

CONSENT CALENDAR

9 -19 - 06

To: Honorable Mayor and
Members of the City Council

From: Councilmember Dona Spring

Subject: Resolution in support of Lt. Watada, the first US Army officer to refuse to
fight in Iraq.

RECOMMENDATION: that the City Council pass a resolution in support of Lt. Ehren Watada and request that the City Clerk send this resolution, on behalf of the Mayor and City Council of Berkeley, to our federally elected officials and that the Council's action on this resolution also be sent in the form of a press release to the major national and local media.

BACKGROUND: see attached. Thanks to Ying Lee for providing the resolution.

FINANCIAL IMPLICATIONS: NONE

CONTACT PERSON: Councilmember Dona Spring 981-7140

Resolution Honoring Lt. Watada's Refusal to Fight in the War on Iraq

Whereas: Lt. Watada has refused to be part of the U.S. military operation in the Iraq on the basis of his primary responsibility to speak out against grave injustices; and

Whereas: Lt. Watada recognizes that his moral and legal obligation is to the Constitution and not to those who would issue unlawful orders; and

Whereas: Lt. Watada has concluded as an officer of the Armed Forces that the war in Iraq is morally wrong, a horrible breach of American law and manifestly illegal; and

Whereas: Lt. Watada recognizes that the war in Iraq violates our democratic system of checks and balances; and

Whereas: Lt. Watada recognizes that the war in Iraq usurps international treaties and conventions ratified by the U.S Congress and therefore American law; and

Whereas: Lt. Watada recognizes the wholesale slaughter and mistreatment of the Iraqi people with minimum accountability is a terrible moral injustice and a contradiction of the Army's own Law of Land Warfare;.

Whereas: Lt. Watada for all of these reasons tried to resign from the military, his resignation was refused and he therefore chose not to participate in a war that is manifestly illegal; and

Whereas: Lt. Watada, as an officer of honor and integrity refuses to be a party to war crimes; and

Whereas: Lt. Watada recognizes that his oath of office is to protect and defend the U.S. Constitution, America's laws and its people; and

Whereas: Lt. Watada fulfills his oath by refusing an unlawful order for an unlawful war; and

Whereas: The City of Berkeley since the days of protest against the U.S. war in Vietnam has supported citizens' interests in recognizing international laws of civilized behavior through various United Nations Charters and the Nuremberg Convention,

NOW THEREFORE THIS BE IT RESOLVED THAT

on the 19th day of September 2006, the Council Members of the City of Berkeley passes this resolution in support of Lt. Ehren Watada and requests that the City Clerk send this resolution , on behalf of the Mayor and City Council of Berkeley, to our federally elected officials and that the Council's action on this resolution also be sent in the form of a press release to the major national and local media.

Father of Army Officer Resisting War Speaks Out

By Judith Scherr (08-22-06)

When Ehren Watada signed up for the army, he thought he was being patriotic. But after talking to veterans returning from Iraq and studying documents that showed Bush had lied about weapons of mass destruction there, the 28-year-old lieutenant became convinced that the patriotic position was to refuse deployment to Iraq.

Preliminarily charged with contempt toward President George W. Bush, conduct unbecoming an officer and missing a movement, Watada faces the possibility of a court-martial and more than seven years in prison.

“After 9/11, he wanted to do something to serve the community, to serve the country,” said his father, Bob Watada, over coffee Monday morning in a South Berkeley café. The elder Watada is in the Bay Area this week speaking at more than a dozen events from Santa Cruz to Santa Rosa in an effort to bring pressure from “the court of public opinion” to bear on the military.

“I’m trying to publicize my son’s cause and publicize what’s going on in Iraq,” Watada said.

Lt. Ehren Watada was not a young rebel, his father said. Growing up, he was an “A” student and an Eagle Scout. He graduated with a degree in business from Hawaii Pacific University in Honolulu.

When the twin towers fell, he was studying at the university and working at Federal Express. “The media was telling us that Iraq had weapons of mass destruction and that Saddam Hussein was a tyrant,” Watada said. “There was a build up of fear and paranoia.”

Ehren Watada joined the military in 2003.

“I wasn’t too keen on it,” said his father, who opposed the Vietnam war and avoided serving in it by joining the Peace Corps, then going to graduate school. “But it was important for Ehren to make his own decision.”

During basic training Ehren was selected to go to officers’ school, then served a year in Korea, after which he volunteered to go to Iraq, believing, at the time, that the war was just.

An artillery officer stationed at Fort Lewis, Wash., he was told, however, that he would

have to wait for a year to be deployed. During that time the lieutenant began talking to veterans returning from Iraq and reading documents such as the Downing Street memos and reports about the tens of thousands of Iraqis the Americans had killed.

He also learned about the brutality the United States inflicted on the people of Falluja and the torture committed by his fellow soldiers. He began to see “how Bush had lied and violated the constitution,” Watada said.

In the latter part of 2005, Lt. Watada started talking to his superiors about the fact that he did not want to go to Iraq. He did not ask for conscientious objector status, believing that not all wars are unjust. At that point, he was told, “We’ll put you in the Green Zone and you can do paper work,” Watada said, adding that the military did not understand that his son was saying that he did not want to participate in any way in a war he saw as illegal.

Lt. Watada then asked to resign from the army, something that officers are permitted to do in times of peace. They refused, Watada said, noting, “The military is short of officers,”

At that point Lt. Watada got in touch with Honolulu-based attorney Eric Seitz to help him get out of the military. (Seitz, partly raised in Berkeley, is the son of the late political activist Jules Seitz.)

“He thought he could get out quietly and not embarrass the military,” Watada said.

June 7, Lt. Watada went public, declaring in a press conference that he would not serve in Iraq: “My participation would make me party to war crimes ... As the order to take part in an illegal act is ultimately unlawful as well, I must as an officer of honor and integrity refuse that order.”

On June 22, when his unit was deployed, Lt. Watada refused to board the airplane, thus becoming the first commissioned officer to publicly refuse to fight in Iraq.

Lt. Watada continues to perform deskwork on the base in Fort Lewis, where the reaction to his refusal has been mixed, ranging from thanks and support to death threats, Watada said.

Last week the army held an Article 32 hearing to decide if the military will court-martial Lt. Watada and what the charges will be. Recommendations coming out of the hearing will be released in a few days.

“We appreciated the opportunity to lay the groundwork to prove that the war in Iraq is

illegal and that Lt. Watada, coming to this conclusion after much research, was duty bound to refuse to participate,” said attorney Seitz in an Aug. 17 press statement.

Asked whether he wanted to put the Iraq War on trial during an eventual court-martial, Seitz, in a quick phone interview from Honolulu, said, “That is our intent.”

He added that he hoped the judge would allow the defense the freedom to speak to the illegalities of the war as they had in the Article 32 hearing. “That’s our defense,” he said.

Bob Watada, father of war resistor Lt. Ehren Watada, will be speaking in Berkeley this week at the following locations:

- Wednesday, 10:30 a.m., Room 242, Cesar Chavez Student Center, UC Berkeley, 812-8026
- Wednesday, noon, Sproul Plaza, UC Berkeley, 579-2711
- Friday, 10 a.m., Northern California Japanese Christian Theological Forum, Berkeley Methodist United Church, 1710 Carleton St., 548-3614
- Saturday: 7-9 p.m. Berkeley Friends Church, 1600 Sacramento St.

For other events call 528-7288