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Why the US does not want an international trial of Saddam Hessein

With the U.S. and the Iraqi council apparently against an international tribunal (like the one trying Milosevic), it looks as if Saddam will be dispatched before an Iraqi war crimes tribunal—even though Iraq still has no criminal-justice system. One of the reasons the U.S. opposes an international tribunal is that such a court probably wouldn't sentence Saddam to death. Besides, European countries were recently humiliated once again by the Pentagon's neocon brigade by being denied Iraq contracts, and jurists from those countries might try to dig into the "black files" of past friendly dealings between the U.S. and Iraq.

The Reagan-Bush government assisted both sides during the agonizing Iran-Iraq war of the '80s, trying to keep the playing field even by doling out intelligence and providing special aid to Saddam. Talk about war crimes. The Iraqis suffered 375,000 dead; 60,000 more were taken prisoner. Iran had a million people killed or maimed. It was no World War I, in which 1.7 million Germans and 1.3 million French were killed, but it certainly goes down as one of the most horrific conflicts of modern times. Saddam was said to use poison gas against the Kurds and on the front lines against Iran.

What did the U.S. do during this war? Ronald Reagan sent Don Rumsfeld (then chair of drug giant G.D. Searle and a former Defense secretary under Gerald Ford) to be a special envoy to Saddam Hussein. Rummy reportedly got along well with Tariq Aziz, Saddam's foreign minister, and cozied up to Saddam himself, whom Secretary Strangelove now wants to kill. In reports of Rummy's chats with Saddam, the special envoy doesn't discuss torture or the miseries of the local population. But during that era, Reagan officials talked often with Iraqi officials, and the U.S. removed Iraq from terrorist status, freed up loans for agriculture, encouraged arms trading, and helped out Iraqi nuclear development. U.S. policy on Iraq's use of poison gas was to condemn it formally but cultivate a relationship with Saddam, a counterweight to Iran's mad mullahs. American and European firms, meanwhile, sold Saddam equipment that may have contributed to the manufacture of the gas. According to U.S. government communiqués, Rumsfeld and Tariq Aziz agreed in December 1983 that "the U.S. and Iraq shared many common interests." And Rumsfeld expressed "our willingness to do more" for Iraq in its war with Iran. When the Iranians tried to get the UN to pass a resolution against the use of gas, Reagan told Ambassador Jeane Kirkpatrick to stall or, if necessary, abstain.

Another issue that the U.S. would not care to discuss is just how it came to be that when George Bush Sr. was winding down the first Gulf War, he sat by while Saddam killed at least 30,000 Shiites in southern Iraq who had risen up against his rule. Bush Senior could have called in U.S. planes, but he did nothing.

Saddam was widely known even back then for his bloody rule. Michigan professor Cole recited part of the dirty laundry list: "I remembered the innocent Jews brutally hung cq per source in downtown Baghdad when the Baath came to power in 1968; the fencing with the shah and the Kurds in the early 1970s; the vicious repression of the Shiites of East Baghdad, Najaf, and Karbala in 1977-1980; the internal Baath putsch of 1979, when perhaps a third of the party's high officials were taken out and shot, so that Saddam could become president; the bloody invasion of Iran in 1980

and the destruction of a whole generation of Iraqi and Iranian young men in the 1980s (at least 500,000 dead, perhaps even more); the Anfal poison-gas campaign against the Kurds in 1987-88; Halabja, a city of 70,000 where 5,000 died where they stood, their blood boiling with toxic gases, little children lying in heaps in the street; the rape of Kuwait in 1990-91; the genocide against the Shiites that began in spring of 1991 and continued intermittently thereafter; the destruction of the Marsh Arabs; the assassinations . . . "

But while many experts estimate that Saddam killed at least 300,000 to 400,000 of his own citizens, the evidence to make these charges stick may turn out to be on the thin side. Graves have been found, one with more than 4,000 bodies. There were doubtless more. Where are the others? "After taking control of Iraq, coalition forces failed to secure mass gravesites, and substantial evidence was destroyed," says Human Rights Watch. In the looting, "numerous documents were pilfered or ruined."

An international tribunal would give the U.S. credibility, and such a tribunal might also ease another war that is fast taking shape: the growing economic battle between Europe and the U.S.—a war that the U.S., with its enormous trade deficit and sinking dollar, may well find difficult to win. But Bush, Rumsfeld, and their neocon A-team couldn't care less what the Europeans think.

As for Iraq, here's "a best-case scenario" from Chris Toensing, editor of the *MERIP Report*, an excellent magazine on the region: "I envision Iraq as Lebanon: an elaborate, precarious political bargain between the parties representing the sects and ethnic groups, propped up for an indefinite period by a foreign military presence."

For how long exactly? "You can count on America remaining until the job is done," Bush said at his Monday press conference.