Trends. Data Bases Bearing on Clemency for Terrorists

Editor

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United States (US) President Clinton has been "under the gun" for granting clemency to 16 Puerto Rican nationalists who were jailed for activities supporting terrorism that resulted in deaths, injuries, and destruction. The most salient controversy has entailed whether President Clinton made the decision to help his wife successfully run for a U.S. Senate seat in New York—a state in which voters of Puerto Rican ethnicity could be significant to a Democratic Party candidate.

Somewhat less salient, but more important is the issue of the impact of clemency on terrorism. Two sorts of impact are at issue—the activities of the group in question, the FALN, and the activities of terrorists who might engage US interests. Arguments for exacerbation of, attenuation of, or no effect on terrorism have been based largely on the intuition, wisdom, and anecdotes of law enforcement, investigative, and other criminal justice system personnel and of victims—all treating terrorism—in essence political violence—as one of many possible transgressions.

More profitable lines of argument might arise by looking at three other data bases. One, the various national commissions that have had the authority to grant forgiveness, clemency, and/or amnesty to perpetrators of serial political atrocities of great magnitude. The second, the four international tribunals—in Japan, Germany, Rwanda, and The Netherlands—that have been created to adjudicate variants of war crimes, genocide, and crimes against humanity. The third, negotiated agreements between warring factions that agree to release perpetrators of terrorism as in Northern Ireland. These three data bases are germane because they are totally directed at political violence—the essence of terrorism—and the overall consequences for nations and nation-states.