

Prosecuting the Outgoing Administration: Take Heart and Have Courage

By [David Swanson](#)

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We've pushed long and hard to put accountability, impeachment, prosecution, and the restoration of congressional power on the American table, and they've all just landed with a thud and splatter of gravy and cranberry dressing. So, eat up, take heart, and prepare to work harder than we have over the past several frustrating years of path breaking and pressure building.

Impeachment, specifically of torture memo author turned lifetime federal judge Jay Bybee (<http://impeachbybee.org>), is now supported by all the organizations that have backed impeachment of his bosses, plus: the New York Times, Chairman of the House Judiciary Subcommittee on the Constitution Jerrold Nadler, Common Cause, Think Progress, and the Courage Campaign. Local Democratic parties in California have passed resolutions and are urging the state party to do so this week requesting the impeachment of Bybee.

The appointment of a Special Prosecutor (<http://prosecutebushcheney.org>) is now supported by all the groups that have always been there, plus the ACLU, Moveon.org, blogs including FireDogLake, and at least half-heartedly Amnesty International. On Thursday at 2:30 p.m. in Rayburn 2359, Attorney General Eric Holder (with whom Rep. Jerrold Nadler is meeting on this topic today) will testify before a subcommittee. At that time, After Downing Street, Democrats.com, ACLU, and FireDogLake will deliver petitions to Holder asking for a special prosecutor. Sign here. And go here to contact members of the subcommittee to ask them to ask Holder why, if waterboarding is torture, and if the evidence (including open admission by the former vice president) is public, and if the Convention Against Torture requires that we enforce our laws, he isn't doing so. Congress members Conyers, Nadler, and Schakowsky have spoken out in support of a special prosecutor. Ask your representative and senators to do the same!

The AP is reporting that Obama is open to the possibility of partial enforcement of some laws and "bipartisan" Congressional investigations, and that law enforcement decisions are up to Attorney General Eric Holder.

Spain is keeping alive its attempt to indict six members of Bush's torture team including Jay Bybee. Please phone the Spanish Embassy and thank and encourage them.

The long suspected blackmailing of Democratic congress members to support crimes and abuses has begun to be reported as documented fact in at least the case of Rep. Jane Harman.

The release of memos and the anticipated release of reports and additional pieces of

evidence, combined with the passage of time, exacerbated by the Obama administration's efforts to shelter its predecessors is helping to build what we have been laying the foundations for over the past few years.

There are a great many ways you can advance the cause of accountability, and they can all be found at <http://prosecutebushcheney.org>

So, take heart, brothers and sisters. I know you're beaten down. I know you're disillusioned and hopebroken. I know you've worked hard, sacrificed, and willed yourselves to believe in the possibility of progress time and time again. I am telling you that I know what you've done and thank you for it and would never discount or minimize it. But movements never succeed until the opposition beats them back behind the starting line and they rise again stronger, taking the attacks and rejections as the highest form of flattery, transforming frustration into dedication and determination.

Remember that a serious attempt at accountability is a tremendous deterrent to future crimes and abuses even if it fails. And remember that they will not tell us we are succeeding until we already have. This is the moment for action. This is the time to pressure your representatives, to work the media, to be the media, to organize your groups and friends and neighbors. This is the moment to punch a hole through the wall that has separated those of us who are subject to laws from those who have not been. This is the time, the darkest and yet most hopeful time, to do MORE than we do when things look easy. That is how we win and how all justice has always been won.

Onward!

***David Swanson** is the author of the upcoming book "Daybreak: Undoing the Imperial Presidency and Forming a More Perfect Union" by Seven Stories Press and of the introduction to "The 35 Articles of Impeachment and the Case for Prosecuting George W. Bush" published by Feral House and available at Amazon.com. Swanson holds a master's degree in philosophy from the University of Virginia. He has worked as a newspaper reporter and as a communications director, with jobs including press secretary for Dennis Kucinich's 2004 presidential campaign, media coordinator for the International Labor Communications Association, and three years as communications coordinator for ACORN, the Association of Community Organizations for Reform Now. Swanson is Co-Founder of www.AfterDowningStreet.org, creator of www.ProsecuteBushCheney.org and Washington Director of Democrats.com, a board member of Progressive Democrats of America, the Backbone Campaign, and Voters for Peace, a convenor of the legislative working group of United for Peace and Justice, and chair of the accountability and prosecution working group of United for Peace and Justice.*

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