

LA Times: Hussein Says He Ordered Shiite Trials

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In a surprise admission, he tells the court he alone is responsible for the fate of 148 executed villagers, but insists he was within his rights.

BAGHDAD — A haughty Saddam Hussein informed a courtroom Wednesday that he, and not his co-defendants, should be held responsible for the fate of 148 Shiite villagers executed under his rule.

The onetime president, who is on trial for crimes against humanity, said he ordered residents of Dujayl to stand trial after an assassination attempt against him in 1982. The people, including children, were later tortured and executed. He insisted that his acts were legal.

Hussein delivered the unexpected admission in one of the rambling, impromptu outbursts that have come to characterize the trial. Witnesses were irrelevant and his co-defendants should be released, he told the judge.

"If I hadn't wanted to, I wouldn't have sent them to the Revolutionary Court. But I did," he said of the villagers. "And they were charged according to the law, just like you charge people according to the law When the person says he's responsible, why go to others and search? Saddam Hussein was a leader and says, 'I'm responsible.' "

Legal experts say the admission plays into the hands of prosecutors. Hussein's defense team could be hard-pressed to prove he does not bear responsibility for any atrocities that happened under his command, analysts said. Hussein faces death by hanging if convicted.

"This is the very reason that any criminal defense lawyer doesn't want his client standing up and speaking on his own behalf," said Jonathan Drimmer, a legal expert in war crimes. "The concern is they'll say something like this, which is essentially a damning admission."

Draping himself in the tarnished pride of his bygone autocracy, Hussein questioned the premise of the charges: "Where is the crime?" he demanded.

As president, Hussein explained, he had every right to confiscate land and raze orchards, as he did in Dujayl. The destruction of farmlands has been described by the prosecution as collective punishment. Hussein also contended that the townspeople who were killed had been tried in court.

Witnesses have testified that no trial took place before the massacre of citizens.

"The trial for the Dujayl people was imaginary, and some of the detainees died during interrogation," lead prosecutor Jaafar Mousawi said Wednesday.

Hussein's behavior is "classical" for an indicted war criminal, said David M. Crane, a visiting professor of law at Syracuse University and former chief prosecutor of the Special Court for Sierra Leone.

"Rant and rave at the system, defy the court and then eventually simmer down as the trial moves forward," Crane said, describing the pattern.

He compared Hussein's performance to that of Nazi official Hermann Goering during the Nuremberg trials, and, more recently, those of deposed Yugoslav President Slobodan Milosevic and Sam Hinga Norman, who was indicted for war crimes in Sierra Leone.

"Many of these indictees feel strongly that they were above the law and believe that what they are saying or were doing was not breaking the law," Crane said.

Michael P. Scharf, a Case Western Reserve University law professor who helped train judges for the tribunal and maintains a Web log on the trial, compared the admission to Jack Nicholson's "You can't handle the truth!" moment in the 1992 movie "A Few Good Men."

"Like Nicholson's fictional colonel, Saddam's psychological makeup makes it impossible for him to maintain that his subordinates were not acting under his orders or control," Scharf said. "He wanted the world to know that he was in full control of everything in Iraq during his reign, and that included the actions against the town of Dujayl."

Hussein's outburst came a day after prosecutors laid out a paper trail in an attempt to link the former president to the deaths at Dujayl. The documents included written death sentences, a presidential order and paperwork that allegedly shows Hussein approved the secret execution of 10 youths whose ages ranged from 11 to 17.

The trial was aired live on several of Iraq's new crop of satellite news channels, and Hussein seized his time in the limelight to offer some advice to the nation he once ruled. With sectarian violence still crackling around the country, the former president made a call for national unity.

"You know everything that's going on. This is like pouring oil on Iraq," Hussein said. "Our interest demands that the people on top be one hand against the invasion. Then we can agree or disagree."

But outside the courthouse, violence continued to pound the country. At least 26 people were killed and 70 wounded in a pair of bombings in the Iraqi capital on Wednesday. The attacks followed the deaths of at least 76 people in scattered violence the day before.

At least three policemen were killed and five were injured when they were attacked in a drive-by shooting in Kirkuk, a police source there said. Gunmen in a passing car opened fire as the policemen were driving south after attending training in the Kurdish city of Sulaymaniya.

With a Shiite prosecutor, a Kurdish judge and Sunni defendants, Hussein's trial has all the elements to exacerbate tensions already inflamed by the bombing last week of a Shiite Muslim shrine in Samarra. But the court decided to press ahead this week.

On Wednesday, the prosecutor played a recording of a 1991 conversation between Hussein and Baath Party official Abdul Ghani Abdul Ghafour. It was unclear which voice belonged to which man, but both agreed that the farmlands around the southern city of Basra should be destroyed in a fashion similar to the Dujayl aftermath. The recording was allegedly made shortly after a brutally suppressed Shiite uprising in Basra against Hussein.

"I remember you at the Dujayl incident," one of the men said.

"That was a long time ago," said the other.

"The same thing will be done in the south," the first man replied.

"We need to start planning for some areas around Iraq, your excellency," the second man said.

Hussein also used his day in court to ponder aloud the significance of the failed assassination attempt in Dujayl. The machine-gun fire that struck his car punched through to the last layer but didn't break through, he told the court.

"God wanted to save me," Hussein said.

The former president, accustomed to life in the splendor of his palaces, also complained about the facilities he'd been forced to use during a break in the trial.

He'd ridden a service elevator, he griped. He'd been taken to a small room next to a kitchen. Worst of all, the room contained an open toilet with no barriers for privacy.

"Who can use the toilet with his colleagues around him? No door is there, nothing," Hussein told the judge. "Is this humanitarian?"

The judge agreed to review the complaint. The trial was adjourned for two weeks.

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