

The political trial of a caring man and the end of justice in America

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Global Research, November 07, 2012

Region: [Middle East & North Africa, USA](#)

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In 1999, I travelled to Iraq with Denis Halliday who had resigned as assistant Secretary-General of the United Nations rather than enforce a punitive UN embargo on Iraq. Devised and policed by the United States and Britain, the extreme suffering caused by these “sanctions” included, according to Unicef, the deaths of half a million Iraqi infants under the age of five.

Ten years later, in New York, I met the senior British official responsible for the imposition of sanctions. He is Carne Ross, once known in the UN as “Mr. Iraq”. I read to him a statement he made to a parliamentary select committee in 2007: “The weight of evidence clearly indicates that sanctions caused massive human suffering among ordinary Iraqis, particularly children. We, the US and UK governments, were the primary engineers and offenders of sanctions and were well aware of this evidence at the time but we largely ignored it or blamed it on the Saddam government. [We] effectively denied the entire population a means to live.”

I said, “That’s a shocking admission.”

“Yes, I agree,” he replied, “I feel very ashamed about it ... Before I went to New York, I went to the Foreign Office expecting a briefing on the vast piles of weapons that we still thought Iraq possessed, and the desk officer sort of looked at me slightly sheepishly and said, ‘Well actually, we don’t think there is anything in Iraq.’ ”

That was 1997, more than five years before George W. Bush and Tony Blair invaded Iraq for reasons they knew were fabricated. The bloodshed they caused, according to recent studies, is greater than that of the Rwanda genocide.

On 26 February 2003, one month before the invasion, Dr. Rafil Dhafir, a prominent cancer specialist in Syracuse, New York, was arrested by federal agents and interrogated about the charity he had founded, Help the Needy. Dr. Dhafir was one of many Americans, Muslims and non-Muslims, who for 13 years had raised money for food and medicines for sick and starving Iraqis who were the victims of sanctions. He had asked US officials if this humanitarian aid was legal and was assured it was — until the early morning he was hauled out of his car by federal agents as he left for his surgery. His front door was smashed down and his wife had guns pointed at her head. Today, he is serving 22 years in prison.

On the day of the arrest, Bush's attorney-general, John Ashcroft, announced that "funders of terrorism" had been caught. The "terrorist" was a man who had devoted himself to caring for others, including cancer sufferers in his own New York community. More than \$2 million was raised for his surety and several people pledged their homes; yet he was refused bail six times.

Charged under the International Emergency Economic Powers Act, Dr. Dhafir's crime was to send food and medicine to the stricken country of his birth. He was "offered" the prospect of a lesser sentence if he pleaded guilty and he refused on principle. Plea bargaining is the iniquity of the US judicial system, giving prosecutors the powers of judge, jury and executioner. For refusing, he was punished with added charges, including defrauding the Medicare system, a "crime" based on not having filled out claim forms correctly, and money laundering and tax evasion, inflated technicalities related to the charitable status of Help the Needy.

The then Governor of New York, George Pataki, called this "money laundering to help terrorist organisations ... conduct horrible acts". He described Dr. Dhafir and the supporters of Help the Needy as "terrorists living here in New York among us ... who are supporting and aiding and abetting those who would destroy our way of life and kill our friends and neighbours". For jurors, the message was powerfully manipulative. This was America in the hysterical wake of 9/11.

The trial in 2004 and 2005 was out of Kafka. It began with the prosecution successfully petitioning the judge to prohibit "terrorism" from being mentioned. "This ruling turned into a brick wall for the defence," says Katherine Hughes, an observer in court. "Prosecutors could hint at more serious charges, but the defence was never allowed to follow that line of questioning and demolish it. Consequently, the trial was not, in fact, what it was really about."

It was a political show trial of Stalinist dimensions, an anti-Muslim sideshow to the "war on terror". The jury was told darkly that Dr. Dhafir was a Salafi Muslim, as if this was sinister. Osama bin Laden was mentioned, with no relevance. That Help the Needy had openly advertised its humanitarian aims, and there were invoices and receipts for the purchase of emergency food aid was of no interest. Last February, the same judge, Norman Mordue, "re-sentenced" Dr. Dhafir to 22 years: a cruelty worthy of the Gulag.

With their "terrorist" case "won", the prosecutors held a celebration dinner, "partying," wrote a Syracuse lawyer to the local newspaper, "as if they had won the Super Bowl ... having perpetuated a monstrous lie [against a man] who had helped thousands in Iraq suffering unjustly ... the trial was a perversion". No executive of the oil companies that did billions of dollars of illegal business with Saddam Hussein during the embargo has been prosecuted. "I am stunned by the conviction of this humanitarian," said Denis Halliday, "especially as the US State Department breached its own sanctions to the tune of \$10bn."

During this year's US presidential campaign, both candidates agreed on sanctions against Iran which, they claimed, posed a nuclear threat to the Middle East. Repeated over and

again, this assertion evoked the lies told about Iraq and the extreme suffering of that country. Sanctions are already devastating Iran's sick and disabled. As imported drugs become impossibly expensive, leukaemia and other cancer sufferers are the first victims. The Pentagon calls this "full spectrum dominance".

For more information on John Pilger, please visit www.johnpilger.com

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