

## Puppet Obama Grants Immunity, Exonerates Bush Torturers

by Glenn Greenwald via sam - The Guardian UK Monday, Sep 3 2012, 12:21am  
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### Which puppet will YOU vote for, Romney or Obama?

*Obama's DOJ has failed to pursue cases of torture leading to death, proving without reservation or any doubt whatsoever that there is NO JUSTICE or an INDEPENDENT JUDICIARY in the USA. If you imagine that Bush and his criminal administration heaved a sigh of relief, think again; PUPPET Obama's action was a foregone conclusion. If the LAW is corrupted or prevented from functioning without interference the nation becomes a playground for criminal elites. The latest action from Obama's Attorney General confirms that freedom, due process and Democracy are a sham in the USA.*

The [Obama administration's aggressive, full-scale whitewashing of the "war on terror" crimes](#) committed by Bush officials is now complete. Thursday, Attorney General [Eric Holder announced](#) the closing without charges of the only two cases under investigation relating to the US [torture](#) program: one that resulted in the 2002 death of an Afghan detainee at a secret [CIA](#) prison near Kabul, and the other the 2003 death of an Iraqi citizen while in CIA custody at Abu Ghraib. This decision, [says the New York Times Friday](#), "eliminat[es] the last possibility that any criminal charges will be brought as a result of the brutal interrogations carried out by the CIA".

To see what a farce this is, it is worthwhile briefly to review the timeline of how Obama officials acted to shield Bush torturers from all accountability. During his 2008 campaign for president, Obama [repeatedly vowed](#) that, while he opposed "partisan witch-hunts", he would instruct his attorney general to "immediately review" the evidence of criminality in these torture programs because "nobody is above the law." Yet, almost immediately after winning the 2008 election, Obama, [before he was even inaugurated](#), made clear that he was opposed to any such investigations, citing what he called "a belief that we need to look forward as opposed to looking backwards".

Throughout the first several months of his presidency, his top political aides, such as the [chief of staff, Rahm Emanuel](#), and his [press secretary, Robert Gibbs](#), publicly - and inappropriately - pressured the justice department to refrain from any criminal investigations. Over and over, they repeated the Orwellian mantra that such investigations were objectionable because "we must look forward, not backward". As Gibbs put it in April 2009, when asked to explain Obama's opposition, "the president is focused on looking forward. That's why."

On 16 April 2009, Obama himself took the first step in formalizing the full-scale immunity he intended to bestow on all government officials involved even in the most heinous and lethal torture. On that date, [he decreed](#) absolute immunity for any official involved in torture provided that it comported with [the permission slips](#) produced by Bush department of justice (DOJ) lawyers which authorized certain techniques. "This is a time for reflection, not retribution," the new president so movingly observed in his statement announcing this immunity. Obama added:

"[N]othing will be gained by spending our time and energy laying blame for the past ... we must resist the forces that divide us, and instead come together on behalf of our common future."

Note how, in Obama's new formulation, those who believed that Bush officials should be held criminally accountable for their torture crimes – should be subjected to the rule of law on equal terms with ordinary citizens – were now scorned as "the forces that divide us". On the same day, Holder issued his own statement arguing that "it would be unfair to prosecute dedicated men and women working to protect America for conduct that was sanctioned in advance by the justice department."

But at least this limited immunity left open the possibility of prosecuting those agents who went beyond the limits of the DOJ memos in how they tortured: in other words, those "rogue" torturers who used brutality and savagery beyond even what was permitted by Bush lawyers. On several occasions, Holder had flamboyantly leaked that he was horrified by what he read in certain case files about detainees who were severely injured by torture or even killed by it – there were [more than 100 detainees who died while in US custody](#) – and that he could not, in good conscience, simply sweep all of that under the rug.

As a result, in August 2009, Holder [announced](#) a formal investigation to determine whether criminal charges should be brought in over 100 cases of severe detainee abuse involving "off-the-books methods" such as "mock execution and threatening a prisoner with a gun and a power drill", as well as threats that "prisoners [would be] made to witness the sexual abuse of their relatives." But less than two years later, on 30 June 2011, Holder [announced](#) that of the more than 100 cases the justice department had reviewed, there would be no charges brought in any of them – except two.

The only exceptions were [two particularly brutal cases](#), both of which resulted in the death of the detainee. One involved the 2002 abuse of Gul Rahman, who [froze to death](#) in a secret CIA prison in [Afghanistan](#) known as the "Salt Pit", after he was beaten, stripped, and then shackled to a cement wall in freezing temperatures.

The other was the 2003 death of Manadel al-Jamadi at Abu Ghraib, who [died in CIA custody](#) after he was beaten, stripped, had cold water poured on him, and then shackled to the wall. It was al-Jamadi's ice-packed body which was infamously photographed with a smiling US Army Sgt Charles Granier standing over it giving the thumbs-up sign.

A US military autopsy declared al-Jamadi's death a homicide due to "blunt force trauma to the torso complicated by compromised respiration". Autopsy photos showed "lacerations and multiple bruises on Jamadi's feet, thighs and arms", though "his most significant injuries – five broken ribs – are not visible in the photos." A physician told NPR back in 2005:

"How Jamadi was shackled 'makes it very difficult to breathe because you are suspended in a very awkward position. When you combine it with having the hood over your head and having broken ribs, it's fairly clear that this death was caused by asphyxia because he couldn't breathe properly.'"

So, those are the two cases which the DOJ this week announced it was closing without any charges of any kind being brought. Because the Obama administration has systematically blocked all other cases besides these two from any possibility of criminal charges, yesterday's decision means that *nobody* in the US government will pay any price for the systematic worldwide torture regime which that nation implemented and maintained for close to a decade.

This is so despite the [findings of General Antonio Taguba](#), who investigated the torture regime and said that "there is no longer any doubt as to whether the current administration has committed [war crimes](#)" and "the only question that remains to be answered is whether those who ordered the use of

torture will be held to account." And it is done even in the face of [General Barry McCaffrey's extraordinary observation](#) that:

"We tortured people unmercifully. We probably murdered dozens of them during the course of that, both the armed forces and the CIA."

The [ACLU's Jameel Jaffer yesterday said](#):

"That the justice department will hold no one accountable for the killing of prisoners in CIA custody is nothing short of a scandal ... the decision not to file charges against individuals who tortured prisoners to death is yet another entry in what is already a shameful record."

Beyond the disgust that these events, on their own, should invoke in any decent person, there are two points worth making about all of this which really highlight just how odious all of it is.

*First*, Obama has shielded Bush torture crimes not only from criminal prosecution, but any and all forms of accountability. Obama himself [vigorously opposed and succeeded in killing even a congressional investigation](#) into the torture regime at a time when his party controlled both houses of Congress.

Moreover, Obama's top officials, as WikiLeaks cables revealed, secretly worked with GOP operatives to coerce other countries, such as [Spain](#) and [Germany](#), to quash their investigations into the US torture of their citizens, and [issued extraordinary threats](#) to prevent British courts from disclosing any of what was done. And probably worst of all, the Obama administration aggressively shielded Bush officials [even from being held accountable in civil cases](#) brought by torture victims, by invoking [radical secrecy powers](#) and [immunity doctrines](#) to prevent courts even from hearing those claims.

In sum, the Obama administration has been desperate to ensure that there will be no accountability or even that meaningful investigations ever take place. That is almost certainly due to the fact that [numerous high-level members of Obama's own party](#) were so complicit in these crimes. But at least equally important is this remarkable - and, it turns out, prescient - observation from [a New York Times article by Charlie Savage in December 2008](#), on the prospect of torture investigations aimed at Bush officials:

"Because every president eventually leaves office, incoming chief executives have an incentive to quash investigations into their predecessor's tenure."

In other words, Obama is motivated to shield Bush officials from accountability for their crimes in the hope that once Obama leaves office, he, too, will be gifted identical immunity from the rule of law.

*Second*, although government torturers have now been fully protected by Obama from any accountability, those who blow the whistle on such crimes [continue to be pursued by the same administration with unprecedented aggression](#). As Friday's Times article on Holder's announcement pointedly notes:

"While no one has been prosecuted for the harsh interrogations, a former CIA officer who helped hunt members of al-Qaida in Pakistan and later spoke publicly about waterboarding, John C Kiriakou, is awaiting trial on criminal charges that he disclosed to journalists the identity of other CIA officers who participated in the interrogations."

Here, again, we see one of the prime precepts of American justice: high-level official who commit even the most egregious crimes are shielded from all accountability; the only real "criminals" are those who speak publicly about those crimes.

When Obama first announced his intent to run for president, he vowed that "the era of Scooter Libby justice ... will be over" - meaning high-level officials will no longer be able to break the law with impunity. In mid 2008, Holder [denounced](#) Bush's illegal torture and surveillance programs as showing "disrespect for the rule of law", and he vowed:

"We owe the American people a reckoning."

To say those [pledges have been radically violated](#) is to understate the case. Far worse, though, is that Obama officials have bolstered the warped precept at the root of so many of America's disasters: that crimes committed by and at the behest of the powerful reside above and beyond the rule of law. In so doing, they have ensured that Bush officials who authorized torture continue to [command mainstream respectability](#), while future leaders tempted to torture again have no reason whatsoever to refrain from doing so.

This final act in the sorry spectacle has long been predictable, even inevitable. But that does not make it any less repellent.

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**UPDATE:** I was on Democracy Now this morning with Amy Goodman discussing Holder's announcement. The seven-minute segment (which also included a discussion of Clint Eastwood's spectacular stream-of-consciousness outburst at the GOP convention last night), can be seen on the player below; a transcript will be [posted here](#) a bit later in the day:

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<http://tinyurl.com/8d1m2up>

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Jungle Drum Prose/Poetry. <http://jungledrum.lingama.net/news/story-86.html>