

The Farce Trial Of Saddam

By [Ghali Hassan](#)

Global Research, December 27, 2005
27 December 2005

Region: [Middle East & North Africa](#)
In-depth Report: [IRAQ REPORT](#)



President Saddam Hussein's "trial" before a U.S.-orchestrated Kangaroo Court is hailed as the "trial of the century". Unfortunately, those who committed the crimes are rewarded and protected, while their victims put on a show trial. It is not Saddam who is on trial; it is the international legal system.

According to Professor Charif Bassiouni of DePaul University, an expert on International Criminal Law and former U.N. human rights investigator in Afghanistan; "All efforts are being made to have a tribunal whose judiciary is not independent but controlled, and by controlled I mean that the political manipulators of the tribunal have to make sure the U.S. and other western powers are not brought in cause. This makes it look like victor's vengeance: it makes it seem targeted, selected, and unfair. It's a subterfuge". This is the accurate definition of a Kangaroo Court. "The Americans are intent on making this pure theatre, a show trial", said one of Saddam's lawyers.

Saddam trial is a theatre. It is a Hollywood show to divert attention from the destruction of Iraq and the massive war crimes committed against the Iraqi people. Like the invasion, the "tribunal" is illegal and has no legitimacy in occupied Iraq. There is overwhelming prima facie evidence to convict George W. Bush and Tony Blair of crimes against humanity than to convict Saddam Hussein. Under the U.N Convention, Bush and Blair are guilty of crimes against humanity, torture, and guilty of wanton destruction of the Iraqi state.

The reality is; the U.S. and its allies are not interested in a trial per se; they are interested in the humiliation of all Arabs. Saddam is an Arab and a Muslim. He is used as a symbol to further demonise, intimidate and humiliate Arabs and Muslims. The trial is seen in the West as if all Arab leaders are on trial. It is orchestrated and controlled by Western imperialism. It

is a show trial for bullying and intimidation other nations. It “trail” has nothing to do with justice; it is a smokescreen for injustice.

The show trial provides Western journalists, pundits, and Western (mostly U.S.-based) human rights organisations and NGOs the opportunity to show their loyalty to the Occupation and imperialism. Saddam was demonised for more than 15 years that he represents the epitome of everything bad today. Despite the complete lack of knowledge of the man, every journalist and pundit has something to say about Saddam. Saddam is resurrected to become part of Western schools curricula. One hopes that the curricula will include Saddam achievements including, the best education system and the best health care services in the Middle East. Saddam provided complete rights for women, before the U.S. destroyed every thing.

During Saddam regime, human rights organisations and journalists had no problem to go to Iraq and report on the human rights condition there. Always negative, of course. They visited detainees in Abu Ghraib and elsewhere with considerable access. However, since the invasion and occupation of Iraq by U.S. forces, human rights organisations and journalists almost completely refrained from even mentioning the ongoing abuses of human rights of the Iraqi people by U.S. forces and their collaborators. These same organisations who visited Iraq freely before the invasion, have no right to be anywhere in Iraq today. Their meagre reports were only designed for deception.

It is not surprising to hear Amnesty International (AI) and Human Rights Watch (HRW) criticising the so-called “Iraqi tribunal”. This is the way imperialism works. “We have grave concerns that the tribunal will not provide the fair trial guarantees required by international law”, said Richard Dicker of HRW. Can you imagine HRW “have great concerns” for the rights of hundreds of thousands of Iraqis – men, women and children – who have been arrested, imprisoned, abused and tortured without charges? Is Saddam responsible for the slaughter of the hundreds of thousands of innocent Iraqis, mostly women and children? Why HRW and AI have no concerns for the deliberate killing of Iraqi civilians by U.S. forces? Only when the wrong person in the dock, one hears the rumbling of human rights organisations and NGOs. Saddam’s show trial is the best opportunity for HRW, AI and the rest of Western NGOs to deceit the world of their real role as the tools of Western imperialism. Who will try George Bush for the killing of 30,000 Iraqi civilians, as he recently acknowledged?

It should be borne in mind that all the allegations against Saddam are unsubstantiated and there is no evidence that Saddam is personally responsible for the alleged crimes. The charge “is totally empty... In France, any judge would dismiss the case. It would not even go to trial”, said Andre Chami, a French lawyer in Saddam’s defence team. Indeed, some of the allegations against Saddam regimes have been refuted by the UN and credible Western officials. The allegations against Saddam and Iraq were made by Western journalists, expatriate comen, and Western-based human rights organisations and NGOs. Moreover, even if Saddam committed crimes, the crimes were committed with the full complicity and support of Western leaders, and Western media.

It is not Saddam who is guilty of crimes against humanity; Bush and Blair are. The invasion and destruction of Iraq constitute an illegal act of aggression “contravened the UN charter” and international laws. “Only the most incorrigible legalists can pretend to be shocked by the conclusion that the perpetrator of an aggressive war acts at peril of being punished for his perpetration, even if no tribunal has ever previously decided that perpetration of an

aggressive war is a crime”, wrote, Telford Taylor, assistant of the chief American prosecutor, Robert H. Jackson, at the Nuremberg Trial. “To initiate a war of aggression”, said the Nuremberg Tribunal’s judgment, “is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole”. Sadly, the wrong people are in the dock in Baghdad.

Furthermore, no one has articulated the case of war crimes and crimes against humanity against George Bush better than Francis A. Boyle, a professor of Law and an expert on International Law at the University of Illinois. In countless documents, Professor Boyle shows how the Nuremberg principle can be used to indict the Bush administration. Boyle writes: “In international legal terms, the Bush Jr. administration itself should now be viewed as constituting an ongoing criminal conspiracy under international criminal law in violation of the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles, due to its formulation and undertaking of aggressive war policies that are legally akin to those perpetrated by the Nazi regime”.

In addition, article 6(b) of the 1945 Nuremberg Charter defined the term “War crimes” to include: “... wanton destruction of cities, towns or villages, or devastation not justified by military necessity...” Thus the destruction of Iraqi cities, including Fallujah, Ramadi, Hillah, Tel Afar, Baghdad etc. constitutes the wanton destruction of cities, and “it is certainly not justified by ‘military necessity’, which is always defined by and includes the laws of war”, writes Francis Boyle.

Professor Richard Overy of King’s College London, a leading authority on Nuremberg Trial and International Law accurately describe the way the international legal system works. He writes: “International law works only against weaker states. Big powers have an unmerited, but unassailable, [self-induced] immunity”. “What had happened in Iraq was a major crime against humanity, and Bush and Blair could be in the dock” and the principles of international legal system should apply in trying them. Justice is not achieved by a show trial; it is achieved by a fair trial.

The continuing presence of U.S. troops and mercenaries in Iraq is against the will of the Iraqi people in contravention of international laws. The most urgent action is to put an end to the ongoing crimes of the Occupation. Iraqi lives and human rights would be better served by the full and immediate withdrawal of U.S. forces from Iraq.

Global Research Contributing Editor Ghali Hassan lives in Perth, Western Australia.

The original source of this article is Global Research
Copyright © [Ghali Hassan](#), Global Research, 2005

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Ghali Hassan](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca