

# Support a Courageous American:

Lt. Watada is following  
the Uniform Code of Military Justice  
and the Army Field Manual

## He obeys the law by *not* obeying the order...

Lt. Watada, in refusing to fight in what he considers an illegal war, is actually following the law. The Nuremberg Principles, incorporated as US law and into the Uniform Code of Military Justice, provide that military personnel are obligated NOT to obey illegal orders. The Army Field Manual 27-10, sec. 609 and the UCMJ, art. 92, incorporate this principle: Article 92 says: "A general order or regulation is lawful *unless* it is contrary to the Constitution, the law of the United States ..." [emphasis added]

## How is the war illegal?

Article VI, Sec 2 of the US Constitution says in part, "... **all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.** . . ."

Nuremberg, US law since 1950, defines crimes against peace: "Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;"

The Iraq incursion also violates the UN Charter (a signed treaty and US law by virtue of The Constitution, Article VI, Sec 2): it prohibits the use of force when it is not in self-defense of an imminent attack or when it is not approved by the Security Council. A pre-emptive or preventive war is not allowed under the Charter, and the Security Council did not approve the US invasion of Iraq.

It's simple logic: The war is unlawful, all orders to execute the war are unlawful, and Lt. Watada has a reasonable and substantial legal argument.

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"You are to be commended for your thoughtful consideration and compliance with the Army's values of Integrity, Loyalty, Selfless Service, Personal Courage, Duty, and Respect as you take this unprecedented position in this war." He continued, "One would not typically expect this degree of leadership from a junior officer." LTC George James, Jr., retired

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\* \* \* \* \* **OVER** for what you can do to help Lt. Watada \* \* \* \* \*