

The trial of Saddam Hussein: Anti-war movement must reject colonial 'justice'

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The trial of Saddam Hussein, which has opened with much international publicity, is a desperate attempt to justify and convey some legitimacy on the criminal U.S. invasion and occupation of Iraq. It is an effort to demoralize and divide the resistance to the occupation. It has nothing to do with justice or truth.

All the political forces internationally that have opposed the 15-year-long U.S. war on Iraq—which has included starvation sanctions, bombing and invasion—should also oppose all the efforts to justify the continued occupation, including the present trial of the former Iraqi leader and seven members of his government.

Regardless of the wide spectrum of political views on the character of Saddam Hussein's government, it is essential to oppose this U.S. justification for the war. To be silent on this issue is to give credibility to a U.S.-created phony court at the giant U.S. command center called the Green Zone.

The U.S. government has no right to have even one soldier in Iraq. It has no right to bomb, sanction or starve the Iraqi people. It has no right to impose a colonial government or to establish courts in Iraq. It has no more right to decide the fate of Saddam Hussein than it does to control the oil and resources of Iraq.

The detention of Saddam Hussein and his co-defendants, along with tens of thousands of other Iraqis, is all based on a criminal, illegal war of aggression.

The Iraqi Special Tribunal and the trial of Saddam Hussein are also a violation of international law. The Geneva Convention, to which Washington is a signatory, explicitly forbids an occupying power from creating courts. In addition, the trial itself, along with the total isolation of the defendant Trial of Saddam Hussein by Sara.ems s and denial of all visitation and legal rights violates the International Convention on Civil and Political Rights.

The defense lawyers who have stepped forward have been threatened and intimidated. Two lawyers on the defense team have been assassinated.

Today in Iraq there is no judicial system. There are no codes, no laws, no courts. There still is no agreement on a constitution. The entire structure of the Iraqi state was destroyed. In its place is only the most brutal form of outright military domination.

The Iraqi Special Tribunal has been illegitimate since its very formation. It is a creation of L. Paul Bremer III of the U.S., former head of the Coalition Provisional Authority—the illegal, occupying power. Bremer initially appointed Salem Chalabi, the nephew of Iraqi Deputy

Prime Minister Ahmad Chalabi, to organize and lead the court.

Chalabi had returned to Iraq from exile with the aid of U.S. tanks in April 2003. He opened a law office to draft the new laws that have reopened Iraq to foreign capital, in collaboration with the law firm of former Defense Undersecretary Douglas Feith, a war profiteer, an ideologue of the Bush, Cheney, Rumsfeld cabal and a principal architect of the war.

Bremer also appointed the tribunal judges. The funding and the personnel are totally controlled by U.S. forces. The U.S. Congress has appropriated \$128 million to fund the court. Of course, the court has no jurisdiction over crimes committed by U.S. forces in the invasion and occupation!

Role of demonization

The trial underway now is part of the sustained U.S. effort to totally demonize Saddam Hussein. This has been an essential part of the 15-year war on Iraq.

U.S. propaganda has relentlessly described Hussein as an evil madman, a brutal dictator and a threat to the entire planet who was poised to strike with nuclear, chemical or biological weapons within minutes. He was charged with having a role in 9/11 and being in league with al-Qaeda.

Both Republicans and Democrats knew this was a fraud. U.S. bombs had destroyed Iraq's entire industrial capacity. But no politician was willing to challenge the demonization.

Every U.S. war against oppressed peoples and nations has begun with saturating the entire civilian population with war propaganda that so demonized the leader of the targeted population that any crime was treated as acceptable and beyond question. This has been true since the wars against Native populations and the demonization of Sitting Bull, Crazy Horse, Geronimo and many, many other Indigenous leaders, up to the leaders of every progressive or revolutionary struggle over the past 50 years.

It doesn't matter how mild or committed to non-violence the leader is. Consider the case of the kidnapped former priest, President Jean-Bertrand Aristide of Haiti, who was charged with corruption, drug running and gang violence. Today President Hugo Chávez of Venezuela and President Mahmoud Ahmadinejad of Iran are increasingly portrayed as madmen, dictators and evil incarnate.

Since the days of the Roman Empire, victor's justice has meant humiliation, degradation and placing the defeated leader in the dock in order to establish a new order. It hides the brutality of overwhelming force and gives legitimacy to the new rulers.

The trials of Denmark Vesey and Nat Turner in the ante-bellum South were the slaveowners' way of cloaking the violence and degrading brutality of slavery in "god-given" property rights. The kidnapping and trial of Yugoslav President Slobodan Milosevic after the 78-day U.S./NATO bombing of Yugoslavia, in which hundreds of civilians died, was a similar case of victor's justice.

U.S. and WMDs

While the U.S. demonizes Saddam Hussein, it should be remembered that the trial of Saddam

Hussein by Sara.ems he Pentagon has used weapons of mass destruction not only in Iraq but against countless other defenseless populations, from Korea and the Philippines to Vietnam, Laos, Cambodia, Nicaragua, Grenada, Libya, Lebanon and Yugoslavia.

It is the U.S. military machine that should be put on trial for having used the most horrendous weapons, from nuclear bombs to napalm, white phosphorus, anti-personnel weapons, so-called bunker busters and radioactive depleted-uranium weapons.

In Iraq intentional civilian destruction was calculated, photographed and studied. The infrastructure was consciously targeted. Reservoirs, sanitation and sewage plants, chlorine and water pumping stations were bombed. The electrical and communications grids were destroyed. Food production was targeted, from irrigation, fertilizers and pesticides to processing, refrigeration and storage. In the 1991 bombing more than 150,000 Iraqis died. There were 156 U.S. soldiers killed.

Year after year international delegations that had been to Iraq, including many organized by the International Action Center (IAC) and led by former U.S. Attorney General Ramsey Clark, reported on the impact of the 1991 bombing and the years of U.S.-imposed UN sanctions. The sanctions created an artificial famine. Imports of food, medicine and civilian necessities were withheld.

By the UN's own estimates, over 1.5 million Iraqis died of preventable diseases. Half a million children under the age of 5 years died between 1991 and 1996. Both the sanctions and the bombing, begun under George H.W. Bush, continued through the eight years of the Clinton administration. U.S. bombing continued at an average of 25 raids a day for 12 years.

Ramsey Clark, founder of the IAC, has courageously challenged the legitimacy and legality of the Iraqi Special Tribunal as a legal adviser to Saddam Hussein.

As an international human rights lawyer, his position is entirely consistent with his 15 years of opposition to the U.S. war in Iraq—from his visit to Iraq in 1991 when the U.S. bombed every 30 seconds for 42 days, through the 12 years of starvation sanctions, to his opposition to the 2003 invasion. It is consistent with his principled opposition to other U.S. wars and interventions in Vietnam, Nicaragua, Grenada, Iran, Libya, Lebanon and Panama.

Standing up to demonization is part of standing up to the U.S. war and its propaganda machine.

Target is Iraqi sovereignty

The agents of U.S. imperialism have established corrupt and brutal dictatorships and trained and funded military rule from one corner of the globe to the other—from Indonesia to Chile to Congo.

Their problem with Saddam Hussein was not that he was a dictator. It was that he refused to surrender the sovereignty of Iraq. He refused to give U.S. corporations control over Iraqi oil, nationalized beginning in the 1960s. His worst crime in their eyes was that he refused to bow down to the New World Order.

It is Bush, Cheney, Rumsfeld and Blair who should be on trial for war crimes and crimes against humanity.

The global movement that opposes the U.S. occupation in Iraq must seriously consider its responsibility to oppose every aspect of the U.S. war—especially the phony courts and staged elections that seek to legitimize and legalize this piracy.

Implicit in the call to bring the troops home now is the demand to stop the whole brutal process of recolonization. This means cancellation of the U.S. corporate contracts that have privatized and looted Iraqi resources, closing the hundreds of U.S. bases and the thousands of U.S. checkpoints, canceling the “search and destroy” missions and closing the secret prisons where tens of thousands of Iraqis are tortured and humiliated.

And closing the illegal, U.S.-created courts

Sara Flounders is co-director of the International Action Center. She has edited five books on Iraq and coordinated several delegations, headed by Ramsey Clark, that visited Iraq to challenge the U.S. bombing and the sanctions.

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