

# Lawsuit Against George W. Bush Et Al for Iraq War Crimes, Dismissed By California Court of Appeals

Law Allows all Government Employees to Commit Break International Laws and "Commit Heinous Acts"

By [Larry Chin](#)

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Region: [Middle East & North Africa, USA](#)  
Theme: [Crimes against Humanity, Law and Justice](#)  
In-depth Report: [IRAQ REPORT, Prosecute Bush/Cheney](#)

*A federal appeals court has rejected an Iraqi woman's lawsuit holding the George W. Bush administration accountable for their war of aggression against the nation of Iraq.*

The key passage from the article from the San Francisco Chronicle:

"Without deciding whether the war was legal, the US Court of Appeals in San Francisco said a 1988 law shields federal employees at all levels for suits for actions they performed in service to the government, even if they violated US or international law.

"The actions that (Bush administration officials) took in connection with the Iraq War were part of their official duties', Judge Susan Graber said in the 3-0 ruling, released Friday.

"In upholding a federal judge's dismissal of the suit, she said that the 1988 law, known as the Westfall Act, 'covered even heinous acts', such as federal marshals' fatal beating of a shackled prisoner."

The article is presented below, in its entirety.

Here is additional information on the Westfall Act, which not surprisingly, is a product of the Reagan-Bush era.

<https://www.law.cornell.edu/uscode/text/28/2679>

[https://wikispooks.com/wiki/Westfall\\_Act](https://wikispooks.com/wiki/Westfall_Act)

Any individual can commit atrocities of any magnitude, if they are government employees, and do so with absolute immunity from law suits.

Let that sink in for a moment.

The political criminal in America enjoys the power to corrupt absolutely.

<http://www.sfchronicle.com/nation/article/Appeals-court-rejects-woman-s-suit-over-Iraq-War->

## Appeals court rejects woman's suit over Iraq War

By [Bob Egelko](#), San Francisco Chronicle

February 13, 2017

A federal appeals court in San Francisco has rejected a woman's attempt to hold former President George W. Bush and his top officials to account for their alleged "war of aggression" in her native Iraq, saying federal employees can't be sued for carrying out their job duties.

Sundus Shaker Saleh, who fled with four of her children when the U.S. invaded Iraq in 2003 and is now a refugee abroad, filed the suit in San Francisco in 2013 against Bush, former Vice President Dick Cheney and other administration officials. Saying the war was based on fabricated claims of weapons of mass destruction and violated international law, she sought damages on behalf of all innocent Iraqi civilians who suffered harm.

Without deciding whether the war was legal, the U.S. Court of Appeals in San Francisco said a 1988 law shields federal employees at all levels from suits for actions they performed in service to the government, even if they violated U.S. or international law.

"The actions that (Bush administration officials) took in connection with the Iraq War were part of their official duties," Judge Susan Graber said in the 3-0 ruling, released Friday.

In upholding a federal judge's dismissal of the suit, she said the 1988 law, known as the Westfall Act, "covered even heinous acts," such as federal marshals' fatal beating of a shackled prisoner.

The law allows a federal official to be sued for actions based on personal motives, Graber said, "if, for instance, he used the leverage of his office to benefit a spouse's business." It also allows Saleh to sue the U.S. government rather than individual defendants. But her lawyer, Inder Comar of San Francisco, said Monday that a suit against the government would be futile because the Supreme Court has barred damages for injuries suffered in foreign countries.

"The U.S. has signed all these treaties, the U.N. Charter, the tribunals set up after World War II to litigate allegations of aggression" against Nazi leaders, Comar said. "We can't immunize people from things we told the international community we believed in. But the court said that's exactly what we did."

Saleh, an art instructor who belonged to a Christian sect, escaped with her children to Jordan after the war started and is now a refugee in an undisclosed country, Comar said.

Her suit alleged that Bush and his top aides, particularly Defense Secretary Donald Rumsfeld and Deputy Defense Secretary Paul Wolfowitz, were planning a war in Iraq even before Bush took office in 2001 and therefore were not carrying out their job duties when they launched the war. The court disagreed.

"What took place in the late 1990s was not planning, but only advocacy," Graber said, since the Bush administration was not yet in office. Otherwise, she said, an elected official who carried out a campaign promise "could be considered to be acting outside the scope of her employment" and

unprotected by the Westfall Act.

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