

Remarks of Ross C. “Rocky” Anderson Rally in Favor of Impeachment of the President of the United States

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Part Two

The people of this great nation deserve a government that promotes our interests and is accountable to our laws. Yet Congress and the Bush administration have consistently evinced a deliberate, flagrant, arrogant disrespect for the law and the common good. Rather than pursuing policies that benefit the American people and further the cause of justice and peace, many of our nation’s political leaders have betrayed a breathtaking dedication to a culture of corruption that encourages blatant dishonesty and willful disregard of US and international law. We are here today to raise our voices out of deep concern for our nation – and for our world.

That’s what true patriots do. Patriots speak up when their nation is suffering tragically from corrupt, incompetent, destructive leadership. Patriots demand that their leaders be held accountable to the law and to the electorate. Patriots call on their elected representatives to impeach their president if he abrogates his responsibilities, violates the law, or evinces a cruel disregard for basic principles of human dignity, in violation of international treaty obligations.

Impeachment of the President of the United States is not to be undertaken, as in the case of Andrew Johnson, simply because of partisan disagreements regarding policies or presidential appointments, or, as in the case of Bill Clinton, because of a partisan desire to exploit a personal violation of the law not involving grave breaches of official

responsibilities or serious abuses of power. However, impeachment and removal from office, a vital protection against evisceration of the balance of power among the three branches of government and against betrayals of trust and abuses of power injurious to our nation, should be pursued when, as in the case of George W. Bush, a president misleads Congress and the American people in taking our nation to war; authorizes and supports the kidnapping, incarceration without charge, and torture of human beings; demonstrates utter contempt for the rule of law; and blatantly violates fundamental constitutional protections intended to safeguard individuals against governmental abuse.

Many nations throughout history have been ruled by corrupt, despotic, dishonest leaders. To some, this is simply the way of a world in which, as expressed by the ancient Greek historian Thucydides, “the strong do what they will, and the weak do what they must.”

Our nation, however, has prided itself since its founding in fighting against, and distinguishing ourselves from, the sort of tyranny, cruel immorality, and disdain for the rule of law exemplified by George W. Bush. Our nation’s moral standing in the world, our nation’s principled commitment to basic freedoms and individual rights, our nation’s essential democracy – all now depend upon a conscientious, non-partisan determination that our representatives in Congress will, with integrity and without partisan bias, make it clear that a president will not be permitted to hold the office he has abused by egregiously violating the trust, the laws, and the essential principles upon which our country was founded and our Constitution was based.

Anything less than full accountability through the impeachment process betrays our history, our principles, and our notion of what it means to be an American. Anything less betrays the sacrifices so many brave men and women have made to secure freedom and the rule of law in our nation and around the world. If Congress continues its pattern of timid inaction and fails to impeach the president, future generations of Americans will have cause to fear the rise of another corrupt president

who will find encouragement from President Bush's legacy of lawless, authoritarian governance and flagrant fraud—and who, as in the case of President Bush, at least so far, will not be held to account.

Consider the corruption and dishonesty that have led our nation into an unnecessary war, based upon false justifications. Consider the lies that have led to the deaths of over 650,000 people, with many more having been seriously maimed, brain damaged, or rendered mentally ill. As a result of this war, our nation's reputation throughout much of the world has been destroyed. We have many more enemies bent on our destruction than before our invasion of Iraq. And the hatred toward us has grown to the point that it will take many years, perhaps generations, to overcome the loathing created by our invasion and occupation of a Muslim country.

The invasion and occupation of Iraq has been tragic at every level. More than three thousand American lives have been taken; tens of thousands of US servicemen and servicewomen have suffered serious injuries; hundreds of thousands of innocent Iraqis have been killed and maimed; many billions of dollars have been wasted; our country is viewed throughout much of the world as a rogue nation that ignores with impunity international law and basic principles of decency; and the future safety and security of our children and grandchildren have been placed at great risk because of the increasing hatred and resentment toward our country in much of the Muslim world arising from what is reasonably perceived as an occupation of a Muslim nation.

Our nation was led into this tragedy through dishonesty – either explicit lies or by means of withholding vital information – by President Bush and members of his administration. A few examples make clear the astounding violations of trust and abuses of power by President Bush, each of them meriting impeachment and removal from office.

On September 7, 2002, British Prime Minister Tony Blair and President Bush met with members of the press at Camp David.

President Bush referred to a “new” report from the International Atomic Energy Agency—the IAEA—allegedly stating, according to President Bush, that Iraq was “six months away” from building a nuclear weapon. “I don’t know what more evidence we need,” stated the President.

He was lying. There was no such report. In fact, numerous IAEA reports consistently denied any indication that Iraq had *any* nuclear capability, and the IAEA’s chief spokesperson stated that no such report had been issued by the IAEA.

President Bush further betrayed the tremendous trust bestowed upon him after the events of September 11, 2001 by instilling in many of us the fear that Saddam Hussein was seeking to purchase nuclear materials from an African nation. In fact, much of the US intelligence community disagreed. Just as an issuer of stock defrauds investors by withholding material information about a corporation, so too did President Bush defraud our Congress, our country, and much of the international community by failing to disclose information that was provided to him and which was directly contrary to his representations about Hussein’s supposed efforts to build nuclear weapons.

In his January 28, 2003, State of the Union message, President Bush stated: “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.” He obviously limited his statement to what “the British government” supposedly had learned because he knew, but did not disclose, that our own intelligence services disagreed with the statement.

In an October 2002 National Intelligence Estimate (NIE), presented at a White House background briefing on weapons of mass destruction in Iraq, “Key Judgments” included an assessment “that Saddam does not yet have nuclear weapons or sufficient material to make any.” President Bush failed to disclose that assessment to Congress and the American people. To make matters worse, he did not disclose the State Department’s Bureau of Intelligence and Research—

known as INR—conclusion in the October 2002 National Intelligence Estimate, that “the claims of Iraqi pursuit of natural uranium in Africa are, in INR’s assessment, highly dubious.”

The failure by President Bush to disclose that conclusion to Congress and to the American people rendered his statement about Hussein seeking to purchase uranium from an African country fraudulently misleading. That is clearly an impeachable offense.

The fraud about Hussein building up a nuclear capability did not stop with the phony Niger story. During September 2002, Condoleezza Rice and President Bush represented to the public that Hussein was purchasing aluminum tubes to enrich uranium for a nuclear weapon. The next month, a National Intelligence Estimate (NIE) was delivered to the President. That document virtually screams out the view of various intelligence agencies that the tubes were of no use in a nuclear program. That did not stop President Bush, however, from stating in a major speech the next month that “Iraq has attempted to purchase high-strength aluminum tubes and other equipment needed for gas centrifuges, which are used to enrich uranium for nuclear weapons.”

In a January 9, 2003 report to the UN Security Council, the IAEA reported that the aluminum tubes were not directly suitable for the manufacture of centrifuges. Again, not allowing the findings of the IAEA or of various US intelligence agencies to get in the way of his fraud upon Congress and the American people, President Bush outrageously represented in his State of the Union Message on January 28, 2003 that “Our intelligence sources tell us that [Hussein] has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production.” No greater cause for impeachment can be imagined than misleading our Congress and misleading the American people about whether we are facing a nuclear threat while leading our nation to a tragic, illegal war of aggression.

The fraud was dramatically compounded when a so-called summary of the NIE was distributed to Congress, stating, falsely, that: “All intelligence experts agree that Iraq is seeking nuclear weapons and that these tubes could be used in a centrifuge enrichment program.” The DOE and INR dissents, which expressed the accurate situation, were omitted. That omission rendered the representation to Congress, and to the public, false and misleading – a fraud clearly meriting impeachment and removal from office.

The tragic, bloody invasion and occupation of Iraq, by order of President Bush, is a clearly impeachable offense, violating the UN Charter, the Kellogg- Briand Pact, and the Nuremberg Tribunal Pact. All of these agreements are international treaties that the US has signed. Under Article VI of the Constitution, international treaties are, along with the Constitution, the “supreme law of the land.” In carrying out the invasion and occupation of Iraq, President Bush violated not only numerous international conventions, but also US domestic law.

If there is any hope for the United Nations and international law to further the cause of peace, the provisions of the UN Charter prohibiting wars of aggression must be honored. To permit President Bush to be unaccountable for his contemptuous disregard of the UN Charter would not only undermine the rule of law, but would set a disastrous precedent destroying the very essence of the UN Charter – to provide for the peaceful resolution of disputes between nations.

In addition to the treaty obligations of the US under the UN Charter, the Nuremberg Tribunal Charter, to which the US committed itself, provides that the “planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties” is a crime against peace punishable under international law. In short, the invasion and occupation of Iraq, a war against a nation posing no imminent threat to the United States, was and continues to be a crime under the Nuremberg Charter.

To describe President Bush as a war criminal is not hyperbolic. He has blatantly violated every relevant treaty and constitutional provision in leading the US to a so-called “pre-emptive” war against Iraq, without any justification in law or in fact. He must be held accountable, through impeachment and removal from office, or the many violated treaties and constitutional provisions are nothing more than paper and pretense.

Following September 11, 2001, President Bush illegally authorized the warrantless wiretapping of American citizens, in clear violation of the 4th Amendment to the US Constitution and in direct violation of the Foreign Intelligence Surveillance Act, or FISA. After engaging in the practice for more than two years, President Bush misled the public by stating that “any time you hear the United States government talking about wiretap, it requires – a wiretap requires a court order.” It was not until a *New York Times* reporter broke the story in December 2005, that Bush admitted he had authorized warrantless wiretapping through the National Security Agency. He also claimed, in complete disregard of the US Constitution and relevant domestic law, that what he was doing was legal. Last August, a U.S. District Court judge declared that Bush has violated the First Amendment, noting, “It was never the intent of the framers to give the president such unfettered control, particularly where his actions blatantly disregard the parameters clearly enumerated in the Bill of Rights.” A judge on the FISA panel even quit in protest of the Bush administration’s outrageous violations of the law.

Impeachment and removal from office is the only appropriate remedy for a President who asserts such abusive, authoritarian power, in contravention of fundamental rights and liberties embodied in the US Constitution. It is the only means by which we can make it clear in the future that no President can so casually override our precious freedoms.

President Bush has also tremendously undermined the moral standing of the United States by allowing the CIA to kidnap people in other countries, incarcerate them without charges, and torture them. His

shameful dereliction of duty in this regard is a blight on our nation's honor that can be remedied only by impeachment.

Maher Arar, a Canadian citizen, was deported to Syria from JFK Airport. Once in Syria, he was beaten with electrical cables for two weeks, then imprisoned in an underground cell for the better part of a year.

Muslim cleric Osama Moustafa Hassan Nasr was kidnapped in Milan, Italy, by US and Italian intelligence agents and sent to Egypt, where he was tortured during his four-year detention.

Khaled El-Masri, a German citizen, was kidnapped by CIA agents and flown to a secret prison in Afghanistan, where he was tortured during his five months in prison there. Apparently after it was discovered he was not who his captors thought he was, he was taken to Albania and left in a forest. To this day, he has no idea why he was kidnapped, imprisoned, and tortured.

Those are among approximately 150 foreign nationals who have been victims of "extraordinary rendition." Under this CIA program, intelligence agents kidnap people and send them to secret sites abroad for interrogation. Numerous people detained under this program have experienced severe physical and psychological torture, and inhumane and humiliating treatment. We are left to ask: What has our great nation become when our president orders and condones such atrocities?

The practice of sending a person to a country where there are substantial grounds for believing he or she will be tortured is clearly prohibited by the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment, which, as an international treaty to which the US is a party, is the "supreme law of the land." A separate federal statute also prohibits the practice. The CIA's role in kidnapping and imprisoning people without charges in countries infamous for torturing

detainees, such as Egypt, Afghanistan, Pakistan, Jordan, and Uzbekistan, constitutes a clear violation of US and international law.

Bush administration policies and statements stripping detainees of basic protections under international law have led to the torture and murder of prisoners, many of whom have never been charged with any crime. Consider the case of Abed Hamed Mowhoush.

Mowhoush turned himself over to US forces in Iraq in November 2003. Chief Warrant Officer Lewis Welshofer, who did not receive anything other than “sparse” guidelines about how to conduct prisoner interrogations, received a captain’s memo saying there were no specific rules of engagement for interrogations in Iraq. Captured detainees were considered “unprivileged combatants,” a status the Bush Administration had suggested meant detainees were not to be afforded the protections of the Geneva Conventions. With little guidance and the sense that the Geneva Conventions did not apply to Mowhoush, Welshofer called in a team that beat Mowhoush with sledgehammer handles. Later, Mowhoush’s hands were bound, he was struck repeatedly in the painful spot near the humerus, and was doused with water. Finally, Welshofer shoved Mowhoush, who was wrapped with electrical cord, head-first into a sleeping bag. Welshofer sat on Mowhoush’s chest and blocked his nose and mouth. Mowhoush, whose autopsy revealed “massive” bruising and five broken ribs, died of asphyxia due to smothering and chest compression.

The torture and killing of Mowhoush is only one of dozens of cases of murder – and hundreds of cases of cruel torture – at the hands of US personnel in Iraq, Afghanistan, and Guantanamo. Given the scale and moral depravity of these circumstances, Congress must investigate the extent to which President Bush has been directly involved in orchestrating the unconscionable treatment of foreign nationals detained by US personnel as part of the “war on terror” or the invasion and occupation of Iraq.

While we urgently need to know the precise extent to which President Bush directed US military personnel to torture detainees and prisoners of war, we already know the President has utterly abrogated his duty to ensure the laws of the United States are carried out. Under Article II, Section 3 of the Constitution, the president must “take care that the laws be faithfully executed.” With respect to the treaties and other laws prohibiting torture and other mistreatment of detainees, President Bush has utterly failed to meet his constitutional duty. President Bush even added a signing statement to the Detainee Treatment Act of 2005 that states, contrary to the separation of powers so crucial to our constitutional system of government, that he has the sole authority to interpret and enforce the act. For his gross dereliction of duty in not ensuring the faithful execution of US law, President Bush should be impeached and removed from office.

In addition, under the Nuremberg principle of “command responsibility,” President Bush’s failure to stop and punish atrocities renders him culpable for them. For that, he should be held accountable through impeachment and removal from office. The Nuremberg principles are not to be applied solely to the vanquished. They are to be given effect as to all who subscribed to them, including the United States.

Sexual humiliations, incarceration for years without charges being brought, lit cigarettes put out in detainees’ ears, inmates hanging by their arms, brutal beatings, attacks by unmuzzled dogs, false executions, sensory deprivations, psychological torture, waterboarding, dozens of killings, and other forms of heinous torture of human beings—if these acts—consonant with Bush administration policy yet in violation of numerous treaty obligations and US domestic law—are not deserving of impeachment and removal from office, nothing ever would be.

The lies and the callous immorality of President Bush, and the outrages on human dignity he has perpetrated or countenanced, are a disgrace to our great nation. The President has weakened our country

and sullied our reputation around the world. The time is long past due for the American people to stand up and speak out against this disastrous presidency and the Congress that refuses to hold it accountable. We are here today to say, “No more!”

No more Iraq war.

No more God-is-on-our-side religious nonsense to justify this immoral, illegal war.

No more torture of human beings.

No more denial of the right of habeas corpus.

No more kidnapping of people and sending them off to secret prisons in nations where they will be tortured.

No more glorification of torture by the entertainment industry.

No more centrally-owned, hysteria-driven, corporate news media complicit in selling the Bush administration’s lies to the American people.

No more unconstitutional warrantless wiretapping of American citizens.

No more manipulation of national intelligence for political purposes.

No more manipulation of our news media with false propaganda.

No more authoritarian assertions of power by the president.

No more silence by the American people.

This is a new day. We can unify in our insistence upon the truth, upon peace-making, upon more humane treatment of our brothers and sisters around the world.

We will continue to call for the impeachment of President Bush, a most appropriate response to his blatant abuses of power. We will continue to resist the lies, the deception, the outrages. We will insist that peace be pursued, and that, as a nation, we help those in need. Let us join together to break the cycle of hatred, of intolerance, of violence. As Dr. Martin Luther King, Jr. once said, “Our lives begin to end the day we become silent about things that matter.”

We urge Congress, be silent no more.

We urge all Americans, regardless of party, be silent no more.

Let impeachment be the first step toward national reconciliation – and toward penance for the outrages committed in our nation’s name.