

# Holding US Officials Responsible for War Crimes termed a Matter of Urgent Importance

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ANDOVER , Mass. (Sept. 13) — Any attempt to hold high U.S. officials responsible for war crimes likely “will require time and effort but is nevertheless of urgent importance,” an authority on international law said today.

Amy Bartholomew, an associate professor of law at Carleton University , Ottawa , Canada , told a conference seeking prosecutions of President George W. Bush and his aides for war crimes that aggression by “the world’s most powerful state” must be punished just as less powerful countries are punished.

The U.S. and “its junior partners,” she said, “have made varied attempts to undermine the international legal framework with respect to nonintervention and key aspects of human rights protection across the world.” To prosecute Bush under the Nuremberg Principles would challenge America ’s misbegotten efforts “to replace that framework with something very menacing—a ‘global and transnational state of exception.’”

“Despite the attempts by ‘human rights hawks’ to conceptualize the invasion of Iraq as motivated chiefly by humanitarian concerns—and therefore having a just cause—this excuse was never convincing,” Bartholomew said. What’s more, “the means of war and occupation have been egregiously disproportionate as just a glance at the torture and mistreatment at Abu Ghraib (prison) and the assault on Fallujah and the use of weapons in illegal ways” demonstrates.

Bartholomew said the Nuremberg Principles term aggressive war “the supreme international crime” in that such war “contains within itself the accumulated evil of the whole.” It leads to torture and abuses.

She told a conference of 120 academics, legal authorities, activists, and public officials gathered in Andover that the U.S. seeks to replace the Nuremberg Principles, to which it subscribes by treaty, with “the empire’s law” of its own making.

Bartholomew spoke at the “Justice Robert H. Jackson Conference” for planning for the prosecution of high-level American war criminals convened by the prominent law school dean and legal education reformer Lawrence Velvel. Justice Jackson was the American Supreme Court justice who was America ’s Chief Prosecutor at Nuremberg after World War II.

Bartholomew is the author of “Empire’s Law” (Pluto Press).

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