

# At Trial in Iraq, Witnesses Tell About Torture

The New York Times

December 6, 2005

By [ROBERT F. WORTH](#)

BAGHDAD, [Iraq](#), Dec. 5 - The first witnesses took the stand on Monday in [Saddam Hussein's](#) trial, offering gripping accounts of meat grinders for human flesh, torture with fire and electric shocks and mass executions.

The courtroom soon devolved into a wild scene of shouting and chaos, as Mr. Hussein and his fellow defendants exchanged insults with witnesses, lectured the chief judge and veered into lengthy diatribes against the tribunal.

"Don't interrupt me!" Mr. Hussein shouted at the judge, who tried with little success to make him stick to questioning the witnesses. Later, Mr. Hussein pounded on the lectern and his microphone, comparing himself to Mussolini and insisting that he was "not afraid to be executed."

The outbursts punctuated an extraordinary eight-hour session in which Mr. Hussein faced families of victims of his government's killings in court for the first time. The first witness, Ahmad Hassan Muhammad, 38, riveted the courtroom with the scenes of torture he witnessed after his arrest in 1982, including a meat grinder with human hair and blood under it.

Standing 10 feet from Mr. Hussein, he described Baath Party officials' hurling a young boy out a window to his death. At one point, Mr. Muhammad briefly broke down in tears as he recalled how his brother was tortured with electrical shocks in front of their 77-year-old father.

"There were mass arrests of men and women and children," Mr. Muhammad said. "Even if a child was 1 day old, they used to tell his parents, 'Bring him with you.' "

Through much of Mr. Muhammad's account, Mr. Hussein and his fellow defendants listened in silence. Dressed in a dark suit and holding a Koran, Mr. Hussein often struck a contemplative pose, resting his head on one palm. Several times he laughed contemptuously, once during Mr. Muhammad's narrative of his torture and imprisonment.

When their turn came to question the witnesses, Mr. Hussein and his associates showed no trace of remorse. The former rulers spoke instead of their own suffering in prison and railed at length against the court and witnesses for daring to challenge them.

The theatrics by Mr. Hussein and his half-brother, Barzan Ibrahim al-Tikriti, threatened at times to undermine the gravity of the trial.

The American officials who helped create the tribunal have also expressed concern about what they call the gamesmanship of Mr. Hussein and his legal team.

"The court is very concerned that these tactics not be used to delay the trial," said an American official in Baghdad who insisted on anonymity because he was not authorized to speak publicly.

The official added that those concerns have to be weighed against the need to demonstrate that the defendants are receiving due process.

The testimony was offered after weeks of delays, procedural arguments and videotaped statements last week by a former secret police officer. It gave a dramatic first glimpse of the evidence against Mr. Hussein and seven others, all charged with committing crimes against humanity in the torture and killing of 148 Shiite men and teenage boys in Dujail, north of Baghdad, after an assassination attempt against Mr. Hussein there in 1982.

The court has said it plans up to 12 trials for him, including at least two involving tens of thousands of deaths.

Vice President Ghazi al-Yawer said he thought that the proceeding had become a vehicle for Mr. Hussein, who remains a rallying figure for some of the Sunni-led resistance here. Mr. Yawer said he believed that the rest of the trial should be delayed until after the national election, scheduled for Dec. 15.

"This has become a platform for Saddam to show himself as a caged lion when really he was a mouse in a hole," Mr. Yawer said. "I don't know who is the genius who is producing this farce. It's a political process. It's a comedy show. I don't know what this is."

Early in the day, the entire defense team including Ramsey Clark, a former United States attorney general, walked out after the judge refused their request to stand before the court and challenge its legitimacy.

The defendants could not leave, but they grew increasingly angry and boisterous, shouting at the judge, who said the lawyers could present their motions only in writing.

"Why don't you just execute us?" Mr. Ibrahim yelled. Later, Mr. Ibrahim stood up and began shouting wildly and spitting at a man in the gallery who, he said, had threatened him. The judge, Rizgar Muhammad Amin, called for order, but it remained unclear who, if anyone, had made the threat.

Throughout the day, the unarmed court officers seemed reluctant to discipline the defendants as they stood up, shouted and ignored the judge's commands.

Initially, the defense team appeared intent on delaying the trial, a tactic that was apparent in the two earlier court sessions on Oct. 19 and Nov. 28.

But as the lawyers walked out, Judge Amin made clear that he was intent on moving the trial forward and suggested that he might simply appoint new lawyers for the defendants. After a brief recess, the judge compromised, allowing the lawyers very short periods to speak about their concerns.

Mr. Clark, who spoke first and was given five minutes, said the defense lawyers were not being given adequate protection. He reminded the judge that two of the 13 members of the team had been assassinated since the trial began, calling one of the slain lawyers "a hero to truth and justice."

The details of the protection for the lawyers has not been disclosed. Last month, American and Iraqi officials promised them protection as good as that for anyone else in the case, in a deal that ended a brief boycott by the defense legal team after the killings.

Another foreign member of the legal team, Najeeb al-Nuaimi of Qatar, was given 16 minutes to question the legitimacy of the trial. He repeated a series of arguments that members of Mr. Hussein's legal team have made in the past, saying international law prohibited the creation of a tribunal in an occupation.

He also appealed to Iraqi nationalism, saying, "We think this land has become more American than Arab."

That brought a swift rebuke from Judge Amin, who said, "The land is Iraqi, not American."

Not until Mr. Muhammad was sworn in as a witness did the focus shift to the events involved in the trial, the Dujail killings.

Dressed in a light green suit jacket and a pink shirt, Mr. Muhammad made clear from the start that he would not be intimidated by the defendants in the dock, once the most feared men in Iraq.

Neither Mr. Muhammad nor the second witness gave any evidence directly linking Mr. Hussein to the torture and executions in Dujail, a crucial goal for the prosecution. But Mr. Muhammad's emotional account could scarcely have been a better introduction to the terrors of Mr. Hussein's rule.

Gripping a lectern and looking intently at the judge, he recalled how he heard shooting when the would-be assassins fired at Mr. Hussein. Soon afterward, security officers flooded through the town, bursting into houses and rounding up men, women and children, he said.

He gave the names and birthdates of friends and relatives who were arrested. He described in harrowing detail a night spent at a military police building with 350 others, where he saw people being tortured with burns and electric shocks. Seven of his 10 brothers disappeared or were killed after the arrests, he said.

He was 15, Mr. Muhammad said, but he was tortured and kept in prison for almost four years.

"You people of Dujail, we have disciplined Iraq through you," Mr. Muhammad recalled an officer saying during his imprisonment.

At one point, Mr. Muhammad pointedly noted that his mother was from Falluja, a Sunni Arab city, in a gesture clearly aimed at undercutting the sectarian atmosphere surrounding the trial. Many of Iraq's Sunni Arabs, who prospered under Mr. Hussein, have reacted angrily to the trial. Shiites and Kurds, who suffered the worst atrocities under Mr. Hussein, generally delight in seeing their former president in the dock.

Mr. Hussein interrupted Mr. Muhammad's narrative at least once, saying, "These are not our ethics," after the witness described the torture he had seen.

At one point, Mr. Muhammad said he saw Mr. Ibrahim in Dujail wearing jeans and cowboy boots and carrying a sniper rifle.

That prompted Mr. Ibrahim to say, "You're a liar."

The second witness, Jawad Abdul-Azziz Jawad, recalled how Mr. Hussein's helicopters attacked Dujail and bulldozers were brought in to destroy farmers' fields. He was 10 .

Mr. Jawad grew emotional as he recalled how security forces killed three of his brothers, one before the assassination attempt and two afterward.

Later, the defendants were allowed to cross-examine the witnesses directly and at length, a process that may seem bizarre to Americans but is enshrined in Iraqi law. It was then that the exchanges grew really heated.

After taking issue with names and other details in Mr. Muhammad's account, Mr. Ibrahim dismissed him as a "nobody," saying, "You should act in the cinema."

It was Mr. Hussein who veered furthest off course, lecturing the judge and sometimes trying to usurp his role by calling for calm. Judge Amin struggled to contain him, but with little success.

"I am Saddam Hussein!" the former ruler said repeatedly, shaking his fist in the air and trying to assert his old authority. But as the session came to a close, Mr. Hussein seemed for a moment to acknowledge another reality.

"Like the path of Mussolini," he said, "to resist occupation to the end, that is Saddam Hussein."

Hassan M. Fattah contributed reporting from Dubai, United Arab Emirates, for this article, and John F. Burns from Baghdad.

• [Copyright 2005 The New York Times Company](#)