

## WE MUST ACT

This is why it falls to us here in the United States to hold our leaders accountable. That begins now, and it should start at Stanford, a renowned university that is now the home of one of the major perpetrators of the horrendous acts that have defined the past eight years and tainted the reputation of the US.

Stanford rules protect tenure and security of appointment; faculty cannot be dismissed or otherwise punished except for, among other things, “a finding... of substantial and manifest incompetence” or a “determination pursuant to the Statement on Faculty Discipline.”<sup>[26]</sup> That Statement allows faculty to be charged with misconduct “only for actions taken in association with the faculty member’s academic duties and responsibilities.”<sup>[27]</sup> Taken literally, the Stanford rules would allow serial killers, mass murderers and war criminals to remain in tenured positions, provided they did not harass students, falsify research, or engage in misconduct “in association with... academic duties and responsibilities.”

But if Condoleezza Rice were a student, she would instead be subject to the Fundamental Standard: “Students at Stanford are expected to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens. Failure to do this will be sufficient cause for removal from the University.”<sup>[28]</sup> How can we hold our students to this high standard when the standards for faculty are so inadequate?

By increasing awareness and generating discussion about Condoleezza Rice’s actions, we want to encourage everyone to ask themselves: SHOULD STANFORD BE A SAFE PLACE FOR WAR CRIMINALS?

Stanford Says No to War is committed to acting on this issue. Keep your eye out for petitions, discussions, debates, films, and other events both educational and action-oriented calling for Condoleezza Rice’s resignation and demonstrating to the world that we, the people of Stanford University, do not accept war crimes. We invite every member of the Stanford community to join us in this campaign to HOLD CONDOLEEZZA RICE ACCOUNTABLE.

## REFERENCES

1. See UN Charter, Article 1, which calls for “the suppression of acts of aggression or other breaches of the peace,” and Article 2(4): “All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” See also Chapter VII, on the functions of the Security Council, and Article 51, describing the right of self-defense.
2. Judgment of the International Military Tribunal: “The Common Plan or Conspiracy and Aggressive War” (emphasis ours).
3. See e.g. the Brand-Kellogg Pact, also known as the Pact of Paris, dating from 1928.
4. “Iraq On the Record: The Bush Administration’s Public Statements on Iraq,” House of Representatives Committee on Government Reform, Special Investigations Division, March 16, 2004.
5. See, e.g., Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq, Senate Committee on Intelligence, July 7, 2004.
6. See, e.g., the searchable database of statements compiled by The Center for Public Integrity: [projects.publicintegrity.org/WarCard/](http://projects.publicintegrity.org/WarCard/) or “Iraq On the Record: The Bush Administration’s Public Statements on Iraq,” House Cite. on Government Reform, Special Investigations Division, 3/16/04.
7. “The Secret Downing Street Memo,” reported in the Sunday Times, May 1, 2005.
8. “Top Bush officials push case against Saddam,” CNN, September 8, 2002.
9. “Iraq On the Record,” House Cite. on Government Reform, 3/16/04. The report found that in that time period, “National Security Advisor Rice made 29 misleading statements about the threat posed by Iraq.”
10. “Rice signals rejection of U.S. House subpoena in Iraq weapons of mass destruction inquiry,” AP, April 26, 2007; “Secret to Forcing Compliance With Subpoenas,” David Swanson, August 31, 2007.
11. See “Contract Justice,” Jeremy Scallion, *The Nation*, April 6, 2008.
12. See e.g., “State Department Grants Immunity to Guards Investigated for Shooting Iraqi Civilians,” Jonathan Karl and Kirit Radia, ABC News, October 30, 2007.
13. “Despite Backwater, State Officials Get Promotions,” ABC News, October 25, 2007.
14. “Blackwater Iraq contract to be renewed,” Elise Labott, CNN, April 4, 2008.
15. “I certainly regret that we did not have the kind of oversight that I would have insisted upon,” she said. “Rice Says ‘Hole’ in U.S. Law Shields Contractors in Iraq,” *New York Times*, 10/25/07.
16. See *Question Research Business and Just Foreign Policy* for these estimates. This far exceeds the *Iraq Body Count* number of around 90,000, which only counts deaths reported by multiple crosschecked media reports. The US government has not made any serious study of deaths in Iraq; see the Congressional Research Service report “Iraqi Civilian Casualties Estimates,” 1/12/09, for discussion. *The Just Foreign*



## SHOULD STANFORD UNIVERSITY BE A HAVEN FOR WAR CRIMINALS?

As you may have heard, Condoleezza Rice officially returned to the Hoover Institution on March 2, after working for eight years as National Security Advisor and then Secretary of State in the Bush administration. We, the student group Stanford Says No to War, are concerned with her actions these past eight years—not her academic beliefs, party affiliation, or scholarly pursuits, but her actions. Specifically, we are concerned about serious allegations that Rice has violated our constitution, domestic laws, and international law and endangered the American people. We are initiating a coalition of Stanford community members to create a campus-wide movement to hold Condoleezza Rice accountable for her actions.

The evidence is clear. This pamphlet outlines evidence of violations of international and domestic law by Condoleezza Rice, in organizing and executing the Iraq War, and in personally approving the use of torture.

## CONDOLEEZZA RICE ADVOCATED AND LIED FOR THE ILLEGAL WAR ON IRAQ

### AGGRESSIVE WAR VIOLATES INTERNATIONAL LAW

For one country to invade another without the authorization of the United Nations Security Council or the justification of self-defense from imminent attack is an act of aggressive war.<sup>[1]</sup> As the Nuremberg tribunal declared, “To initiate a war of aggression... is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.”<sup>[2]</sup> It violates the UN Charter and other treaties to which the US is a party<sup>[3]</sup>.

The US-led invasion of Iraq, therefore, is not to be regarded as a mistake, or a foreign policy blunder. It is to be regarded as a crime against humanity, of the worst possible sort.

### RICE’S WARMONGERING AND LIES

As National Security Adviser, Condoleezza Rice was one of the “five Administration officials most responsible for providing public information and shaping public opinion on Iraq.”<sup>[4]</sup> She was among the top officials promoting, planning, and eventually perpetrating the war. The Bush administration claimed -- falsely, it was later shown<sup>[5]</sup> -- that Saddam Hussein’s regime in Iraq possessed nuclear, chemical, and biological weapons and had connections to al-Qaeda and the terrorist attacks of September 11, 2001.<sup>[6]</sup>

“Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD [Weapons of Mass Destruction]. But the intelligence and facts were being fixed around the policy.” So reported the head of MI6, the British intelligence agency, in July 2002, according to a memo of his meeting with Bush.<sup>[7]</sup>

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Once the “intelligence and facts” were “fixed,” they were then sold to the American public. Condoleezza Rice was a principal participant in this campaign of disinformation; it was she who made the infamous comment “We don’t want the smoking gun to be a mushroom cloud.”<sup>[78]</sup> A congressional report in March 2004 found that of all the top Bush administration officials, Rice made the highest number of categorically false statements between September 2002 and September 2003.<sup>[9]</sup>

One of those false statements was that “no one in the White House knew of the intelligence community’s doubts about the President’s assertion that Iraq sought to import uranium from Africa.” When she was subpoenaed to the House Oversight and Government Reform Committee to testify about justification for the war, she refused to comply.<sup>[10]</sup>

#### BLACKWATER SECURITY CONTRACTORS’ ACTIONS IN IRAQ

Blackwater (now Xe), the notorious private military contractor involved in several alleged massacres<sup>[11]</sup>, has received State Department contracts worth millions of dollars.

Instead of ensuring the prosecution of Blackwater employees after the infamous Nissour Square massacre in September 2007, Condoleezza Rice’s State Department granted them immunity.<sup>[12]</sup> Rice then “quietly promoted two senior staffers who directly oversaw controversial Blackwater security operations,”<sup>[13]</sup> and in April 2008, the State Department renewed Blackwater’s license.<sup>[14]</sup> Rice herself admitted in testimony to the House Oversight and Government Reform Committee in October 2007 that Blackwater contractors operate in a legal “hole,” without accountability for their crimes. Nevertheless, she opposed bringing contractors under the military justice system, rather supporting “new laws that would apply to contractors” -- laws which never materialized.<sup>[15]</sup>

#### THE WAR IS A TRAGEDY

The suffering in Iraq wrought by the US-led invasion and occupation has been catastrophic. Multiple independent estimates suggest over 1.2 million Iraqis have died as a result of the war.<sup>[16]</sup> According to the UN High Commission for Refugees, over 4 million Iraqis have been displaced from their homes.<sup>[17]</sup> And after years of war -- coming on top of a decade of brutal economic sanctions -- very little of Iraq’s water-treatment capacity is still functional, contributing to a cholera outbreak.<sup>[18]</sup>

The war in Iraq to date has resulted in the deaths of over 4,200 American soldiers.<sup>[19]</sup> It has devastated families across America, both those whose loved ones have been killed in the war and those who suffer the consequences of budget cuts necessitated by massive military spending in Iraq. And according to the 2006 National Intelligence Estimate, “The Iraq conflict has become the cause célèbre for jihadists, breeding a deep resentment of US involvement in the Muslim world” and making Americans less safe.<sup>[20]</sup>

## CONDOLEEZZA RICE AUTHORIZED TORTURE OF DETAINEES IN US CUSTODY

Torture is defined in Article 1(1) of the United Nations Convention Against

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as:

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”<sup>[21]</sup>

#### RICE’S PARTICIPATION IN THE AUTHORIZATION OF TORTURE

As National Security Advisor, Condoleezza Rice chaired meetings of the National Security Council’s Principals Committee. As ABC news reported in April 2008, the committee authorized water-boarding of three people in U.S. custody, and the discussions were so detailed they were “almost choreographed—down to the number of times CIA agents could use a specific tactic.”<sup>[22]</sup> According to ABC, the role of Condoleezza Rice “was decisive.” Amidst concerns that the program was harming US image abroad, Rice reportedly told the CIA, “This is your baby. Go do it.”

Then Attorney-General Ashcroft is reported to have asked after one meeting, “Why are we talking about this in the White House? History will not judge this kindly.” We agree.

#### INTERNATIONAL AND US LAWS AGAINST TORTURE

The prohibition on torture in international law is unequivocal. Article 2(2) of the UN Convention says “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.”

The jurisdiction of those laws over the United States is also unequivocal. The US is a party to the UN Convention Against Torture quoted above, as well as other treaties prohibiting torture, and those treaties are Constitutionally incorporated into US law as the “supreme Law of the Land.”<sup>[23]</sup> Torture is also prohibited under several US laws.<sup>[24]</sup>

Not only does international law prohibit torture, The UN Convention requires that states investigate allegations of torture and take action to prevent it.<sup>[25]</sup> There are clear, reasonable grounds to believe that acts of torture have been authorized by Condoleezza Rice. The State is therefore obliged to investigate. What do we do if it does not?

#### SIGN THE PETITION

“We the undersigned students, faculty, staff, and other concerned members of the Stanford community. believe that high officials of the U.S. Government, including our former Provost, current Political Science Professor, and Hoover Institution Senior Fellow, Condoleezza Rice, should be held accountable for any serious violations of the Law (including ratified treaties, statutes, and/or the U.S. Constitution) through investigation and, if the facts warrant, prosecution, by appropriate legal authorities.”

You can sign it at [www.stanford.edu/group/antiwar/crpetition.html](http://www.stanford.edu/group/antiwar/crpetition.html)