

US tries to use Saddam Hussein trial to justify its own crimes

Bill Van Auken
3 March 2006

The American media has seized upon this week's proceedings in the US-orchestrated show trial of Iraqi President Saddam Hussein to deflect attention from Washington's own crimes against the Iraqi people and the debacle of the US occupation of the country.

The reporting of the trial has centered on Saddam Hussein's statement to the court acknowledging that he ordered the trial of 148 Iraqi Shiites as part of his regime's reprisals against a 1982 assassination attempt in the town of Dujail. The attempt on Hussein's life occurred in the midst of the Iran-Iraq war.

Hussein's intervention followed the presentation by the chief prosecutor, Jaafar Al-Musawi, of a set of documents that he claimed proved the Iraqi president had ordered the 148 men and boys put to death.

His statement was portrayed by much of the media as a "damning admission" that has confirmed Hussein's guilt and vindicated the trial. For his part, Hussein insisted that he acted within the bounds of Iraqi law. While asserting that he, and not his co-defendants, bore full responsibility for the actions, he claimed that they were justified because of the assassination attempt. "Where is the crime?" he taunted the court.

"The five judges will be able to take Saddam's confession into account when they rule in the case," the *Washington Post* reported approvingly on Thursday. "It will be up to them to decide whether Saddam's actions were illegal, since there is no jury."

The previous day, the *New York Times* published a front-page lead article hailing the prosecutors and the chief judges for making progress in the proceedings. "The presentation was a striking turnaround for a trial that had been widely dismissed as a farce," the *Times* reported Wednesday. The proceedings, the newspaper added, "may yet fulfill American hopes for a credible public forum on the crimes of Mr. Hussein's rule."

There is an unmistakable air of unreality surrounding both the proceedings themselves and the US media reaction. The trial is unfolding in the midst of a continuing bloodbath in Iraq. The same newspapers that hailed the supposed breakthrough in the trial of Saddam Hussein were reporting, based on the testimony of Baghdad morgue officials, that some 1,300 Iraqis had been killed in the previous six days in an eruption of sectarian violence—nearly ten times the number of victims killed in the

Dujail reprisals.

After the introduction of the documents and Hussein's response, the court adjourned until March 12, continuing a pattern that has persisted since the legal proceedings began last October. The trial proceeds in fits and starts—it had been in recess for two weeks preceding the latest two-day session—largely because of the civil war conditions that surround the courtroom in Baghdad's US-occupied Green Zone. Two of the original defense lawyers and a judge have been assassinated since the court hearings began.

The pretense that the tribunal represents a legitimate and independent judiciary is absurd on its face. There is no legitimate government of Iraq, and no rule of law in the entire country. The grotesque mockery of justice in the Green Zone courtroom reflects the state of anarchy and destruction that the US invasion and occupation have produced throughout Iraq.

The Iraqi tribunal and the legal statutes under which it is operating were imposed by the Coalition Provisional Authority, the colonial-style occupation regime of Paul Bremer installed in the wake of the US invasion. As such, its very existence is another violation of international law, contravening the Geneva Conventions, which specifically bar occupying powers from creating new courts in the countries they have occupied.

This week's evidence and Saddam's supposed confession notwithstanding, the methods employed by the court—or more precisely, by the battery of US officials and lawyers who pull its strings—make the trial a farce.

The tribunal's first chief judge, Rizgar Muhammed Amin, was forced to resign in January after senior Shiite political figures denounced him for failing to suppress protests by the defendants. An alternate who was supposed to replace him was removed through the intervention of the National De-Baathification Commission, which claimed he had been a Baathist.

The entire defense team walked out of the trial in January after the new chief judge, Raouf Abdel Rahman, expelled one of them. The court imposed its own chosen lawyers to represent Hussein and the other defendants, over their objections.

There is another aspect of the proceedings being conducted in the Green Zone that raises serious and disturbing questions. Almost all of this week's media reports of the trial described

the comportment of Hussein and his co-defendants on Wednesday as “subdued.”

The *New York Times* reported, “Dressed in a dark suit, he looked gaunt and subdued... and never stood up. He said at one point, ‘I want to tell the media—there is no letter from me.’ But his voice could scarcely be heard.”

This sharp departure from Hussein’s earlier demeanor suggests that the US authorities orchestrating the trial may have resorted to drugging the defendants in order to get the kind of show trial that they desire.

The travesty of justice that characterizes the proceedings has led human rights groups to pointedly warn Washington that its trial of Hussein will be viewed throughout the world as illegitimate. Human Rights Watch issued a statement last month declaring that if the tribunal continued to employ such methods, it would “not only violate basic fair trial guarantees; it will look like a sham.”

Underlying these fraudulent methods, however, is a far more basic question: who is the US government to bring war crimes charges against Saddam Hussein?

Why have Hussein and his fellow officials been charged with the Dujail massacre rather than far greater bloodlettings, such as the gassing of Kurds in Hallabja in 1988 or the suppression of the Shiite uprising in Basra in the wake of the first Gulf War in 1991?

The choice was made because in the other incidents there is ample evidence that Washington was directly complicit in the Hussein regime’s crimes, backing it in its war against Iran and opposing a successful Shiite revolt in the aftermath of the 1991 war.

In any event, US imperialism has no standing to sit in judgment over crimes against the Iraqi people. Over the course of three administrations, from Bush senior, to Clinton, to George W. Bush, it has carried out policies that have cost literally millions of Iraqi lives.

The first Gulf War saw massive bombings and cruise missile attacks that wiped out hundreds of thousands of virtually defenseless Iraqi soldiers and countless more civilians, as schools, hospitals and residential areas were indiscriminately struck in a 43-day bombing campaign.

With its basic infrastructure—including sewage treatment, water supply and food production—destroyed, Iraq was subjected to starvation sanctions dictated by Washington and maintained for more than a decade, until the US invasion of 2003. According to United Nations estimates, in the first five years after Gulf War I the sanctions caused the deaths of 1.5 million Iraqis from preventable diseases, and were responsible for half a million Iraqi children dying before the age of five.

The invasion and occupation, now completing their third year, have only deepened the horror that US imperialism has inflicted upon Iraq. The death toll from this unprovoked and criminal war now numbers well into the hundreds of thousands.

US-trained death squads, mass political detentions and torture

are the chief instruments of government in Iraq today, while the divide-and-conquer methods employed by Washington to assert its domination over the country have unleashed a sectarian bloodbath.

The catastrophic situation created by the US intervention was underscored by the United Nations’ former human rights chief in Iraq, John Pace, who stated Thursday that human rights abuses in Iraq today are worse than under the Saddam Hussein regime.

Pace, who left his UN post last month, told the Associated Press that while he was in Baghdad, several hundred bodies were brought to the morgue each month. “Nearly all were executed and tortured,” he said.

Militia death squads operating out of the Iraqi Interior Ministry, he added, “do basically as they please. They arrest people, they torture people, they execute people, they detain people, they negotiate ransom and they do that with impunity.”

The threat of death and torture today in Iraq “extends over a much wider section of the population than it did under Saddam,” Pace said.

Under these conditions, the US-run trial of Saddam Hussein for human rights violations can only be a grim farce. The proceedings—intended to exploit outrage over crimes committed under the Baathist regime to justify the 2003 invasion and obscure the horrors that are now being inflicted upon Iraqis under US occupation—are doomed to fail.

The trial was meant to demonstrate Washington’s power to impose its own law on other peoples and punish its enemies as it sees fit. Instead, the contrast between the pretense of the rule of law in the courtroom and the brutal carnage taking place all around it only highlights the catastrophe that US imperialism has created in Iraq.

In the end, the illegitimate prosecution of Saddam Hussein and his associates only begs the question of when those in Washington who are responsible for far greater bloodshed will be brought to account for waging an illegal war of aggression.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact