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Savage. Brutal. After the Assassination of Soleimani, Can We Just Admit that the United States Has No Morality at All?

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In-depth Report: IRAN: THE NEXT WAR?

Qassem Soleimani, the top Iranian military commander, who was assassinated this week by the United States in Baghdad, while he was on a peaceful mission, is just the latest, but perhaps most brazen and alarming, declaration by the United States that it is bound by no law and no moral principles. That is the sign of a morally bankrupt government and a similar culture that would support such actions.

This reflection will examine these two issues: the moral codes and the legal codes that do and necessarily must exist between nations and peoples that the U.S. blithely ignores, most horrendously in the case of the Soleimani assassination. I will assume that we can agree that morality is the condition of legality. If one has no concern for the former, there will be no concern for the latter, except what the law allows one to get away with.

For brevity's sake, let us limit our moral examination to two moral codes: the U.S. Declaration of Independence, and its underpinnings in John Locke's philosophy. The Declaration says that it is "self-evident" that all people are have equal moral standing, "unalienable rights," that "among these are Life, Liberty and the pursuit of Happiness." To secure these rights is the prupose of government, according to the Declaration. Thomas Jefferson openly admitted to borrowing from the philosopher John Locke to write these words. Locke's moral concerns were with the freedom of people "to order their actions, possessions, and persons as they think fit," and with the "state of equality"—i.e., no one has more power than another (i.e., no one has more power over another). Locke stipulated that the "state of liberty…[is] not a state of license"—i.e. no one has the liberty to destroy any other creature beyond what preservation calls for.

The second moral code concerns the morality of war and violence against another country. This is not discussed anymore in the U.S. political arena, and certainly not in the U.S. media. But this does not imply that leaders and media are exempt from moral laws of conduct, even if they choose to ignore them. We should keep them in the public debate arena.

These two principles of morality—one domestically originated, the other internationally—are what keeps governments in check. From the moral realm there are specific issues concerning the use of violence by the State that leaders are called to account for. Especially given current events in the U.S. meddling in the Middle East, we should call them to account for these moral failings.

Just Cause. This refers to an imminent attack by another country on one's own. Short of this requirement, a just cause is not only lacking, but a military action is not a war. Rather, it is an immoral attack on another nation's sovereignty. What is the moral cause of Soleimani's assassination? Our government doesn't have one. They don't even appeal to one; they just act as they will. This is the very definition of a "rogue state," one that has lost the moral authority to be followed by its citizens. By any definition of such a state, it is one that is a threat to the world's peace. The criteria used to define such a state varies, but it is safe to maintain that any State that ignores or rejects another state's sovereignty by invasion or assassination of its leaders cannot have a moral standing. Therefore, it cannot claim the assent of its people. Further, those so attacked have a right to fight back, as we now see Iran has done in its missile attack on American installations in Iraq. This "return fire" toward a nation that has attacked them is part of the definition of a "just cause."

Proper Intention. Intention deals with the principle justifying the goals of contemplated action. As far as we know and can surmise, the only plausible intention of the U.S. in its actions with other nations and with the killing of Soleimani is to exert its own hegemony in the region. This is not a moral principle, and not even a pragmatic one. It is an imperialist one, and thus to be condemned by any moral analysis.

Proper Authority. In the U.S., only Congress can declare war. Further, only Congress can fund war. It has taken responsibility for neither.

Last Resort. War is to be the resort only when all attempts at negotiation have failed. But Trump never negotiated with Iran at all.

Discrimination. Civilians are exempt from military attacks. How many civilians have been killed without discrimination by the war actions of Obama, Trump, and other Presidents?

Proportionality. Proportionality requires that the good that results must outweigh the evils of the war. By all accounts, the results of killing Soleimani are far likelier to be negative than positive.

It takes only a cursory glance to see that the U.S. Congress has long since abdicated its moral and legal role in refusing to take responsibility for its fulfillment of its constitutional mandate to both take back its power declare war, and to control the budget, including the military monies it showers on the Pentagon (both of these mandates and responsibilities are in Article I, Section 8 of the U.S. Constitution. The power to declare war was made even more explicit in the War Powers Resolution of 1973, which specifies that it is the power of the Congress to commit the U.S. to armed conflict, not the power of the President).

This is not just a "Trump issue," either. We can add that every U.S. President has been a rogue leader in terms of moral values and international law, including Trump's predecessor, President Obama. Under Obama, drone assassinations, the invasion of Libya, and the little noticed directive to upgrade nuclear weapons to make them not only more tactical (i.e. usable), but to make them radar-proof. Trump's missile strike on Syria and the assassination of Soleimani simply add to the long history of the immoral actions of the U.S. regarding other countries, such as the overthrow of legitimate governments in Iran, Iraq, Libya, Honduras, Iraq, and support for the Bolivia coup and support of ongoing coup attempt in Venezuela.

From the legal viewpoint, what Trump did in striking Syria with missiles and now in

assassinating Soleimani (and what Obama did in his drone assassinations) are war crimes, prohibited by both U.S. law and international law. War crimes, as defined in 18 U.S. Code, §2441, are any breach of the Geneva Conventions, such as intentionally killing or conspiring to kill "one or more persons taking no active part" in a war. Since there was no official war taking place between the U.S. and Iran, and since Soleimani was not in Iraq to make war plans, Trump's killing is an international war crime of murder.

More specifically in law, the Hague Convention also defines war crimes as including the murder of a non-belligerent. The Hague Convention further includes "Crimes Against Peace" and "Crimes Against Humanity." The former deals with "planning, preparation, initiation or waging of a war of aggression;" the latter includes "murder." Importantly, Article 7 states that Heads of State "shall not be considered as exempt from responsibility" for these war crimes.

It does no good to simply state that these are war crimes and then let it go. Action needs to be taken against the war criminals, but that the U.S. media and large a swath of U.S. citizens ignore these concerns is yet another indication of lack of concern in the U.S. for moral and legal codes to which we are all bound in our international relations.

There are many other issues that need only be mentioned here but should be part of the discussion regarding the war criminals in the U.S. government and their domestic enablers. But let us mention only two, just for discussion purposes. First, part of what underlies this lack of morality in U.S. leaders and their willingness to follow international law is their enslavement to capitalist requirements: money in exchange for doing the bidding of the corporation capitalists, such that all the elites—both political leaders and corporate managers—profit. This is most clear in the case of military corporate contracts. Our leaders have coopted their leadership role and commitment to their citizens for a neoliberal philosophy of individual benefit, leaving such values as equality of all humans and citizen good far behind them.

The other issue just to be mentioned here concerns our militaristic culture and its faux patriotism; for example, the celebration of militarism *in* sports, and thus *as* sport, by association of one with the other. For example, not only does the NFL constantly celebrate militarism, but it makes it a part of the game, with officially approved camouflage towels, caps, and uniforms, jets flying overhead, military commercials, etc., and all pasted over with a U.S. flag. Watch how often those militaristic celebrations occur in the NFL playoff culminating in the Super Bowl, and you will have an indication of the culture of militarism that allows people like Trump, Pence, Pompeo, and their predecessors to get away with their crimes.

Lest this brief reflection sounds too abstract to be of practical value, one of the important points here is that what the United States government is willing to do to citizens of a foreign land, and innocent citizens from another country (including immigrants trying to come to the U.S.), they are willing to do to anyone, its own citizens included.

If we want to live in peace, we must stand strong against the brazen immoralities and illegalities of U.S. Presidents and their compliant and complicit Congresses, starting now; starting with standing against Trump's assassinations and wars, and maintaining a commitment to stand against any presidential war crimes in the future, by Democrats or by Republicans. If we don't stand now, the same crimes may well be visited upon us in the near future.

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