



# Cape Codders for Peace and Justice

US SOLDIERS KILLED: 3,970

IRAQ WAR

US SOLDIERS INJURED: 29,000 - 79,000

## The Imperial Presidency

**Secrecy** The Bush administration is using the state secrets privilege far more than any administration and is using it to cover up its own illegal behavior. It has invoked the privilege to dismiss cases that fight illegal government spying on American citizens, challenge the government's use of torture and rendition, and other cases that seek to hold the Bush administration accountable for abusing executive power and violating the human rights of both citizens and non-citizens.

Instead of merely employing the privilege to deny attorneys access to evidence (as it was used in the past), the Bush administration is using the state secrets privilege to get courts to dismiss cases at their very beginning stages. In doing so, the Bush administration is trying to disarm the courts from being able to check the power of the executive branch as it disregards human rights in the name of the "war on terror."

### Military Commissions Act

Following the Hamdan v. Rumsfeld Supreme Court decision of 2006, which rejected the President's creation of military commissions by executive order, upheld the right of detainees held by the U.S. in Guantánamo Bay to challenge their detention in U.S. federal courts, and held that the protections of the Geneva Conventions applied to the war in Afghanistan, the Bush Administration, with Congress, passed the Military Commissions Act (MCA) into law to strip detainees of their right to challenge their detention in court while shielding the Administration from accountability.

Habeas Corpus, one of the most fundamental rights enshrined in U.S. law and the Constitution protects us all from being held on a whim, and ensures our access to the courts if detained. The MCA suspends the right of habeas corpus for those who have been determined to be an "enemy combatant" or "awaiting such determination," under the authority of the Executive, and strips the federal courts' right to hear detainees' claims. The MCA's definition of "unlawful enemy combatant" – a term which previously had no meaning in U.S. or international law – applies to both citizens and non-citizens, and is broad, with the potential for constant expansion. It leaves in the hands of the President or Defense Secretary a nearly unrestricted authority to declare people "unlawful enemy combatants."

The MCA grants immunity upon officials who engaged in and authorized the abuse of detainees, from prosecution under the War Crimes Act and prohibits civil suits relating to any aspect of detention – even those who were later freed, as nearly half of the men and boys held at Guantánamo Bay have been. The MCA narrows the definition of torture to allow U.S. officials to legally engage in practices that amount to torture, allows the use of statements obtained through

coercion in prosecution, authorizes military trials that permit secret evidence, and limits the use of international law in U.S. courts.

**Torture** Since January 2002, the U.S. government has claimed that prisoners of the "war on terror" are not guaranteed the rights dictated in the Geneva Conventions or U.S. law. According to the Attorney General's Office of Legal Counsel, physical pain constituting torture "must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death." Anything below this threshold merely constitutes "cruel, inhuman or degrading kind of treatment," which, although prohibited under the Convention as well, does not constitute a punishable offense.

The United Nations, the International Committee of the Red Cross, and U.S. military investigators found these torture techniques have been used by the U.S. government in foreign countries or at U.S. military bases abroad:

- sleep deprivation for weeks or months
- exposure to prolonged temperature extremes, forcing detainees to lie on frozen ground, pouring cold water on naked detainees
- beatings, sometimes with a broom handle and a chair, and head blows rendering detainees unconscious
- threats of transfer to a foreign country for torture
- sexual harassment, forced nudity, sexual taunting by women soldiers, forced sexual acts and rape or threats of rape
- deprivation of medical treatment for serious conditions, or treatment granted only for "cooperating"
- "short-shackling," where wrists and ankles are bound together and to the floor for hours or days
- the use of dogs to frighten detainees to a point where detainees urinated or defecated
- breaking chemical lights and pouring the phosphoric liquid on detainees

### Cost of Iraq War to Cape Cod

based on allocations through FY 2007

U.S. Dollars

Barnstable	88,300,000
Bourne	33,900,000
Brewster	20,000,000
Chatham	12,100,080
Dennis	26,700,000
Eastham	9,300,000
Falmouth	71,000,000
Harwich	20,580,000
Mashpee	26,500,000
Orleans	10,800,000
Provincetown	4,489,000
Sandwich	49,318,000
Truro	3,587,000
Wellfleet	4,788,000
Yarmouth	39,489,000
Barnstable County	418,100,000

Massachusetts 12,888,000,000  
www.costofwar.com & US budget

#### What do the American people want?

- 53% of U.S. voters favor the impeachment of George Bush, while 61% want Cheney impeached.<sup>1</sup>
- Between 57% and 64% want all U.S. troops out of Iraq within a year.<sup>2</sup>
- 68% are convinced that the most reasonable "stimulus" for the U.S. economy would be withdrawal from Iraq.<sup>3</sup>

<sup>1</sup>American Research Group, 11/12 & 11/13, 2007

<sup>2</sup>Rasmussen Reports, 2/19/2008

<sup>3</sup>Associated Press/Ipsos, 2/8/2008

Authorized by a September 17, 2001 classified presidential directive – still secret today – the CIA’s secret detention program holds people in secret facilities, their detention often unacknowledged, and barred from communication with legal counsel, or anyone in the outside world. These individuals are victims of enforced disappearance as defined by international human rights law; enforced disappearances involve violations of numerous treaties binding on the United States.

**Domestic Spying** President Bush has acknowledged giving explicit and secret authorization for war-rantless electronic eavesdropping and physical searches by the National Security Administration. Government documents reveal FBI monitoring and infiltration by the FBI and local law enforcement, targeting political, environmental, anti-war and faith-based groups, including advocates for the environment, animal rights, labor, religion, Native American rights, fair trade, grassroots politics, peace, social justice, nuclear disarmament, human rights and civil liberties. *Seven months prior to 9/11*, the general counsel of Qwest Communications advised management that what the NSA was suggesting was illegal.

**The Bush administration has spent \$250 M of our tax money on fake news reports issued by 20 federal agencies to the domestic news market and presented as real journalism, in violation of the 1948 Smith-Mundt Act prohibition on domestic dissemination of government propaganda.**  
*New York Times, March 13, 2005*

**US MILITARY SPENDING: \$1.05 MILLION PER MINUTE      IRAQ WAR: SPENT TO DATE \$496 BILLION; TOTAL COST \$1-2 TRILLION**

**They changed its name, but we still have a War Department; isn't it time for a Department of Peace?**

*We call on Rep. Delahunt to co-sponsor legislation introduced in 2001, to establish a cabinet level Department of Peace. The DOP would promote nonviolence as an organizing principle in our society and help create conditions for a more peaceful world. Why wait any longer to move in a life affirming direction and counter the military-corporate-media domination of our country?*  
*See: www.thepeacealliance.org*

**Lies**

*In the two years following September 11, 2001, President Bush and seven of his administration's top officials, including Vice President Cheney, National Security Adviser Condoleezza Rice, and Defense Secretary Donald Rumsfeld, made at least 935 false statements about the national security threat posed by Saddam Hussein's Iraq. In making their case for war, on at least 532 separate occasions they stated unequivocally that Iraq had (or was trying to obtain) weapons of mass destruction, links to Al Qaeda, or both. It is now beyond dispute that Iraq did not possess any weapons of mass destruction or have meaningful ties to Al Qaeda.*

**Surge**

*The U.S. has claimed success with the 2007 'surge' of combat troops in Iraq as evidenced by decreased casualties. However, on August 30, 2007, Moqtada al-Sadr ordered "the Mahdi army to suspend all its activities for six months until it is restructured in a way that helps honour the principles for which it is formed." Although little reported, many observers believe this may be the prime influence on decreased hostilities.*

**The Constitution and the United Nations**

Article VI of the U.S. Constitution establishes that ratified treaties, such as the U.N. Charter, are the "supreme law of the land." Article 2 states that all member states "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations..."

**Military 'Intelligence'**

Top CIA weapons hunter Charles A. Duelfer's report to Congress confirmed that nearly every prewar assertion about Iraq made by top Bush administration officials was wrong.  
*- Washington Post, Jan 11, 2005*



**Has the 'war on terror' made us safer?**

Vice Adm. Lowell Jacoby, director of the Defense Intelligence Agency, said: "Our policies in the Middle East fuel Islamic resentment. Overwhelming majorities in Morocco, Jordan and Saudi Arabia believe the U.S. has a negative policy toward the Arab world."

**"Islamic extremists are exploiting the Iraqi conflict to recruit new anti-U.S. jihadists. ... These jihadists who survive will leave Iraq experienced and focus on acts of urban terrorism."**

*- CIA Director Porter Goss to a congressional committee*

**POWER TO THE PEACEFUL**

**CCPJ's mission** is to actively promote and encourage democratic, multi-racial and non-violent decisions in all aspects of our nation's domestic and foreign policy.

We join progressive individuals and organizations across the Cape, and seek to extend this cooperative alliance. By connecting, we learn from each other, help each other, and increase our effectiveness. Awareness, education and non-violent action are the tools we use to better understand and confront our nation's dominant institutions and powers.

We challenge global corporate capital in the promulgation of war, environmental destruction and impoverishment, and seek peace, freedom, justice, democracy, and respect for the rights and security of all people, as well as the earth's living environment.

**We affirm that the government derives its power from the consent of the governed. We call on Congress and this administration to stop killing in our name. End the occupation and bring the troops home now.**

*Additional sources: The Institute for Policy Studies; National Priorities Project; Sisters of St. Francis of the Holy Cross; crjustice.org/faqs; publicintegrity.org; aclu.org; iraqmortality.org; opinion.co.uk; icasualties.org*

**U.S. Military spending**

In 1999, we outspent our possible enemies by five times.  
*- US Arms Control and Disarmament Agency*

There was an 80% increase in military spending over the 7 years ending in 2006; now at approximately \$550 billion with much of it not included in the budget ("supplemental" spending). In 2006, with 3% of the world's population, the U.S. accounted for 48% of world military spending. In 2002, US arms spending exceeded the next 20 nations combined.  
*- Stockholm International Peace Research Institute*

**Our money, our decision. What we buy with our tax dollars:**

The \$88 million war contribution from the residents of Barnstable could have vaccinated 12 million children and paid annual salaries and benefits for 245 teachers. Barnstable County's \$418 million contribution could provide 3,350 \$50,000-per-yr jobs - or health care coverage to 182,000 children (instead of 2,800 bunker-buster guided bombs).