

Saddam Hussein's death sentence: a travesty of justice

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The death sentences handed down yesterday against Saddam Hussein and three other prominent figures in his regime are the outcome of show trial concocted for political purposes. Amid unspeakable atrocities being committed against the people of Iraq every day by the US occupation forces, a hand-picked court has condemned the former Iraqi dictator to die. The very timing of the sentence is an attempt to lift the electoral fortunes of the Republican Party in Tuesday's congressional elections by energising its right-wing base with the prospect of a high profile legal lynching.

Saddam Hussein and the leading personnel of the Iraqi Baath Party should be tried for the litany of crimes they committed against the Iraqi people. The Bush administration, however, and the American ruling class as a whole, have no right to oversee the trial of anyone in Iraq for crimes against humanity. The invasion of 2003 was a war crime, an unprovoked act of aggression that was justified with lies and carried out in defiance of international law.

In the subsequent three-and-a-half years, the US occupation has attempted to subjugate the Iraqi people through mass killings, torture and the destruction of entire cities. A study conducted by the John Hopkins University—the only credible attempt to estimate the number of casualties inflicted by the war and occupation—found that the US government is responsible for the deaths of 655,000 Iraqis. Preceding the war, the United Nations sanctions from 1991 to 2003 cost the lives of one million Iraqis through malnutrition and disease.

The pro-war media are predictably highlighting the instances of celebration among Shiite and Kurdish Iraqis in response to the death sentence against Hussein. There can be no concept of justice in Iraq, however, until the individuals in Washington, London

and elsewhere who are responsible for 15 years of death and suffering are brought to trial and the illegal occupation of the country by tens of thousands of American and allied troops has been ended.

Moreover, US governments going back to the 1960s provided political and financial support to Hussein and the Baathists as they carried out some of their most brutal atrocities—from the massacres of Communist Party members and socialist-minded workers in 1963 and again in 1979, to the slaughter of Shiite fundamentalist and Kurdish nationalist opponents of the regime during the 1980s.

The very killings for which Hussein has been sentenced to death—the execution of 148 Shiite men and boys from the village of Dujail in 1982—took place within the context of the setbacks being suffered by the Iraqi military in the US-backed Iraqi war against Iran. The US directly encouraged Hussein to invade Iran in 1980 and provided Iraq with political, financial and military support throughout the eight-year conflict because it viewed the theocratic Shiite regime, which came to power in Tehran in 1979, as a threat to its interests in the Middle East.

The war ultimately cost the lives of more than one million Iraqis and Iranians. In the midst of the carnage, the US supported the so-called “Anfal” campaign that was ordered by Hussein to wipe out the Iranian-backed Kurdish rebellion in the north, for which he is also on trial. In 1991, following the Gulf War, the first Bush administration ordered the US military to do nothing to prevent Hussein's forces from suppressing Shiite and Kurdish uprisings.

Any legitimate trial of Hussein would expose the culpability of the US and other major powers in the crimes of the Baathist regime in Iraq. The travesty that has taken place did the opposite. It prevented any

evidence being presented that documented the relationship between a brutal dictatorship and great power interests. There has been no accounting with the past or justice for those who were murdered. Only the most selective evidence relating directly to the events in Dujail was presented. As an additional precaution, the television broadcast from the court was delayed by 20 minutes so censors could delete anything that was considered damaging to the American occupation.

The entire process has been a shameless show trial. The Iraq Special Tribunal was established by an edict issued by US proconsul Paul Bremer in 2003. Its judges and prosecutors were selected by American officials and instructed by American advisors. The court's lack of credibility and impartiality has been sharply criticised by Human Rights Watch, Amnesty International and other international observers. On numerous occasions, court proceedings took place in the absence of the defendants or under conditions where they were denied the right to have their own lawyers present.

In January, the chief judge was pressured to step down after the US media and Iraqi government accused him of not doing enough to prevent Hussein from using the witness stand to denounce the court's legitimacy. Three lawyers representing the defendants were murdered and others forced to flee the country, most likely by death squads working for the Shiite fundamentalist parties that dominate the US-backed government in Baghdad.

The American ambassador in Iraq, Zalmay Khalilzad, hailed the death sentence against Hussein yesterday as an "important milestone" in the "building of a free society based on the rule of law". President Bush declared that the verdict was "a milestone in the Iraqi people's efforts to replace the rule of a tyrant with the rule of law".

The cynicism of these statements is staggering. Numerous leaks to the US media indicate that officials like Khalilzad have spent the past several months plotting a coup against the Shiite-dominated government of Prime Minister Nouri al-Malaki and its replacement with some form of military junta. There is a growing consensus among both Republicans and Democrats that US interests in Iraq would be better served by a regime very similar to that of Hussein.

Even as Hussein is sentenced to hang, the US

political establishment is discussing putting many of the Baathist killers and thugs that underpinned his regime back in power, in exchange for ending their guerilla war against American forces and agreeing to an arrangement for the US corporate plunder of Iraq's oil resources. The prelude to any move to rehabilitate the Baathist elite will be a bloodbath by the US military against the Shiite militiamen in areas like Sadr City in Baghdad who paraded in the streets yesterday to celebrate the outcome of the Hussein trial.



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