

Donald Trump's Unpardonable Pardons. Can Presidents Pardon Themselves?

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The US Constitution lets presidents grant pardons or clemency under Article II, Section 2, Clause 1 — stating the following:

The president “shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.”

Pardons may only be granted for federal crimes.

They cannot be issued for individuals impeached, tried, and convicted by Congress.

Thomas Jefferson granted pardons to individuals convicted of sedition.

Gerald Ford pardoned Richard Nixon — even though he wasn't formally charged or convicted of federal crimes.

He was unjustly tainted by cooked up Watergate offenses.

He was marked for removal from office for threatening entrenched military/industrial/security and other interests.

GHW Bush pardoned convicted felon Elliott Abrams and other Iran-Contra defendants – their high crimes forgiven, not forgotten.

Can presidents pardon themselves? The nation's founders didn't address this issue.

Constitutional experts disagree on it.

According to Law Professor Brian Galt, presidents “cannot pardon themselves.”

Judge Richard Posner disagrees, saying: It's “inferred from the breadth of the constitutional language that the president can indeed pardon himself.”

According to pardon attorney Samuel Morison:

“My opinion is that in theory “presidents can pardon themselves.”

“But then he would be potentially subject to impeachment for doing that.”

“There are no constraints defined in the Constitution...that says he can't do that.”

No precedent was set either way. No president was ever removed from office by

impeachment and conviction.

John Adams once said that this action would cause a national convulsion.

Only three US presidents were impeached — Andrew Johnson, Bill Clinton and Trump, none removed from office.

According to the Congressional Research Service, presidents can grant full pardons to individuals, amnesty to groups, commutations to reduce sentences, reprieves during sentencing, and clemency.

There are “no hard-and-fast rules” for granting clemency, according to criminaldefenselawyer.com.

Trump pardoned, commuted, or rescinded convictions for dozens of individuals — including four Blackwater mercenary hired guns.

In August 2017, the US Court of Appeals for the DC Circuit reversed their first-degree murder convictions to life in prison.

In September 2019, three of the Blackwater Four were re-sentenced, their prison terms reduced by about half.

A federal judge called their 30-year sentences too harsh.

Nicholas Slatten was convicted of first-degree murder. Paul Slough, Evan Liberty and Dustin Heard were found guilty on multiple voluntary manslaughter counts, attempted manslaughter and various weapons offenses.

The above figures were responsible for the cold-blooded killing or injuring of 31 Iraqi civilians.

The incident occurred on September 16, 2007 in Baghdad’s Nisour Square.

Without provocation, they opened fire on cars carrying families, believing they’d be no accountability.

Washington grants so-called private military contractors (PMCs) blanket immunity. Paul Bremer’s Order 17 authorized it. Rare exceptions prove the rule.

The Blackwater Four opened fire preemptively on defenseless Iraqi civilians, using automatic weapons and a grenade launcher, including from two hovering helicopters.

An eyewitness to her mother’s murder said:

“They are killers. I swear to God, not one bullet was shot at them. Why did they shoot us?”

In October 2014, a federal district court in Washington convicted them.

Defense lawyers defied reality, falsely claiming that they fired in self-defense. Eye witnesses refuted them.

In pronouncing sentence, Judge Royce Lamberth said “(t)he overall wild thing that went on here just cannot be condoned by the court...You can’t just shoot first and seek justification later.”

Former federal prosecutor T. Patrick Martin called what happened “an atrocity.”

FBI investigators of the incident called it the “My Lai massacre of Iraq.”

Defendants were charged under the Military Extraterritorial Act.

It covers overseas crimes of Defense Department civilian employees, military contractors and others involved in US war theaters.

Defense lawyers falsely argued that the four mercenaries were in Iraq to provide diplomatic, not military, services.

Prosecutors argued that crimes committed “were so horrendous – the massacre and maiming of innocents so heinous – that they outweigh any factors that the defendants may argue for leniency.”

Trump’s pardoning of the Blackwater Four reopened unhealed wounds.

No Iraqi civilians killed or wounded were armed or insurgents. None threatened anyone.

Iraq’s Foreign Ministry slammed the pardons, calling them “inconsistent with...human rights, justice and the rule of law.”

They “ignore(d) the dignity of the victims and the feelings and rights of their relatives.”

Founder of Blackwater Erik Prince’s sister, Betsy DeVos, is Trump’s education secretary.

After convictions of the firm’s four mercenaries, it was renamed Xe, then Academi after being sold.

Time and again, the US honors, covers up, ignores, or reverses punishments for the nation’s worst.

It awards medals for war crimes, war criminals left unpunished for wrongdoing too egregious to ignore.

Hollywood glorifies US preemptive wars and honors terrorism — reinventing history on the silver screen.

In 2017, it honored a White Helmets propaganda film as the year’s best documentary short – portraying terrorists as heroes.

The group has nothing to do with civil defense as claimed, everything to do with supporting terrorism in Syria or wherever else they’re deployed to serve US imperial interests.

Individuals warranting high praise for doing the right thing on vital issues risk harsh recrimination.

Whistleblower Chelsea Manning was wrongfully convicted, imprisoned, and harshly treated

for revealing unpunished Nuremberg-level high crimes.

Human rights lawyer Lynne Stewart was framed and wrongfully convicted for defending unjustly charged individuals Washington wanted imprisoned.

Numerous political prisoners languish in America's gulag at home and abroad.

At Washington's request, UK police forcefully dragged Julian Assange from Ecuador's London embassy in April 2019.

Imprisoned and harshly mistreated, Trump regime hardliners want him severely punished for the "crime" of truth-telling investigative journalism the way it should be.

Will Trump undo what his regime unjustly ordered by pardoning Assange?

Will he do the right thing by reversing injustice against him, ending his long ordeal?

On June 9, 1954, during nationally televised US Senate Army-McCarthy hearings, I watched attorney Joseph Welch famously confront the senator by asking:

"Have you no sense of decency?"

I put the same question to Trump, asking as well:

Will you end gross injustice against Assange by issuing a full pardon so he can be released?

Will you do the right thing or stick to honoring the nation's worst before January 20 when your tenure ends?

History awaits your call – up or down for long-delayed justice.

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