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What a Fair Trial for Saddam Would Entail

Noam Chomsky

January 25, 2004

The long, tortuous association between Saddam Hussein and the West raises questions about what issues — and embarrassments — may surface at a tribunal.

In a (virtually unimaginable) fair trial for Saddam, a defence attorney could quite rightly call to the stand Colin Powell, Dick Cheney, Donald Rumsfeld, George Bush I and other high officials who provided significant support for the dictator, even through his worst atrocities.

A fair trial would at least accept the elementary moral principle of universality: The accusers and the accused must be subject to the same standards.

For a truly fair trial, it's surely relevant, as an abundance of congressional and other records show, that Washington made an unholy accommodation with Saddam during the 1980s.

The initial pretext was that Iraq staved off Iran — which it attacked with U.S. backing — but the same support continued well after the war was over.

Now, those responsible for the policies of accommodation are bringing Saddam to the bar of justice.

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Retrieved on 7th September 2021 from chomsky.info
Published in *The Toronto Star*.

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Rumsfeld, as Ronald Reagan's special envoy to the Middle East, visited Iraq in 1983 and 1984 to establish firmer relations with Saddam (at the same time the administration was criticizing Iraq for using chemical weapons).

Powell was Bush I's national security adviser from December, 1987, to January, 1989, and a few months later became chairman of the Joint Chiefs of Staff.

Cheney was Bush I's defence secretary.

Thus, Powell and Cheney were in top decision-making positions for the period of Saddam's worst atrocities, the massacre and gassing of the Kurds in 1988 and the crushing of the Shiite rebellion in 1991 that might have overthrown him.

Today, under Bush II, Powell, Cheney and others constantly bring up those atrocities to justify beating the devil – rightly, though the crucial element of U.S. support of Saddam during this period is missing.

In October, 1989, Bush I issued a national security directive, declaring that "normal relations between the United States and Iraq would serve our longer-term interests and promote stability in both the Gulf and the Middle East."

The United States offered subsidized food supplies that Saddam's regime badly needed, along with advanced technology and biological agents adaptable to weapons of mass destruction.

After Saddam stepped out of line and invaded Kuwait in 1990, politics and pretexts varied, but one element remained constant: The people of Iraq must not control their country.

In 1990, the United Nations imposed economic sanctions on Iraq, administered mainly by the United States and Britain. These sanctions, which continued through president Clinton and into Bush II, are perhaps the sorriest legacy of U.S. policy toward Iraq.

No Westerners know Iraq better than Denis Halliday and Hans von Sponeck, who served successively as U.N. humanitarian co-ordinators there from 1997 to 2000. Both resigned in

protest of the sanctions, which Halliday has characterized as "genocidal."

As they and others pointed out for years, the sanctions devastated the Iraqi population while strengthening Saddam and his clique, increasing the people's dependency on the tyrant for their survival.

Whether or not this history is permitted to come out in a tribunal, the issue of who will be in charge in Iraq in the future still remains crucial and is highly contested right at this moment.

Apart from that issue, those who have been concerned with the tragedy of Iraq had three basic goals: (1) overthrowing the tyranny, (2) ending the sanctions that were targeting the people, not the rulers, and (3) preserving some semblance of world order.

There can be no disagreement among decent people on the first two goals: Achieving them is an occasion for rejoicing, particularly for those who protested U.S. support for Saddam and later opposed the murderous sanctions regime; they can therefore applaud without hypocrisy.

The second goal could surely have been achieved, and possibly the first as well, without undermining the third.

The Bush administration has openly declared its intention to dismantle what remained of the system of world order and to rule the world by force, with Iraq as a demonstration project.

That intention has elicited fear and often hatred throughout the world, and despair among those who are concerned about the likely consequences of choosing to remain complicit with the current policies of U.S. aggression at will. That is, of course, a choice very largely in the hands of the American people.