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The Old School
A Community of Fellows

The Conflict with Iran: Is the US above International Law?

by Judy Pasquale

As each day now brings new actions surrounding the US-Iran conflict, in the wider context of the Senate handling of impeachment and the upcoming start of the presidential primary season, it may be well to step back and determine positions on the key issue here: the waging of undeclared or unauthorized war and the use in this of targeted killing, or assassination! if one goes by my Webster dictionary definition: "to murder by sudden or secret attack."

One positive thing that could come out of this current series of events is a determination of personal positions on government use of murder to further a country's interests, and whether such murder actually does serve to protect national security and citizens' lives.

The escalating use of undeclared war by the G.W. Bush and Obama administrations (and now by President Trump) is based on two authorizations by Congress under the 1973 War Powers Act: in 2001 against al-Qaeda and in 2002 against Iraq.

(<https://www.aljazeera.com/news/2020/01/trump-order-assassinate-iran-qassem-soleimani-legal-200103212119366.html>)

Under President Obama, there was a sharp increase in the use of drone attacks in Afghanistan in 2009 (more than in the previous eight years), the determination that all males of military age count as combatants, an expanded use of the Bush-era policy creating kill lists with the president personally involved in the selection of individuals to be targeted, and work on policy rules to permit the killing of US citizens without due process if there was an 'imminent' threat. (Jeremy Scahill, *Dirty Wars* (2013), 251, 513-54; Noam Chomsky, *Who Rules the World?* (2016), 95) Indeed, I wonder if President Trump's decision to target Qassem Soleimani (commander of the Quds force of the Iranian Revolutionary Guard) was directly related to Obama's successful attack against Osama Bin Laden.

Article 51 of the UN Charter follows articles in Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression) that deal with action authorized by the UN Security Council. Article 51 states:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

It is widely agreed in international law that the use of force is acceptable only under two circumstances: if authorized by the UNSC, or in self-defense.

Self-defense applies to an attack that has already occurred or is underway (i.e., imminent). If an attack has not yet occurred and is in process, this constitutes 'participatory' self-defense, and the legality of such may be in dispute. If an attack is aimed at stopping a future threat, it is 'preventive' self-defense, and this is illegal. Plotting and planning is not enough to justify an attack, nor is pointing to a pattern of past behavior (as Secretary Pompeo tried to fall back on).

(<https://www.aljazeera.com/news/2020/01/stop-war-soleimani-killing-violate-international-law-200105050718644.html>)

According to the ACLU regarding targeted killings in general (including drone strikes conducted by previous administrations):

"The U.S. Constitution and international law prohibit the use of lethal force outside of armed conflict zones unless it is used as a last resort against a concrete, specific, and imminent threat of grave harm. Even in the context of an armed conflict against an armed group, the U.S. government may use lethal force only against individuals who are directly participating in hostilities against the United States. Regardless of the context, whenever the government uses lethal force, it must take all possible steps to avoid harming civilian bystanders. But these are not the standards that the executive branch is using." (<https://www.aclu.org/issues/national-security/targeted-killing>)

As the administration recognized, the key issue in the murder of Qassem Soleimani is whether an attack was imminent! and no proof has been provided. Nor, it seems, did the administration immediately report the threat to the UNSC.

This analysis explains the subsequent Iranian action against the two bases in Iraq, one of which, it seems, was the launching point of the drone attack on Soleimani. Iran cited Article 51, and claimed its attacks were commensurate.

It seems that US administrations would like to have it both ways: at times it is claimed that actions are part of a war (including, as under the Obama administration, a "non-international armed conflict," falling under Protocol II (1977) of the Geneva Convention! thus to justify actions as those acceptable in war); and at other times that actions are justified by an imminent threat. The really serious thing here is the reaction of so many US politicians, of both the Democratic and Republican parties: that action is allowed under Article 2 of the US Constitution (to protect US interests).

Among the Democratic Party candidates, only Bernie Sanders termed the killing of Soleimani as an assassination and a violation of international law.

In comparison, Senator Warren at first labelled Soleimani a 'murderer' and questioned the administration's strategy. Mayor Buttigieg labelled Soleimani a 'bad man,' who deserved death, again questioning strategy. Joe Biden and others also raised questions regarding correct strategy; Biden even used the issue to claim superior qualifications to be elected president. Other Democrats seem to be only concerned about whether the president has Congressional authorization for the act.

It is time for individuals to decide, and for Democratic candidates to declare positions on, whether the US should follow international law.

If so, then many US actions would actually fall under the category of war crimes! meaning, grave breaches of international humanitarian law (i.e., of the Geneva and Hague conventions). Included under the conventions are: the use of torture, the treatment of prisoners, protection of civilians, treatment of victims, attacks on infrastructure, collective punishment, rape, and attacks on historical monuments, works of art and places of worship.

The view here is that when the US acts above the law! international law! it actually hurts national security, and that this has been going on for a very long time (and is seen as such by increasing numbers of people globally). We may now be seeing an added factor in the particular recklessness of President Trump and his advisors, but all leaders and candidates should clearly state their positions.



UNCLE SAMMY THE BULL

Poverty in Rockland the conversation continues on the Metro Show

The Metro show is a live on-air conversation every Wednesday from 5 to 6 pm on 93.3 fm Rockland and 99.3 Camden. Tune in, and call in.

From homelessness and hunger, the conversation has turned to the criminal justice system and the impact of criminal convictions and punishments on Rockland's poor. We were joined this past Wednesday by Lucy Funkhauser of the Restorative Justice Project. Lucy told us about an upcoming mentor training program that begins with a light supper and information session this Monday January 13th, 5:30-8:00pm at St. Peter's Episcopal Church in Rockland. The training sessions follow on Jan. 20th, 27th, Feb. 3rd & 10th 5:30-8:00pm.

Next Wednesday, our Metro show guests will be Tanja and Jake Barbour whose LIFE Ministries has created a re-entry home for men returning from jail and prison. Jake sent us the photo below which "shows our whole ministry. The men we work along with their families. Doing LIFE together."



Contribute yourself to The Buzz & WRFR

We are all volunteers, and you are invited to join us. email steinberger@gwi.net or call Joe at 596-0731

FRIDAY, JANUARY 10:

• “Sleeper,” 6:30 p.m. in Friday

Night Films at Thomaston

Public Library, where January features Woody Allen movies. This farcical sci-fi comedy was the first of Allen’s films to costar Diane Keaton. Allen plays Miles, a man who has been cryogenically frozen for 200 years and awakens to find himself in a world run by an oppressive, big-brother-like government force. He unwittingly becomes part of the underground movement and causes a revolution.

• Friday Open Mics, in Warren, Saint George River Cafe, 310 Main Street, second and fourth Fridays, at 6:30 p.m.

SATURDAY, JANUARY 11:

• Nature Journal Group Forming in Rockland, at Maine Coastal Islands NWR Visitor Center, 9 Water Street, with an intro session from 10 a.m. to noon. Laurie Murray, will lead the group set to meet second Saturdays of every month to learn ways to create nature journals. Registration: 594-0600, extension 5, or info@mainecoastislands.org.

• Learn About Merryspring Nature Center, in a presentation at Coastal Children’s Museum, 75 Mechanic Street, Rockland, at 11 a.m. Brett Willard will talk about the animals that frequent the Camden nature center, then lead a craft.

SUNDAY, JANUARY 12:

• “Poetry with Strings Attached” at Camden Opera House, 2 p.m. First in the new Literary Salon series, the hour-long program will feature Maine poets Kristen Lindquist and Paul Corrigan reading original poems that celebrate the people and landscape of Maine, interspersed with related musical pieces performed by violinist/guitarist Susan Ramsey and cellist Ruth Fogg. Local student Katharine Kemper will open with a brief poetry recitation.

• Sunday Jams in Rockland, Sail, Power, & Steam Museum, 75 Mechanic Street, 1:30 p.m.

MONDAY, JANUARY 13:

• Free Adult Art Classes at Rockland Public Library, 11 a.m. Catinka Knoth leads the free Monday classes. This week: winter scenes.

TUESDAY, JANUARY 14:

• “Just the Facts,” 6 p.m. at Jackson Memorial Library, Tenants Harbor. Beckie Delaney shares some tools to fact-check the day’s news and items in social-media feeds.

• Tuesday Jams in Thomaston, Federated Church, 8 Hyler Street, at 7 p.m. Folk, country, blues, gospel. FMI: 273-2914.

WEDNESDAY, JANUARY 15:

• New Monthly Book Discussion Group at Rockland Public Library, kicks off at 3 p.m. The group will focus on fiction from the past five years. The first book is “Sing, Unburied, Sing,” by Jesmyn Ward. The group will meet on the third Wednesday of each month from 3 to 4 p.m. FMI, call Shane Billings at 594-0310.

THURSDAY, JANUARY 16:

• Duo of John and Rachel Nicholas at Rockland Public Library, Thursday, January 16, at 6:30 p.m. They’ve been making music for more than 30 years – their songs are anchored in the history of folk, roots, and popular music.

• “The Impact of Language: How Do We Talk and Write About Domestic Violence?” on Thursday, January 16, 6:30 to 8 p.m. at Rockland Public Library. Kelly O’Connor of New Hope for Women leads an exploration of the power of accountable language, how we talk and write about domestic violence, and how this impacts the way we engage with survivors and perpetrators.

• Thursday Karaoke in Thomaston, Threshers Brewing Company, 1 Starr Street, 7 p.m.

• Thursday Jams in Warren, Saint George River Cafe, 310 Main Street, 6 p.m. and Friday Open Mics, second and fourth Fridays, at 6:30 p.m.

FRIDAY, JANUARY 17:

• Building Confidence Series at Camden Public Library, Fridays, January 10, 17 and 24, from 11:30 a.m. to 2 p.m. New Ventures Maine creates an empowering environment for Maine people to define and achieve their career, financial, and small business goals. Classes are free but require registration: melinda.wildes@maine.edu or 593-7942.

Shades of Green

by Steve Carroll

As the Presidential race gathers steam we are hearing more and more talk from many of the contenders about our "climate emergency", and their plan for a "green new deal."

Unfortunately most of this talk is just that, "talk" and lots of it with very little solid action or motivation from the public to really create meaningful change. The U.S. famously ditched out of the global Paris climate accord and our President believes that as far as the climate is concerned there is really no emergency.

Our Leadership seems to be firmly backing the fossil fuel industry. So much of our involvement in the Middle East centers around "Oil". Our currency is backed and almost entirely supported by worldwide oil production. Our nation budget is heavily weighted towards a large military presence and very few of our tax dollars are being spent on our domestic infrastructure.

In 2020 once again our national rail service Amtrak will be begging congress for funding to improve rail service to connect larger cities, like LA to San Francisco. Most major cities are scrambling for dollars to improve their public transportation. Meanwhiloe, due to continuing low fuel prices, Americans are now buying larger less fuel efficient cars, big SUVs, and pick up trucks, and overlooking electric, hybrid and more fuel stingy autos. According a recent article in USA Today "cheap fuel keeps public in market for larger vehicles," this means larger profits for the Auto makers and increased pollutants in the atmosphere. America's love for the automobile continues to grow as demand for public transportation lags.

Even now, with all we know about the climate emergency facing us, our President wants to roll back emissions standards. Most of what the President and Congress are promoting flies in the face of our climate responsibility. If we are to be a world leader in climate change we need to focus more on ways to make a greener planet and not just a greener wallet.

There are different shades of green. Our plan has leaned more towards "light green" where other countries are a darker green. As Al Gore wrote, this is an inconvenient truth. Many Americans will only act responsibility when they are motivated to do so. Our leaders should promote incentives for us to be more environmentally conscious. Solar energy, moving away form the use of fossil fuels, promoting purchase incentives for electric and hybrid vehicles. This is all part of "the Green New Deal." We must all do our part if we are to save the planet we all float on. Encourage your representatives to push legislation that will make our country a world leader in climate change not a world follower. and let's all work to make our "green new deal " a stronger shade of green.

Tune in to the Chris Wolf Show, Monday, Wednesday and Friday 8-9 am on WRFR



Here is Chris Wolf with students from Oceanside High School, Chris is a great contributor to our mission of bringing our community together in mutual respect. Join us!

"We have a lot of guests on The Chris Wolf Show. We simulcast on Mainecoast.tv and [wrfr](http://wrfr.org). Each guest is unique and exciting in their own right. Everybody has a story to tell. This week we hosted Camden Public Library Children’s Librarian Amy Hand, to read to the kids and senior adults on Wednesday. Friday, as this addition of the Buzz is being printed; in the [wrfr](http://wrfr.org) studio saw both the incoming manager for the Knox Regional Airport, Jeremy Lee and the outgoing manager Jeffery Northgraves together and trading ideas about the airport.

One of the favorite things we do with the show is invite the local schools in. We’ve hosted groups from Oceanside High School, Medomak Valley, Camden Hills and Camden Rockport Middle School.

The kids are fabulous. They are smart, (we test them), quick and have a grasp of what is happening in the world, plus ideas of how it should change.

The school system works and these children of today, the adults of tomorrow, are going to do just fine.

What brings these kids into the studio is to showcase and promote a theatrical or musical event coming up. Though we have had students who hold forums on “Climate for Change,” and how to better empower women in the world.

What I have learned is to never underestimate the mind of a child and as one student fondly put it, 'he understands us because he’s just a big kid himself.'

I think maybe that’s the nicest compliment that was ever paid to me.

Kids rule. The fun meter is off the scale whenever they appear. And they don’t have to wait to be invited. All they need to do is contact me and say they would like to be on the show. I’ll make room for them."

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