

In Our Age of State Crime

by Lawrence Davidson via tam - ICH *Wednesday, May 23 2018, 6:14am*

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There is a legal construct known as “state crime.” As the title implies, these are crimes that are committed in the name of, and/or by the forces of, the national state. Given that such crimes can have behind them the force of national bureaucracies, they are, historically, the worst sort of crimes on record: genocide, organized campaigns of torture, war crimes and the like. Also, as the International State Crime Initiative notes, while there is little doubt that such behavior violates both international law and the national criminal law of most states, “state crime is under-acknowledged by popular and academic authors.”

Why is this the case? Three reasons suggest themselves: (a) many, though not all, lawyers and judges accept as “necessary” the use of extra-legal practices in alleged emergencies; (b) in times of war or other emergencies most intellectuals, teachers, reporters and other people upon whom the public depends for information will identify with the state and lend it their uncritical support, with those who do not often being censored; and (c) under these circumstances, it comes as no surprise that the state’s citizenry is easily convinced by censored or coerced media and various “responsible” personages, that an emergency exists and, as long as they remain personally unaffected, will support extra-legal acts on the part of their governments.

It is true that these conditions do not always hold, particularly, if the alleged emergency seems to have abated, allowing particularly egregious acts to come to light. The U.S. crimes at Abu Ghraib, revealed first by CBS News in 2004, are an example of this exception.

As a secondary factor allowing for the committing of state crime, the abstract and depersonalized nature of the language used in such cases should be noted. It is in the nature of bureaucracies to disperse responsibility. An order comes down from the leadership and it is carried out not by particular persons but by a “department,” a “platoon,” or an “agency,” etc. These subgroups are most often made up of ordinary people placed in extraordinary circumstances who, through bureaucratic or military training, and of course peer pressure, simply do their assigned task. And so we get what Hannah Arendt referred to as the “banality of evil.”

It is true that, as President Truman was fond of saying, the “buck stops”... somewhere – usually with a president, prime minister, cabinet, central committee or what have you. However, unless these folks end up on the losing side of a serious war, they are almost never held personally responsible for the orders they gave or the policies they implement. Indeed, it is only if you are a leader of small power committing state crimes, and are without a great power patron, that you might have to worry. Otherwise, you can be a mass murderer and still expect to die in your own bed.

Part II – Recent Examples

Let’s take a look at a couple of recent examples of state crimes. There is no lack of perpetrators:

— Myanmar (Burma): According to Amnesty International the government of Myanmar has brutally driven over half a million men, women and children of the Rohingya (Muslim) minority out of the

country – an effort that was accompanied by “widespread and systematic murder, rape and burning.”

— Egypt: According to reports produced by Human Rights Watch, the regime of “President” Abdel Fattah al-Sisi maintains power through a campaign of mass torture. “Political detainees are routinely tortured and sometimes raped.” By the way, al-Sisi is a military officer who pulled off a 2013 coup against Egypt’s first and only fairly elected government, and then, in 2014, had himself elected “president” in a rigged election.

One can go on like this for quite a while: there is Zimbabwe (which has only recently rid itself of its long standing dictator Robert Mugabe), Uzbekistan, North Korea, Sudan, Turkmenistan, Saudi Arabia, China (where the Party leader has just been given power for life), Syria, Laos, and on it goes. This is by no means an exhaustive list

And then there is Israel: Please note that I have listed a slew of criminal states before mentioning the Zionist state. This is because supporters of Israel are always lamenting that their state is being picked on by people who ignore the crimes of others – creating a case of double standards. Oddly, their complaint implicitly accepts that Israel is also guilty of criminal behavior, but otherwise should not be singled out. Not wanting to have to bother with this diversionary Zionist tactic, I introduce the criminal state of Israel, at this point.

According to Human Rights Watch, Amnesty International, B’tselem (Israel’s own human rights organization), and literally dozens of United Nations resolutions, Israel consistently acts as a criminal state. It has an ongoing policy of ethnic cleansing against the Palestinians, which also involves the establishment of illegal colonies on militarily occupied land. It uses lethal violence against unarmed protesters, as the recent massacres along the Gaza border have prominently demonstrated. It imprisons large numbers of Palestinians including children for acts as simple as protesting Israeli violence. It goes after civilian targets in its wars against Gaza and Lebanon. It purposely destroys civilian infrastructure on the West Bank and Gaza. It runs a regime that segregates out non-Jews from Jews in terms of housing, job preferences, and benefits and tries to cover up the resulting apartheid reality with a thin veil of tokenism. And it does all this while claiming to be the “only democracy in the Middle East” – which is false but persistent propaganda. Is Israel really a criminal state? Well, you know the old saying, “if it quacks like a duck, it’s a duck.”

Part III – Aiders and Abettors

And then there is the category of states which are often not only criminal in their own right, but make it a habit of facilitating the criminal behavior of other states. It is, of course, the United States that is the exemplar here. The U.S., with but a single exception during the Eisenhower administration, has backed Israel’s criminality from its inception. Today, it also is on the friendliest of terms with the pseudo-president of Egypt, among other dictators.

All of this has reduced international law as it applies to human rights to an unattainable ideal. It is sobering, and very depressing, that it has only taken a little over 70 years to forget the horrors that necessitated the promulgation of such documents as the Universal Declaration of Human Rights. As far as the “statesmen” in Washington, Jerusalem, and at least a dozen other capitals care, the world can go back – and indeed it is going back – to the bad old days before World War II when nationalism, with a malignant mixture of racism, was the political guiding light. Back to a time when political leaders spoke their minds not as rational and reasonable people, but rather in the style of Mussolini. Back to a time when threats and dares took the place of diplomacy and the citizenry stood piously by waiting to serve the national cause as cannon fodder.

Under these circumstances, the United States might physically survive, even through the disastrous presidency of Donald Trump, but morally it is lost. It has never shaken its long-standing addiction to the destruction of other people's human rights and the support of racists, fanatics and dictators.

Part IV – Idealizing Destructive Behavior

It is very odd how such destructive behaviors become idealized in a nation's consciousness even as it destroys otherwise worthy ideals such as human, civil and political rights, and even undermines the very notion of democracy. Sometimes this is done in the most innocuous way, for instance, through song. Here are two examples:

A) This is the first stanza of the U.S. Marine corps anthem:

From the Halls of Montezuma
to the Shores of Tripoli
We fight our country's battles
In the air, on land and sea;
First to fight for right and freedom
and to keep our honor clean...

For anyone who knows a bit of American history, the first two lines can remind one of U.S. intervention in Central and South America as well as the Middle East. With the possible exception of the very early war against the Barbary Pirates, those interventions never did have anything to do with "right and freedom," so the "honor" of the U.S. Marines is anything but "clean." The song glorifies, quite successfully, a false history.

The second example comes from Israel. The Israeli national anthem, HaTkivah ("The Hope"), speaks of a "two thousand year old Jewish hope to be a free people in our land, the land of Zion and Jerusalem." That is a big assumption to draw from a few ritual phrases repeated infrequently, if ever, by the average Jewish person. And when looked at closely, the yearning for "Jewish freedom" in Palestine is based on a lie – the false assertion that one people can gain "freedom" by ethnically cleansing another people.

Part V – Conclusion

Despite the implicit contradictions and lies, whole nations are created using mythology and self-deception as pillars of identity. Yet, the reality of history somehow creeps in and the effort to sustain these self-deceptions eventually poisons the societies that rely upon them. Today that poison can be seen in the way Donald Trump is received as a savior by many Americans just because he represents a racist militarism they confuse with honor and "greatness." And Israel's style of "freedom" – which is really a wretched form of racism – is seen as the fulfillment of a divine promise, one that is repeatedly reaffirmed by the murder of unarmed protesters. As we glorify we also adulterate. Do nations have karmic shaped destinies? It just might be so.

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