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– Gareth Garrett

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December 31, 2006

Saddam's Death Leaves Unanswered Questions

by Aaron Glantz

SAN FRANCISCO, California (IPS) – Iraqi-Americans reacted with sadness to the execution of Saddam Hussein Saturday, calling the former Iraqi president's death by hanging early this morning Baghdad time a missed opportunity for justice.

An Iraqi tribunal set up by the U.S. government had convicted Hussein of murder in the killings of 148 Shiite Muslims from the Iraqi town of Dujail, where assassins had tried to kill Hussein in 1982.

The crime, while severe, is actually one of his smaller-scale atrocities. In 1988, Hussein's government began the Anfal campaign of ethnic cleansing against the Kurds of northern Iraq. More than 100,000 Kurds were killed, many of them lined up and stripped before being machine gunned and dumped into trenches.

"As a Kurd, I don't think Saddam should have been executed right now," Kani Xulam, founder of the Washington-based American Kurdish Information Network, told IPS.

"They say suffering brings about compassion," he said, "but if suffering is not validated, is not honored, is not heard, then people turn into cynics. Those are the issues that the Kurds feel, that I as a Kurdish activist feel."

In death, Xulam said, Hussein will escape justice for gassing Kurdish civilians with chemical weapons, as well as the brutal murders of thousands of Shiites who rose up against his regime at George Bush Sr.'s urging after the 1991 Gulf War. Those killings, taken together, account for most of those buried in mass graves unearthed after the US military invaded Iraq and toppled the regime in 2003.

Xulam said he was hoping that the public airing of evidence of



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Hussein's crimes would bring closure to his victims and greater understanding to Iraqi society as a whole. Now, he said, such closure may be impossible.

"Justice is not being served as far as I can see," he said. "There's a miscarriage of justice; 142 killings is a tiny speck in the larger crimes that he has committed. Imagine if Hitler were alive to be prosecuted. A lot of details of his crimes would have come out. Hitler committed suicide, but Saddam was captured and I think this trial should have continued."

Shakir Mustafa, a Baghdad-born professor at Boston University, agreed with Xulam's analysis.

"During the trial, Saddam sounded really ready to provide such details," Dr. Mustafa said. "For the Dujail case, for example, Saddam said 'Yes, I wanted these men executed because they committed a crime. They wanted to assassinate me.' He volunteered these and other details and I think the Iraqi people would be interested in hearing about what he says he had done for Iraq's security."

Another reason Hussein's hanging is unlikely to bring closure to his victims, Mustafa said, is the fact that his trial was carried out under an unpopular US occupation. The trial "lacks legitimacy," he said.

"[It's] being done by an occupying force and government that very much lacks legitimacy itself, so that closure, I don't think its coming," he added.

>From the beginning, observers note, Hussein's trial had been directly supervised by US officials. It was funded by a 138-million-dollar grant from Congress and by a large staff of foreigners working out of the US Embassy in Baghdad called the Regimes Crime Unit.

Previous key moments of Hussein's trial had coincided closely with the needs of the George W. Bush administration. In August, the trial recessed only to reconvene on Sept. 11, the anniversary of the al Qaeda terror attacks on the United States. And Hussein was sentenced to death shortly before the US midterm congressional elections in November.

Scott Horton, the chair of the International Law Committee of the New York City Bar Association, who worked on the trial, told IPS there was little doubt that the death sentence was intentionally handed down on the eve of the elections.

He said Washington exercised especially tight control over the tribunal's schedule.

"Access to the courtroom is controlled by the Americans,

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security is controlled by the Americans, and the Americans have custody over the defendants who must be produced before the trial can go forward, so whether they have the trial on day x or day y depends on the Americans giving their okay," he said.

"What is really being presented here is the narrative of people in power, the victors not the victims," Professor Mustafa said. "The Americans, not the Iraqis. Not people like me and my relatives who lost loved ones, but people who are deciding things in Iraq now."

Some observers believe Washington closely managed the trial in order to avoid having Hussein reveal damaging secrets about his past relations with US presidents, especially Ronald Reagan.

In November 1983, Reagan removed Iraq from the US government's official list of nations that "support international terrorism." That opened the door to full diplomatic and economic cooperation between Iraq and the United States.

The next month, Reagan he sent an emissary to Baghdad bearing a personal letter for Hussein. That emissary was none other than recently departed Secretary of Defense Donald Rumsfeld.

A declassified official note at the time read: "Saddam Hussein showed obvious pleasure with the President's letter and Rumsfeld's visits in his remarks."

Rumsfeld also met Hussein's foreign minister Tariq Aziz. According to a State Department memo made available by the nonprofit National Security Archive in Washington, Rumsfeld told Aziz: "The United States and Iraq share many common interests," and the Reagan administration had a "willingness to do more" to "help Iraq."

Throughout this period, the Reagan administration largely ignored reports that Saddam Hussein was using chemical weapons against the Iranian army and against domestic Kurdish insurgents.

"While condemning Iraq's resort to chemical weapons," a US government press release read, "the United States finds the Iranian regime's intransigent refusal to deviate from its avowed objective of eliminating the legitimate government of Iraq to be inconsistent with accepted norms."

With Hussein's execution, his precise relationship with the United States government during the Cold War will go unexplored, as will any investigation into possible US complicity with specific crimes.

Companies that sold chemical weapons and other instruments of

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terror to Hussein are also likely off the hook with his death.

"I think there are companies that supported Saddam inside the US and Europe," the American Kurdish Information Network's Kani Xulam told IPS. "My fear now is that they will go scot-free."

(Inter Press Service)

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Independent journalist Aaron Glantz has visited Iraq three times during the U.S. occupation and has also reported from more than a dozen countries across Europe, Asia, and the Middle East. He is the author of *How America Lost Iraq*. More information is available at [his Web site](#).