

# Saddam Hussein trial resumes: a grotesque display of imperial justice

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The second session of the trial of Saddam Hussein convened and closed after barely two-and-a-half hours Monday, ample time to expose the farcical and illegal character of the US-orchestrated prosecution of the deposed Iraqi head of state.

Following a 40-day adjournment, the continuation of the trial was put off for another week, in part to find replacements for defense attorneys of prisoners on trial alongside Hussein. Two have been assassinated, another wounded, and others forced into hiding by death squads supporting the US-backed regime.

While the trial's presiding judge and the prosecutors are Iraqis, the court is an American creation and all of its operations are stage-managed behind the scenes by US officials.

The chief defendant denounced this reality in his statement to the court, pointing out that he had been hauled up four flights of stairs in shackles by US security personnel before being escorted into the court. The American guards had also confiscated from Hussein documents that he had prepared in his own defense.

When the judge, Rizgar Mohammed Amin, said he would tell the American officials of his complaints, Hussein replied: "I don't want you to tell them, I want you to order them. They are invaders and occupiers and you have to order them... You are an Iraqi. They are foreigners and occupiers and invaders, so you must condemn them. Otherwise, you are a small boat rocking in the waves."

This frank exposure of the real relations existing in the courtroom—and US-occupied Iraq as a whole—proved unpalatable to the American controllers. They ordered Court TV, the US channel contracted to broadcast the trial, to halt relay of the images until Hussein stopped speaking and returned to his seat.

The American media as a whole has adopted a policy of self-censorship in regard to the trial. It is, almost without exception, accepting the proceedings as legitimate and joining the Bush administration in demonizing Saddam Hussein while ridiculing his challenges to the court.

The press has proven incapable of even noting the obvious irony of the charges that Washington has chosen to level against its prisoner. Saddam Hussein is being tried for the deaths of 148 men and teenage boys in the predominantly Shia village of Dujail, following an assassination attempt against Hussein that occurred there in 1982, during the Iran-Iraq war.

For the Bush administration to try him for this crime—wreaking lethal vengeance against a rebellious population in wartime—underscores the hypocrisy and absurdity of the entire enterprise. Why is Bush not in the defendant's dock for precisely

the same crime? What, after all, was the barbaric siege of Fallujah carried out by the US military just a year ago? After the deaths of four American mercenaries in the city, Fallujah was targeted for a savage reprisal.

Napalm, white phosphorus, bombs, artillery and tank shells were unleashed against the city, while snipers carried out a shoot-on-sight order. As a result, an estimated 800 civilians were killed, the majority of them women and children, while hundreds of thousands were turned into refugees. Similar assaults have been mounted in recent months against population centers up and down the Euphrates River valley.

The obvious parallel between the repression unleashed by the Iraqi regime and the repression carried under the US military occupation is largely excluded from the American press. It regards such facts as inadmissible, even though they are now being acknowledged by the first Iraqi prime minister installed by Washington, Ayad Allawi, who told the British *Observer* on Sunday that the current wave of torture and death squad killings is "the same as Saddam's time and worse." He added, "It is an appropriate comparison."

The mockery of legality that characterizes the proceedings is similarly passed over in silence. The fiction that this is an Iraqi-controlled court settling historic accounts between the Iraqi people and a former dictator is maintained, even as US "advisors" determine the judges' agenda, US security controls the courtroom, and American officials have their hands on the switches so as to delete from the trial's broadcast anything that challenges Washington's propaganda and policies.

The very charges have been selected by Washington and the US-backed regime because they fit the political agenda of both. The killings in Dujail were hardly the worst of the Hussein regime's crimes against the Iraqi people. But they were carried out in response to an attack mounted by guerrillas of the Dawa Party, of which Iraq's current prime minister, Ibrahim al-Jaafari, is a member. The trial, which will reconvene on the eve of next month's parliamentary elections, is clearly aimed at mobilizing Dawa's Shia base.

The Dujail episode also has the advantage, as far as Washington is concerned, of not having a direct link to US foreign policy, which actively supported Hussein in many of the most brutal acts carried out by his Baathist regime. These include the suppression of the Iraqi left and the execution of Iraqi Communist Party members in 1979; the US-backed invasion of Iran and Baghdad's

subsequent use of chemical weapons, some of them supplied to Iraq by US subsidiaries, against both Iranian troops and rebellious civilian populations in Iraq; and the suppression of Shia and Kurdish uprisings—with the green light from Bush senior’s administration—in the aftermath of the 1991 Gulf War.

These crimes, which are now invoked to justify the US invasion of 2003, did not in the slightest deter Washington from backing Saddam Hussein’s regime in the 1980s and tacitly supporting its survival in 1991.

The challenge mounted by Hussein and his attorneys to the legitimacy of the court is well-founded. The court is a product of a decree issued by the colonial occupation authority under Paul Bremer in 2003. As such, its existence constitutes a violation of the Geneva Conventions, which bar occupying powers from changing the law of the countries they occupy.

The court has merely waved aside challenges to its own legitimacy. The Iraqi judges, after all, are in no position to decide on such a question, given that their rulings and actions are being controlled by the unseen American “advisors.”

The standards of evidence and proof that are being used are in violation of the legal codes of both international courts and those of the US itself. During Monday’s proceeding, for example, the first evidence introduced in the trial consisted of videotaped testimony taken from a former Iraqi intelligence officer under the Hussein regime who has since died. No defense attorneys were allowed to be present for his deposition, and now, obviously, they are unable to cross-examine him.

Washington has insisted that Hussein and his co-defendants be tried in Iraq, despite the fact that the ongoing colonial war there has made it impossible for the court to function in anything approaching a normal fashion. The US is determined to keep the trial out of an international court because it knows that embarrassing questions—about both the illegal US invasion of 2003 and US support for Saddam Hussein when the crimes of which he is accused were committed—would inevitably arise.

There is an additional reason. The Bush administration is determined to hang Hussein and other members of the Baathist regime, and the death penalty has been repudiated by international courts and virtually every advanced capitalist country outside of the US.

This trial—with its predetermined conviction and sentence—has been organized in large part for American domestic consumption. Much like Bush’s landing on the aircraft carrier Lincoln to proclaim “mission accomplished” or the staged toppling of Saddam Hussein’s statue in Baghdad, the trial is meant to serve as another propaganda image promoting in the mind of the American public a conception of the omnipotent power of US militarism.

It serves much the same function as the parading of captured warriors in chains through the streets of ancient Rome. Then as now, the idea was to demonstrate the unchallengeable power of the emperor and his legions.

The trial of Saddam Hussein is a reflection of the sick fantasies of the extreme right-wing elements who dominate the White House. Hanging the Iraqi leader fulfills a sadistic urge of the American president himself, who presided over 152 executions while governor of Texas. Bush’s taste for state murder found a

particularly noxious expression in his public mockery of the plea for a pardon by a condemned Texas woman before he ordered her put to death.

For the cabal that organized the war against Iraq, the trial and execution of Saddam Hussein is meant as an act of vindication, while sending a message to any other head of state who dares to challenge Washington’s foreign policy and US corporate interests.

Like the invasion of Iraq, the attacks on its population, the seizure of tens of thousands of people without charges in the “global war on terrorism,” and the use of secret prisons and torture, this illegal trial is meant to terrorize and to affirm the unfettered power of US imperialism to impose its own law and dispense its own punishment wherever it sees fit.

The sham trial is, in the final analysis, a reflection of a deeply sick society, in which an obscenely wealthy and corrupt ruling elite has grown so distant from the lives and concerns of the masses of working people that it has come to believe that there are no limits on its actions, that it can lie, cheat, steal and kill with impunity.

However, like all of the fantasies that the American ruling elite and its government entertained about its conquest of Iraq, the trial itself is proving a grave disappointment, with the defendants’ defiance overshadowing the charges themselves.

The reaction of the media has been one of growing impatience. Television commentators—one sicker than the next—wonder aloud why they can’t just shut the defendants up and get on with it. The general consensus seems to be: Why bother with a trial when you can lynch the prisoners and no one in occupied Iraq can stop it?

There is one inevitable and ominous byproduct of the US-staged show trial. US foreign policy cannot function without creating new devils that must be punished. Once the trial of Saddam Hussein moves forward to the Iraqi head of state’s predetermined conviction and execution, Washington will have to come up with a new bogeyman to frighten the American people and justify a new round of militarist aggression.

Who will be the next target? Bashar Assad of Syria, Hugo Chavez of Venezuela or Mahmoud Ahmadinejad in Iran? There is no doubt that the military plans are well advanced for wars of aggression against all of these countries, as part of US imperialism’s drive to assert its hegemony over world markets, sources of oil and militarily strategic regions.



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