

Let's Rally to Restore Peace

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Theme: [Law and Justice](#), [US NATO War Agenda](#)

In their Rally to Restore Sanity and/or Fear, Jon Stewart and Stephen Colbert effectively demonstrated how the media hypes fear. They brought out Kareem Abdul Jabbar to show that not all Muslims are terrorists. A couple of musical numbers dealt with the wars we are fighting. But neither Stewart nor Colbert mentioned Iraq or Afghanistan and how they are allowed to continue by the hyping of fear.

Like his predecessor, President Obama also hypes fear – by connecting his war in Afghanistan to keeping us safe, even though CIA director Leon Panetta recently admitted that only 50 to 100 al Qaeda fighters are there. Hoping to put the unpopular Iraq war behind him, Obama declared combat operations over, although 50,000 U.S. troops and some 100,000 mercenaries remain.

Tragically, both wars have largely disappeared from the national discourse. On October 22, Wikileaks released nearly 400,000 previously classified U.S. military documents about the Iraq war. They contain startling evidence of more than 1,300 incidents of torture, rape, abuse and murder by Iraqi security forces while the U.S. government looked the other way. During this time the Bush administration issued a “fragmentary order” called “Frago 242” not to investigate detainee abuse unless coalition troops were directly involved. U.S. authorities failed to investigate hundreds of reports of torture, rape, abuse and murder by Iraqi soldiers and police.

Manfred Nowak, the United Nation’s Special Rapporteur on Torture, called on Obama to order a complete investigation of U.S. forces’ involvement in human rights abuses.

Many reports of abuse are supported by medical evidence. Prisoners were shackled, blindfolded, and hung by their wrists and ankles. Some were whipped with cables, chains, wire and pistols. Some were burned with acid and cigarettes. Electric shocks were applied to genitals, fingernails were ripped off, and fingers cut off. Some were sodomized with hoses and bottles. Six died from their torture.

And there are reports of widespread killing of civilians by U.S. and other coalition forces. But after a couple of days of reporting about the largest incident of whistle blowing in our history, news of the Wikileaks revelations has disappeared from the news cycle.

Both torture and the targeting of civilians are war crimes. And, in spite of the reports of torture, Obama completed the handover of 9,250 detainees to the Iraqi government in July 2010. In so doing, he has violated the Convention Against Torture, which forbids a party from expelling, returning or extraditing a person to a country where there are substantial grounds to believe he will be in danger of being subjected to torture. This is called non-refoulement. The United States has ratified the Torture Convention, making it part of U.S.

law under the Supremacy Clause of the Constitution.

The newly released documents show that between 2004 and 2009, at least 109,032 Iraqis died, including 66,081 civilians. More than 80 percent of those killed in incidents related to convoys or at checkpoints throughout Iraq were civilians. Pregnant women were shot dead, priests were kidnapped and murdered, and Iraqi prison guards used electric drills to get prisoners to confess.

A U.S. helicopter crew was granted approval to attack two Iraqis on the ground even though the pilots reported that the men were trying to surrender. Under the 1907 Hague Regulations, it is prohibited “to kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion.”

Last year, 239 American soldiers took their own lives and 1,713 soldiers survived suicide attempts; 146 soldiers died from high-risk activities, including 74 drug overdoses. One-third of returning troops report mental health problems, and 18.5 percent of all returning service members have Post-Traumatic Stress Disorder or depression, according to a study by the Rand Corporation.

Jon Stewart spent a whole show last week interviewing Obama about everything from health care to the economy. But neither man mentioned the wars, even though the billions spent on them could go a long way toward fixing the economy and paying for health care.

It is time to put the wars back on the national agenda. Iraq Veterans Against the War issued a statement saying, “We grieve for the Iraqi and Afghan lives that were lost and destroyed in these wars. We also grieve for our brothers and sisters in arms, who have been lost to battle or suicide . . . We demand a real end to both wars, including immediate withdrawal of the 50,000 “non-combat” troops who remain in Iraq. The Iraq War Logs underscore the urgent need for peace, healing, and reparations for all who have been harmed by these wars. The first step is to bring our brothers and sisters home.”

We cannot rely on Obama to end the wars. It’s up to us to put sustained pressure on him to do it.

Marjorie Cohn is a professor at Thomas Jefferson School of Law and past president of the National Lawyers Guild. Her latest book is “Rules of Disengagement: The Politics and Honor of Military Dissent” (with Kathleen Gilbert). Her anthology, “The United States and Torture: Interrogation, Incarceration, and Abuse,” will be published in December by NYU Press.

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