

Reprieve's Clive Stafford Smith on US Judicial Unfairness, Assange's Show Trial

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Global Research, September 10, 2020

Region: [Europe, USA](#)

Theme: [Law and Justice](#)

British/American human rights lawyer Smith founded UK-based Reprieve in 1999 — “an organization of courageous and committed human rights defenders.”

It provides pro bono legal and investigative work services for “some of the world’s most vulnerable people.”

They include individuals facing capital punishment and victims of abusive state practices, including “rendition, torture, extrajudicial imprisonment and extrajudicial killing.”

Reprieve lawyers and investigators represent oppressed and abused individuals worldwide — including seven Guantanamo Bay political prisoners.

London-based, its “vision is a world free of execution, torture and detention without due process.”

In the US alone, Smith represented over 300 prisoners on death row, preventing executions 98% of the time.

He rightfully calls Guantanamo prison an “affront to democracy and the rule of law.”

His mission is getting the camp closed. He helped secure the release of 69 of its wrongfully held detainees — held for political reasons alone.

For his legal expertise in championing human rights, he received numerous awards, including the Gandhi Peace Award, International Freedom of the Press Award, and Lifetime Achievement Award from The Lawyer Magazine and The Law Society.

In his book titled “Injustice: Life and Death in the Courtrooms of America,” Smith discussed US Kafkaesque injustice, a judicial system that time and again engineers convictions, including by falsified testimonies and/or suppressed exculpatory evidence.

Smith earlier said that he never stops “think(ing) how it is that an innocent person is so certain that they didn’t do it, that they can’t fathom that 12 people could find them guilty” — what mind-manipulating prosecutors pull off time and again.

Convictions advance their careers. They don’t “wonder if (they’re) going to put an innocent person in prison...or not,” said Smith, adding:

“You just can’t do that as a human. So naturally, the people who do this job believe that everyone is guilty. And it’s something the system doesn’t take

account of. But it's sort of obvious."

The US judicial system illegitimately legitimizes malpractice too often, especially against society's most disadvantaged — from police to prosecutors to DAs to judges.

Time and again in US courtrooms, upholding the standard of guilt beyond a reasonable doubt is a meaningless figure of speech.

Smith believes many US judicial system practitioners don't know what the standard means, saying:

"We cannot loudly proclaim that the burden of proof is central to the system (and) then assert that we cannot begin to define it," adding the following:

"The (US) jury system...is utter insanity because you're not allowed to talk to jurors before or after the trial."

"There's no way of knowing if they did their job properly."

"And the idea that the defense has to rely on the police for the investigation? Total insanity."

"I've never met a defense lawyer here who has done any factual investigation for themselves. Total insanity."

"And the whole notion of a barrister - that he shouldn't have an emotional relationship with his client? Insanity."

"You cannot represent someone, and meaningfully put them across to the jury, if you don't have a relationship with them."

Britain's system matches the worst of the US, and it shows in Julian Assange's show trial. More on Smith's observations on what's going on below.

In Britain, families of victims are "told their catharsis is going to come from punishment," said Smith, adding:

"And it's just cruel, because it doesn't. They just get exploited. I think that's probably the area in which we've been most unkind to victims."

In one respect alone, Britain's system is less "disastrous" than America's. "(W)e don't kill people," Smith explained.

In 1965, parliament abolished capital punishment, replacing it with a discretionary maximum of life in prison.

Smith witnessed what he called the full horror of a US execution by lethal injection, saying the experience gave him "much more power to (explain to jurors) what it is like."

"The underlying concept of the (US) justice system is...ridiculous, total madness."

Smith expects virtually everything imaginable thrown at Assange in a US court room, including what's not in charges against him.

On Tuesday, he testified at his extradition trial in London, saying the following after the fact:

The US claims that "none of the things that I mentioned (in testimony) were relevant to the indictment, and they are wrong."

"They are factually wrong. Right there in the indictment it charges (Assange) with a whole bunch of those things" Smith discussed, adding:

"I'm sure that every witness in this case will back me up when I say that conspiracy cases open a Pandora's box of everything the government wants to throw at them."

Using so-called experts like FBI agents who are part of the dirty system, hired to perpetuate it, "they throw the whole kitchen sink at people in those trials which is a danger for justice."

Assange is considered guilty by accusation, not for any real crime, for exposing high crimes of state US authorities want suppressed.

Like hanging whistleblowers out to dry in the US for exposing government wrongdoing, mistreating Assange, prejudging him guilty as charged, assuring extradition to the US for show trial 2.0 and certain conviction, is a warning to others like him that they may face a similar fate.

The hugely corrupted US political and judicial systems are too debauched to fix.

Tinkering around the edges won't change its fundamental flaws.

Voting in a one-party state with two right wings assures continuity whenever farcical elections are held.

Transformational change is needed, a whole new system — democracy for real according to the rule of law, replacing fantasy versions in the US and West.

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