

Comment by Michael C H Jones  
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The Guardian is not omniscient. But beyond argument it is at the forefront of the global struggle for Human Rights, Democratic Forms, Property Relations and Multiculturalism. Its columnists regularly zero in on the issues of profound importance for Governance and the methodologies in our world for bringing about change through Transnational Corporations, Political Parties, International Aid Groups and Global Cultural Organisations such as the media to which the Guardian belongs.

This article by Ian Cobain is horrific. However its implications for a future world, future in the sense of this year as well as into decades ahead, is incomprehensible even for the most extremely well read expert on Globalism and State Sovereignty.

<http://www.guardian.co.uk/world/2013/jul/14/obama-secret-kill-list-disposition-matrix>

Freedom of Information or the Right to Know by ordinary citizens in a Democratic Society has been and is well debated. The Responsibility to Protect is becoming better known where civilians are "slaughtered" by their own national governments and thus the Right to Intervene by the collective World States against countries committing Crimes Against Humanity is sanctioned through the decisions of the United Nations Security Council. What as yet has not been well debated or accepted by individuals or states is the role and jurisdiction of the International Criminal Court.

[http://www.icc-cpi.int/en\\_menus/icc/press%20and%20media/press%20releases/Pages/pr928.aspx](http://www.icc-cpi.int/en_menus/icc/press%20and%20media/press%20releases/Pages/pr928.aspx)

[http://en.wikipedia.org/wiki/International\\_Criminal\\_Court](http://en.wikipedia.org/wiki/International_Criminal_Court)

The major Powers of our era, the United States and Russia, China and India, do not accept the writ of the ICC.

"Currently, 122 states<sup>[9]</sup> are [states parties to the Statute of the Court](#), including all of South America, nearly all of Europe, most of Oceania and roughly half the countries in Africa.<sup>[10]</sup> A further 31 countries,<sup>[9]</sup> including [Russia](#), have signed but not [ratified](#) the Rome Statute.<sup>[10]</sup> The [law of treaties](#) obliges these states to refrain from "acts which would defeat the object and purpose" of the treaty until they declare they do not intend to become a party to the treaty.<sup>[11]</sup> Three of these states—Israel, Sudan and the [United States](#)—have informed the UN Secretary General that they no longer intend to become states parties and, as such, have no legal obligations arising from their former representatives' signature of the Statute.<sup>[10][12]</sup> 41 [United Nations member states](#)<sup>[9]</sup> have neither signed nor ratified or acceded to the Rome Statute; some of them, including [China](#) and [India](#), are critical of the Court".

"The Court has four mechanisms which grant it [jurisdiction](#):

- (i) if the accused is a national of a State party to the Rome Statute
- (ii) if the alleged crime took place on the territory of a State Party
- (iii) if a situation is referred to the Court by the [United Nations Security Council](#).<sup>[36]</sup>
- (iv) if a State not party to the Statute 'accepts' the Court's jurisdiction.

The ICC is intended to complement existing national judicial systems, and may only exercise its jurisdiction when national courts are unwilling or unable to investigate or prosecute such crimes. The current ICC President, [Sang-Hyun Song](#), has described the Court as a 'failsafe' justice mechanism which holds that States have the primary responsibility to investigate and prosecute Rome Statute crimes occurring within their jurisdiction".

And so we have this absurd and contradictory situation. The USA sets precedents on a great range of issues around the world by its so-called ant-terrorist policies and actions - precedents that can and will be used by other countries whether Russia, China or India. Their right to use such precedents will be the Mao principle "power comes from the barrel of the gun".

On the other hand the ICC sets precedents for the world currently via legalities applied to less powerful countries such as on the African continent. But these precedents are equally applicable to the "rulers" of the USA and PRC in whatever institutional forms they maybe. Barack Obama as the President of the USA, and its global 'hegemony' so decisively proved by the revelations of Bradley Manning, Julian Assange and Edward Snowden, has announced and implemented a US Drones Policy, and now an assassination policy called "disposition matrix", that not only "destroys" any remaining scintilla of State Sovereignty theory in the 21st century but branded himself as the major candidate for the charge of "aggression" by the ICC post 2017.

"The **International Criminal Court** is a permanent [tribunal](#) to prosecute individuals for [genocide](#), [crimes against humanity](#), [war crimes](#), and the [crime of aggression](#) (although jurisdiction for the crime of aggression<sup>[3]</sup> will not be awakened until 2017 at the earliest)".

There is a global 'sea change' in peoples values and attitudes - the pronouncements and struggles of the sixties that foresaw and predicted the collapse of the Soviet Union also challenged the hypocrisies and inequalities of Western Establishments - the 'born to rule' social and economic cliques of the US and Europe. The struggles are no longer ideological but philosophical - a Free People in a Free Enterprise and Free Trade World are libertarian in spirit and culture. Their demands as rights are all embracing covering politics, economics, social and cultural freedoms. Modern technologies facilitate these demands.

Thus war will no longer be state centered. It is evolving like everything else into domestic or internal confrontations - the Arab Spring and the outcomes throughout the nations of West Asia are just signs for the future. The religious fundamentalism of the Muslims have their echoes in the Jewish State of Israel, the Hindu extremism in India and Buddhism In Burma, the regular outbreaks of verbal if not violence amongst Christian fundamentalists in the USA and Europe. A moral vacuum has opened up in the political classes, or those who spend their lives virtually from cradle to grave engaged and employed by the institutions of governance without any substantive contact with free enterprise or civil society. History proves that if change cannot be achieved peacefully violence as an option will be taken up by a significant if minority sector. Revolution comes from the Middle Classes, the impoverished merely get used as gun fodder. I can hear the march of the Black Panthers and Weathermen from another generation.