

Cheney Pleads Guilty To War Crimes

By [Washington's Blog](#)

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Region: [USA](#)

Theme: [Crimes against Humanity](#)

In-depth Report: [CRIMINALIZE WAR, Prosecute Bush/Cheney](#)

As I have pointed out periodically since 2005:

The War Crimes Act of 1996, a federal statute set forth at [18 U.S.C. § 2441](#), makes it a federal crime for any U.S. national, whether military or civilian, to violate the Geneva Convention by engaging in murder, torture, or inhuman treatment.

The statute applies not only to those who carry out the acts, but also to those who [order it, know about it, or fail to take steps to stop it](#). The statute applies to [everyone, no matter how high and mighty](#).

Indeed, even the lawyers and other people who aided in the effort [may be war criminals](#); see also [this article](#), [this one](#), and [this press release](#).

As Robert Parry – the reporter who [broke](#) the Iran-Contra story for the Associated Press and Newsweek – [pointed out](#) last week:

Cheney pronounced himself “a big supporter of waterboarding,” a near-drowning technique that has been regarded as torture back to the Spanish Inquisition and that has long been treated by U.S. authorities as a serious war crime, such as when Japanese commanders were prosecuted for using it on American prisoners during World War II...

He answered with an emphatic “yes” when asked if he had opposed the Bush administration’s decision to suspend the use of waterboarding – after it was employed against three “high-value detainees” sometimes in repetitive sequences. He added that waterboarding should still be “on the table” today...

Speaking with a sense of impunity, he casually negated a key line of defense that senior Bush officials had hidden behind for years – that the brutal interrogations were approved by independent Justice Department legal experts who thus gave the administration a legitimate reason to believe the actions were within the law.

However, on Sunday, Cheney acknowledged that the White House had told the Justice Department lawyers what legal opinions to render. In other words, the opinions amounted to ordered-up lawyering to permit the administration to do whatever it wanted.

This is not entirely surprising. In 2005, e-mails [revealed](#) that Cheney pressured the U.S. Department of Justice to approve torture:

Dick Cheney and his lawyer, David Addington, pressured the Department of Justice in 2005 to quickly approve a torture memo that authorized CIA interrogators to use a combination of barbaric techniques during interrogations of “high-value” detainees, despite protests from former Deputy Attorney General James Comey, according to several of his e-mails released over the weekend.

Indeed, Cheney is the main guy who [pushed for torture](#) in the first place.

Cheney is also the guy who [made the pitch to Congress justifying torture](#).

A former director of the CIA accused [Cheney of overseeing American torture policies](#). And Colin Powell’s former chief of staff stated that [Dick Cheney is guilty of war crimes](#) for his role in facilitating torture.

Under any definition, Cheney ordered torture, knew about it, and failed to take steps to stop it. Therefore, beyond any shadow of a doubt, Cheney has violated The War Crimes Act of 1996.

Cheney is a Fugitive

As I wrote in 2005:

18 U.S.C. § 2441 has no statute of limitations, which means that a war crimes complaint can be filed at any time.

The penalty may be life imprisonment or — if a single prisoner dies due to torture — death. Given that there are numerous, documented cases of prisoners being tortured to death by U.S. soldiers in both Iraq and Afghanistan (see for example [this report](#)), that means that the death penalty would be appropriate for anyone found guilty of carrying out, ordering, or sanctioning such conduct.

That means that Cheney could be rounded up as a fugitive as long as he is alive, just like those old Nazis you see on the news.

Meanwhile, Back In The Real World ...

The mainstream media has repeatedly interviewed Cheney and let him say that torture works without challenging him with tough questions.

That’s [no different](#) than interviewing Charles Manson and letting him argue - without challenge - that murder is a great thing.

In the real world - unlike in Cheney’s bizarro parallel universe:

Torture [doesn’t work in providing information which will keep us safe](#)

Torture actually [reduces our national security](#)

Most of those tortured were [innocent](#)

Torture has been used [throughout history](#) as a form of intimidation, to terrorize people into obedience, not for gathering information

The type of torture used by the U.S. in the last 10 years is of a special type. Senator Levin revealed that the U.S. used torture techniques aimed at extracting false confessions (see [this](#), [this](#), [this](#), [this](#). and [this](#))

The United States of Torture

Unfortunately, Cheney is not alone.

An FBI email declassified in December 2004 [states](#) that Bush signed an Executive Order authorizing torture ([here is the list](#) of documents obtained through a freedom of information act request, and take a close look, for example, at [this one, which mentions the “executive order”](#)).

An expert on Constitutional law [said](#) that only Bush could have authorized the torture which has occurred.

The general in charge of the notorious Abu Ghraib prison in Iraq [said](#) that Donald Rumsfeld and other top administration officials ordered that inhuman treatment and torture be conducted as part of a deliberate strategy. Pulitzer prize-winning Seymour Hersch [agrees](#).

And torture is apparently [still continuing under Obama](#).

By failing to demand that torture stop and those who ordered it – like Cheney – be held to account, Americans are complicit in war crimes, just like the Germans who failed to stand up to Hitler were complicit in crimes against humanity.

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