

Canada should let in U.S. war resisters

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On September 17, 2009, Liberal MP Gerard Kennedy and New Democrat Bill Siksay introduced a private member's bill in support of Iraq war resisters. Bill C-440 would make binding on our government very specific directions to immediately stop the deportation of U.S. Iraq war resisters and to allow the resisters to apply for permanent-resident status from within Canada.

Since then, conservative pundits have likened veterans of the Iraq War who have refused to participate in atrocities on Iraqi civilians and conscientious objectors who cannot morally let themselves kill another human being to anti-abortion extremists who shoot doctors. Some have even suggested that the bill should be contorted to include sanctuary for the criminally-indicted U.S. financiers that caused the current recession.

For any rational Canadian, these comparisons are ludicrous. Along with Immigration Minister Jason Kenney's spokesperson's hyperbole about "rapists and murderers," they are part of a campaign by the Harper government to distract from, distort and deny the reality that Bill C-440 responds to a demand by the majority of Canadians in every part of the country, reflected in a similar motion that has already been debated and passed twice in Parliament.

Nonetheless, these criticisms have been levelled and they deserve a response.

The term "conscientious objector" doesn't refer to anyone who objects to anything for any random reason; conscientious objector specifically and only means a member or former member of the military holding certain sincerely held beliefs. The bill only covers soldiers who refused to participate in wars not sanctioned by the United Nations. Iraq is such a war.

There are good reasons why the majority of Canadians, including Conservative voters, supports these U.S. soldiers who are opposing the Iraq War.

First, Iraq War resisters are refusing to kill, injure or generally do harm to others. Many of them have seen firsthand the U.S. military's treatment of all Iraqi civilians as the "enemy" a practice prohibited under international law both morally and tactically bankrupt. When these soldiers have raised objections, their superiors have told them to shut up and just follow orders. Refusing to participate is the only effective method of objection under such conditions.

Second, Iraq War resisters are breaking no Canadian laws. Leaving the military service of another country is not an extraditable offence here nor should it be. Canada welcomed American

deserters during the Vietnam War, we're still a sovereign country and we can and should do it again. Despite the Harper government's desire to model Canada after George W. Bush's America, they have no mandate or authority to turn Canada into an enforcement agent for the martial law of any other nation.

Third, the Harper government's deportation of these soldiers to jail in the U.S. is an endorsement of the Bush legacy and an attack on free speech. Iraq War resisters are not being punished for desertion, which 94 per cent of time results in an administrative discharge, but targeted for speaking out. Even with President Barack Obama in office, as many as 50,000 troops will remain in Iraq until 2011. Since Bush left the White House, soldiers like Cliff Cornell have received harsh sentences of 12 months or more for voicing their opposition to the war.

The Harper minority would not have to go to such lengths to defend their position if they were clear about their true motivation: support for Bush's invasion of Iraq. For hard-line conservatives like Kenney and Prime Minister Stephen Harper who staunchly endorsed Bush and pushed our Parliament to send troops into combat in Iraq in 2003, the deportation and punishment of soldiers resisting participation in this war is a logical extension of the Bush doctrine.

Admitting this truth would mean ignoring consistent public opinion polling that confirms more than 80 per cent of Canadians stand by the decision not to go to war with Iraq (even 59 per cent of Americans agree with our decision). It would also require dismissing the 64 per cent of Canadians who think Iraq War resisters should be welcomed in Canada because the resisters have done the right thing.

After the massive human rights abuses in the Second World War and the Nazi persecution of the Jews, the International Military Tribunal at Nuremberg described the waging of aggressive war as "essentially an evil thing ... 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."

The chief prosecutor at the Nuremberg Tribunal and Associate United States Supreme Court Justice Robert Jackson wrote: "No political or economic situation can justify" the crime of aggression. "If certain acts in violation of treaties are crimes they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would not be willing to have invoked against us. "

Introduction of a bill that will change the law to let Iraq War resisters live here as the majority of Canadians desires is long overdue. For Harper, who admitted during the 2008 election that the Iraq War is "absolutely an error," permitting the resisters to stay would be a wise change of policy on this disastrous and unpopular war.

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