

Western Exceptionalism

While the West seeks to enforce international law on non-western countries, it keeps itself beyond the purview. By Nazneen Ahmed

There is a tacit assumption being made in discussions of the invasion of Iraq, which if considered in a universalist perspective, is astounding in its implications. It is that people should “draw a line” under the Iraq invasion and “move on”. We are being urged to be constructive about the current, real situation on the ground. We are asked to see that the situation in Iraq is urgent, and that we must not dwell on past mistakes—though neither the US nor UK government will admit that the invasion was a mistake, let alone a crime. In short, we should ask these governments no unpleasant questions. We must stay focussed on the future. Or, to put it another way, we should let the government do what it wants. Because when a political event happens that one objects to, it is already in the past, and not something with which we should be wasting everybody's valuable time. But wait a moment!

Isn't there something wrong when we do not hold people to account for their mistakes and crimes? Won't they, and others after them, go on committing the same mistakes and crimes? Haven't over 13,000 Iraqi civilians been killed ([one estimate](#) (*Mortality Before and After the 2003 Invasion of Iraq* by Richard Horton et al) puts the number near 100,000), thousands more been injured, the livelihoods of tens of thousands more been lost, and millions of dollars worth of property and infrastructure been destroyed because of the invasion? Haven't commissions in three countries (the US, UK, and Australia) found that their respective governments acted on intelligence that was cooked to make the case for war? Didn't Iraq plead not to be attacked and repeatedly say it did not have WMD. Didn't the UN weapons inspectors ask for just two months more to be able to come to a definite conclusion about whether Iraq had any WMD

or not? And despite all this, the US and UK insisted on invading. That invasion brought death, destruction, and great suffering to Iraqis, who were already living in deprivation because of UN sanctions. And yet we are told to draw a line and move on. Well, OK. Let's assume that with this request the two governments are tacitly acknowledging their crime and asking us to forgive them, saying that they too will move on and make amends.

Now switch to The Hague, where a War Crimes Tribunal is trying Slobodan Milosevic, ex-president of Serbia, for being responsible for the deaths of hundreds of ethnic Albanian civilians when his army went on a killing rampage in Kosovo (a province of Serbia) in 1999 **after** it became clear that NATO was about to start a “humanitarian war” by bombing Belgrade. The charge against Mr Milosevic is that, although he was not directly involved in any massacre, he bears ultimate responsibility for the actions of his troops. No question of moving on for Mr Milosevic!

Switch again, this time to Baghdad, where Saddam Hussein is brought before a judge to hear the charges against him. One of the charges is the invasion of Kuwait in 1990. This is a war crime, he is told. He may not draw a line and move on.

So there you have it: two ex-presidents of non-Western states facing war crimes charges, one for starting an unjustified war, the other for indirectly causing the deaths of thousands of civilians. Now consider the positions of George Bush and Tony Blair. There is enough evidence now to show that the intelligence they submitted to make the case for war was false, actually a wild fabrication. We are told to disregard the deception because the invasion was well-intentioned—even though illegal. So the invasion of Iraq was unjustified, which is one of the charges for which Mr Hussein now finds himself (literally) in chains. Mr Bush and Mr Blair, on the other hand, are strutting about the world stage making lofty speeches about morality and action. Then there are the more than 13,000 Iraqi civilians who lie dead due to the actions of troops who were sent into battle in 2003 at the direct command of Mr Bush and Mr Blair. That's a lot of lives to answer for—the charge brought against Mr Milosevic.

But Mr Bush and Mr Blair, despite these facts being known to the world, are not only not brought before a war crimes tribunal; they continue unperturbed in office, will be making bids for further terms in office, and are praised by many of their countrymen for what they have done.

The message is clear. While non-Western leaders must answer to international law, Western leaders may break international law with impunity. This comparison should not be read simply as an example of double standards. It tells us something more: that international law, in its current application, exists solely to discipline leaders—and through them, states—that dare to go against the wishes of an international oligarchy consisting of Western powers and their interests. As such, it is nothing but another handy weapon in the Western armoury, and not the civilizing force it is portrayed as.

Consider that, and ask yourself whether such inhumanity and cynicism is consistent with progress towards a peaceful and enlightened civilization. The **glaringly obvious** solution is to make international law **universally applicable**.

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In a Criminal Light

The great nations have always acted like gangsters, and the small nations like prostitutes.

– Stanley Kubrick, *The Guardian*, 5 June 1963.

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Retribution's Role

You cannot do justice to the dead. When we talk about doing justice to the dead we are talking about retribution for the harm done to them. But retribution and justice are two different things.

– William Shawcross, *chief British prosecutor at the Nuremberg Trials*, *Daily Telegraph*, 1 May 1991.

Strong Villains

Mr Clinton does not have the strength of character to be a war criminal.

– Henry Kissinger, *The Independent*, 16 January 1999.

Editor: Mr Bush, Mr Blair on the contrary.

Hain't Wot E Sez

When a fellow says, it hain't the money but the principle o' the thing, it's th' money.

– Kin Hubbard, *Hoss Sense and Nonsense* (1929)

The Law or Not?

Who thinks the law has anything to do with justice? It's what we have because we can't have justice.

– William McIlvaney, *Laidlaw* (1977)

The Potential of Law

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Law and order exist for the purpose of establishing justice, and...when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

– *Martin Luther King Jr, Why We Can't Wait (1963)*

Should Saddam and Milosevic Go Free?

An unjust law is itself a species of violence. Arrest for its breach is more so.

– *Mahatma Gandhi, Non-Violence in Peace and War (1949)*

Tyranny, Yet Again

All animals are equal but some animals are more equal than others.

– *George Orwell, Animal Farm (1945)*