

Legal Immunity of George W. Bush in the “Commission” of War Crimes in Iraq: California 9th Circuit Opinion Released

By [Witness Iraq](#)

Global Research, February 12, 2017

[Witness Iraq](#) 10 February 2017

Region: [USA](#)

Theme: [Crimes against Humanity](#), [Law and Justice](#)

In-depth Report: [IRAQ REPORT](#)

The Ninth Circuit has affirmed the immunity given to high-ranking Bush-era officials in Saleh v. Bush, and has dismissed Ms. Saleh’s claims of aggression against George W. Bush and others for their alleged planning and commission of the crime of aggression against Iraq.

The Ninth Circuit held that the Westfall Act, a federal law that provides domestic immunity to government officials who commit alleged wrongdoing, is broad enough to cover acts that would amount to aggression under international law.

According to the Ninth Circuit, a plaintiff seeking to hold high-ranking officials liable for illegal acts under international law must allege something akin to a financial interest in order to litigate against domestic officials. The Ninth Circuit provided the following hypothetical:

A federal official would act out of “personal” motives and not be “actuated . . . by a purpose to serve the master” if, for instance, he used the leverage of his office to benefit a spouse’s business, paying no heed to the resulting damage to the public welfare.

The Ninth Circuit also dismissed arguments that the Nuremberg Judgment’s prohibition on domestic immunity to government officials who engage in aggression was binding as a matter of domestic, U.S. law.

[You can read the opinion below.](#)

Ninth Circuit Opinion

The original source of this article is [Witness Iraq](#)

Copyright © [Witness Iraq](#), [Witness Iraq](#), 2017

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Witness Iraq](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca