that decision.

The report concluded,

“State security-actor conduct is revealed as a prominent accelerator of recruitment, rather than the reverse.”

In its section on “Policy Implications,” it added,

“The Journey to Extremism research provides startling new evidence of just how directly counter-productive security-driven responses can be when conducted insensitively.”

Across the world, it is obvious, and now well-documented, that U.S. aggression and militarism are causing the very problems they claim to be trying to solve. By design or default, U.S. policy is confusing cause and effect to justify military operations that turn

civilians into combatants, fueling an ever-escalating, ever-spreading cycle of increasingly global violence and chaos.

As the world confronts critical problems and demands on its resources, from climate change to poverty and inequality, it can no longer afford to follow the pied piper of American "leadership" that leads only to war and chaos.

U.S. leaders often raise the specter of "appeasement" to guilt-trip reluctant allies into supporting U.S.-led wars. But maybe it is time for world leaders to recognize that the real appeasement they have been engaged in is the appeasement of the United States, by actively or tacitly encouraging it in an illegal policy of militarism and serial aggression that is spreading violence and chaos across the world.

Surely the real lesson of the 1930s and the Second World War, now reinforced by the experience of the past 20 years, is that it is not enough to simply sign treaties that prohibit aggression and war crimes. The world must be ready to actually enforce the prohibition against the threat or use of military force in customary international law, the 1928 Kellogg Brand Pact and the U.N. Charter – by uniting peacefully and diplomatically to stand up to U.S. aggression and militarism before they lead to a cataclysmic total war that will kill tens or even hundreds of millions of civilians, in Korea or somewhere else.

Nicolas J. S. Davies is the author of Blood On Our Hands: the American Invasion and Destruction of Iraq. He also wrote the chapter on "Obama at War" in Grading the 44th President: a Report Card on Barack Obama's First Term as a Progressive Leader.

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