

# Rights & Liberties



Bush Offers Himself Amnesty for Human Rights Crimes

By [Robert Parry](#), [Consortium News](#). Posted [September 25, 2006](#).

The focus of Bush's recent fight with the Senate has been about the Geneva Conventions, but also under debate is whether U.S. government operatives can be prosecuted for crimes in the 'war on terror.'

The United States is following the lead of "dirty war" nations, such as Argentina and Chile, in enacting what amounts to an amnesty law protecting U.S. government operatives, apparently up to and including President George W. Bush, who have committed or are responsible for human rights crimes.

While the focus of the current congressional debate has been on Bush's demands to redefine torture and to reinterpret the Geneva Conventions, the compromise legislation also would block prosecutions for violations already committed during the five-year-old "war on terror."

The compromise legislation bars criminal or civil legal action over past violations of Common Article 3 of the Geneva Conventions, according to press reports. Common Article 3 outlaws "violence to life and person," such as death and mutilation as well as cruel treatment and "outrages upon personal dignity."

The legislation now before Congress also would prohibit detainees from citing the Geneva Conventions as a legal basis for challenging their imprisonment or for seeking civil damages for their mistreatment.

Since U.S. courts generally limit plaintiff status to people who have suffered definable harm, these provisions amount to a broad amnesty law for Bush and other administration officials who have engaged in human rights violations since the 9/11 attacks.

Given the scope of Common Article 3, covering abuses ranging from personal humiliations to death, the legislation could prevent -- or at least severely complicate -- any legal accountability in U.S. courts for officials who have committed these offenses.

Though administration officials have said these provisions are meant to protect CIA and other government operatives in the field, the provisions also could shield senior officials up the line of command who granted the authority for acts of torture and other abuses.

These implicated officials could include Attorney General Alberto Gonzales and administration legal advisers who supplied rationales for the abuses, as well as officials who signed off on the human rights violations, such as military commanders and President Bush.

### **'Dirty war' precedents**

In effect, this legislation could be interpreted as a broad amnesty law, like those enacted by legislatures in Argentina and Chile to give cover to government officials who waged "dirty wars" against leftists and other political opponents in the 1970s.

Because of those amnesty laws, many perpetrators of torture, "disappearances" and extrajudicial killings were spared punishment even after the grisly details of their crimes against humanity emerged from the secret records.

In some cases, the amnesty laws were later repealed or courts struck down some provisions. But the legal delays frustrated demands for justice from victims and often the aging perpetrators then cited infirmities to prevent ever being brought to trial.

For instance, Chile is still trying to untangle the amnesty protections that were used to shield dictator Augusto Pinochet from prosecution. Pinochet, who is now 90, has also employed the infirmity defense.

The legal delays have had political consequences, too, especially in the United States where complicit American officials [escaped virtually all accountability](#), even to their reputations.

Some countries, such as South Africa, have combined amnesty for human rights violators with requirements that the guilty cooperate with truth commissions. That way, at least the historical record can be assembled and the crimes of state can be exposed as lessons for future generations.

The emerging U.S. amnesty law would be unusual in that it wouldn't explicitly acknowledge that offenses had been committed, nor is the word "amnesty" used. Nor have there been public hearings in Congress to determine what the Bush administration might have done that requires amnesty.

Nevertheless, the legislation, which seems to be gaining bipartisan support, would create broad areas of legal protections for Bush and other human rights violators for past crimes. By also barring victims from seeking enforcement of the Geneva Conventions in U.S. courts, the bill would give the Bush administration wide latitude for future acts of abuse.

Yet, this troubling "amnesty" signpost -- for an America rushing down a path marked by previous "dirty war" states -- has been passed with barely a comment on its significance.

Robert Parry's new book is [Secrecy & Privilege: Rise of the Bush Dynasty from Watergate to Iraq.](#)"

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**joke**

Posted by: rsaxto on Sep 25, 2006 1:05 AM

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What a joke: the Bushie criminals are making laws to protect criminals, a total reversal of the rule of law. They want to make all future presidents be criminals instead of good guys. Fascism really sucks but we are getting it anyhow: IMPEACH.

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[» It also includes protection against civil suits for those injured or killed.](#) Posted by: Prophit

[» RE: those that support him are likewise guilty](#) Posted by: Lincoln fan

**I'm Having a Nightmare...**

Posted by: NoPCZone on Sep 25, 2006 1:07 AM

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In my dream a spoiled fratboy, via a stolen election, has become our President. A clueless cowboy out of his depth, he follows the lead of a duo of mean, old, sour men who can only rule by proxy, as long as he gets to play President.

The idiot abandons not only the traditions and values of his own political party, he attacks and attempts to destroy the long-held bipartisan values of our nation. A corrupt and tin-eared Congress basically rubber stamps his every wish. An infotainment-era newz media rarely calls him to task. The inmates are running the asylum.

It gets worse. He starts not only one war, he starts two-- at about the same time. Not only does he commit this insanity, he does it poorly, not listening to experts and professionals, instead relying on the duo of mean, sour, old men. Through all of this, there are few protests in Washington, D.C.

The scariest thing of all is that in the elections since this moron came to power, fewer than half of those eligible to vote have voted. Most of the citizens are not happy with him, but few bother to do much more than complain.

Help me wake up from my nightmare. Vote on election day.

Yours Truly,  
Uncle Sam

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» [And then there was a headless horseman with a sour old man on it](#) Posted by: edith

» [Many tried to vote but the controllers kicked them off the rolls.](#) Posted by: Prophit

» [RE: Vote on election day.](#) Posted by: Lincoln fan

### How Dumb!

Posted by: Tom Degan on Sep 25, 2006 2:21 AM

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Does our esteemed president, the First Fool, George W. Bush realize that a president cannot, legally pardon himself? Probably not. I'd love to be able to listen in when Alberto Gonzalez gently tries to explain this nasty little fact to him. Oh boy! the half-witted, hideous little bastard is gonna hit the roof! He'll be foaming at the mouth, trying to swallow his tongue. Can you imagine? Just *thinking* about that kind of a scene makes me giddy with anticipation!

We have got to make sure that Bush and the most blatantly, criminal and murderous administration in American history are called to task and held accountable for their crimes against humanity. We must be certain that that this outlaw president dies in federal prison (Note to the Secret Service: Of natural causes, of course, my dears!) They cannot be allowed to get away with the crimes they have committed against not only the people of the United States, but the people of Iraq, as well. Any "law" they pass should be stricken down by the people the moment the forces of light and reason are able to take back power. **We must see to it that George W. Bush, Richard B. Cheney, Donald Rumsfeld, Condoleeza Rice and the tidal wave of human shit and incompetence that comprises this disgusting administration are tried and imprisoned for the rest of their fucking lives for what they've done to the United States of America.**

Honestly! Did'ja ever think that this country - *your country* - would ever turn out this strange?? As Don Imus might say, It makes my hair hurt!

Pray for peace.

Tom Degan

Goshen, NY

["The Rant" by Tom Degan](#)

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» [RE: How Dumb!](#) Posted by: Lincoln fan

### Surely there's a problem here...

Posted by: Colin on Sep 25, 2006 2:45 AM

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I know very little about the law on this subject and would be interested in hearing other peoples views in regards to retrospect in a case like this.

If GWB brought in the law today, does that mean he's covered for crimes committed yesterday - or only from today forth?

Moreover, if he was covered for yesterday, would that not suggest that he's happy in principle with the law working in retrospect. That would surely mean that if someone else got into power tomorrow, they could undo the law and all of a sudden GXB would be liable for his crimes again, no?

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» [RE: Surely there's a problem here...](#) Posted by: Prophit

## Stop torture now.

Posted by: Lincoln fan on Sep 25, 2006 4:12 AM

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When German war criminals were tried and punished the German people were pretty much unscathed in world public opinion by pleading ignorance. We can't say that we didn't know about torture. These crimes continue with our consent.

I say that you can stop torture tomorrow. Join The Lincoln Initiative. Tell the leaders of both parties that you won't vote for a party that doesn't uphold the Geneva Convention. It takes five minutes and costs nothing. A small price to pay to save our civilization. Click on [Do it now](#)

Even if I'm wrong and we can't stop torture at least you will know that you tried. And the world will know that there are Americans willing to stand up for humanity.

Bob Reichenbach,  
The Lincoln Initiative.

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## George Collins

Posted by: pudnpienh on Sep 25, 2006 4:33 AM

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Robert Parry has been offering exquisitely cautious, factually correct morally insightful background research and democratic (small "d") commentary on the often undemocratic ways of our governmental persona for many years.

No doubt this column is like a comfortable shoe for many of us who try to keep up, but it's full of insightful nuances that disclose invidious parallels to other people, places and times that should torture our awareness and keep us from writing another chapter of "While We Slept".

Thanks for carrying Mr. Parry's articles

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