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**Republican Pelosi Torture Diversion
African American Leadership
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BlackCommentator.com Editorial Board**

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One look at the record and several things become clear about the current debate over Torture which former Bush administration officials – with the help of the media – are attempting to cover up by waging a diversionary campaign against Speaker Nancy Pelosi.

First, President Bush, under a weird theory which his Justice Department attempted to codify in law, asserted the right to expand executive power as head of national security that extended to the approval of the use of so-called “expanded interrogation techniques” (EITs), such as Water boarding of prisoners in secret CIA camps and at Guantanamo prison. This caused Abner Mikva, former White House Counsel and Chief Judge of the Court of Appeals for the District of Columbia (voicing views of other lawyers) to say that “this has never been the law” and that any President operating under a such theory is “breaking the law repeatedly and persistently.” Furthermore, the use of Water boarding as a technique of interrogation is illegal under U. S. law which, as part of the International Convention on Torture and the Geneva Convention, prohibits, “cruel, inhuman and degrading treatment” of prisoners of war. So, President Bush has committed a crime and should be punished. Furthermore, he added perjury to the crime by saying on one occasion in June of 2004, “I have never ordered Torture, I will never order torture, the values of this country are such that torture are not a part of our soul and our being.”

Then, media analysts seemed shocked about Pelosi’s comment that although records show that she was briefed by the CIA on EITs they lied by giving the impression that they expressly covered the subject of Water boarding. OhmyGod! The CIA lied? Let’s be real, it was cooked CIA Intelligence that started the whole mess, supporting claims by the administration and even Secretary Colin Powell that Saddam Hussein had weapons of mass destruction. And although none were subsequently found, that did not keep George Bush from giving CIA Director George Tenet a Congressional Medal of Freedom as payback when he resigned.

More to the point, in November of 2005, the then CIA Director Porter Goss said his agency's interrogators used "unique and innovative ways" to extract information – "but they do not practice Torture." We now know that was a lie because CIA Director Michael Hayden, who followed Goss, told the Congress in February of 2008 that torture had indeed been used against admitted Al Queda operatives such as Khalid Seikh Mohammed, Abu Zubaida and others in 2002 and 2003. But even more harsh techniques could account for the fact that some persons turned up dead who were confined in U. S. prison facilities. Nevertheless, Dick Chaney pushed hard to legitimize the CIA use of these tactics much later.

Finally, Nancy Pelosi was on record during the passage of the 2005 Defense Appropriations Bill as saying, "I urge the Speaker [Dennis Hastert] to appoint House conferees to the Defense Appropriations Bill immediately so that Congressman Murtha can offer his motion to instruct conferees, which would demonstrate the House's strong opposition to the **Torture** of detainees." Rep. Pelosi did not speak up as strongly as she might have because she was not the speaker, and she was giving strong support to Rep. Jack Murtha who was then leading the legislative effort for Democrats to put some limits on U.S. involvement in Iraq by curbing spending and placing criteria on U.S. progress. She subsequently voted for HR 2863, even though many members of the Black Caucus did not vote for the bill which had no deadline on the U. S. military commitment in Iraq.

The Obama Administration has released some of the memos drafted by John Yoo and others of the Justice Department that provided legal justification for the use of EITs. Obama should now set up a blue ribbon commission to get to the bottom of who knew what, did what, where and when. That Report should provide the basis of whether or not there should be prosecutions for violation of U. S. law, since I have every reason to believe that if Republicans would Impeach a president of the United States for lying about sex in the White House, Democrats should have the courage to seek justice against an administration that committed war crimes.

President Obama has balked at doing this, feeling it could stifle the momentum of his administration enacting measures that will have a future impact on the lives of the American people. But presidents are also custodians of the Constitution and this responsibility calls him to account for the past as well.


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