
Subject: Operation: Blunderbuss
Posted by [Javaxcx](#) on Fri, 02 Jul 2004 10:03:56 GMT
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It's the first day of his tribunal; the day of his charges being dictated, and he's not given the right to consultation? It is irrelevant as to who the defendant is, those rights apply to every person in a court of law.

The Iraqi Constitution, taken from FOXnews:

Chapter 2, Article 12:

"All Iraqis are equal in their rights without regard to gender, sect, opinion, belief, nationality, religion, or origin, and they are equal before the law. Discrimination against an Iraqi citizen on the basis of his gender, nationality, religion, or origin is prohibited. Everyone has the right to life, liberty, and the security of his person. No one may be deprived of his life or liberty, except in accordance with legal procedures. All are equal before the courts."

Need a I remind you, this also applies to Saddam, regardless of his obvious guilt.

Chapter 2, Article 15 (E):

"(E) The accused is innocent until proven guilty pursuant to law, and he likewise has the right to engage independent and competent counsel, to remain silent in response to questions addressed to him with no compulsion to testify for any reason, to participate in preparing his defense, and to summon and examine witnesses or to ask the judge to do so. At the time a person is arrested, he must be notified of these rights."

Yesterday in an interview with Tim Hughes, he said (paraphrased) that they were not allowed to be with Saddam at the tribunal. You know, denied?
I suggest this be read furthermore.

The coalition has the gaul to call this a fair trail, however indirect they claim to be in the "legal/physical" custody of Saddam? I think there is a severe case of the pot calling the kettle black here.

Subject: Operation: Blunderbuss
Posted by [drunkill](#) on Fri, 02 Jul 2004 11:04:40 GMT
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hmm yeah, kinda sucks for him. and as well, bush is keeping him untill next year, its ment to be a handover to the iraqi govenment, ofr everyhting, yet, they keep saddam till next year. when they said everything will be theres agin on the turnover date.
oh well.

Subject: Re: Operation: Blunderbuss
Posted by [Hydra](#) on Fri, 02 Jul 2004 13:53:12 GMT
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Javaxcxand he likewise has the right to engage independent and competent counsel
All that means is the man has the right to a lawyer. It does not say that lawyer must be present at the trial, just that he can consult a lawyer if he decides.

Pot calling the kettle black? If you want pot calling the kettle black, Saddam Hussein is complaining of getting an unfair trial when you know not a single fair trial was conducted in Iraq during his entire reign.

Subject: Re: Operation: Blunderbuss
Posted by [Javaxcx](#) on Fri, 02 Jul 2004 14:34:33 GMT
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hydra1945Javaxcxand he likewise has the right to engage independent and competent counsel
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That exerpt means that he has the right to engage in counsel with his lawyers. That would especially be valid when he's asked to sign anything. Furthermore, I don't question Saddam's guilt, but when he is told he will get a fair trial, (assumedly the exact same kind of fair trial as any felon) every aspect of that trial must be fair otherwise you have enough pot'n'kettle going around for all.

If they didn't want something like this to happen, they shouldn't have given him the opportunity to be PUT on trial.

Subject: Operation: Blunderbuss
Posted by [K9Trooper](#) on Fri, 02 Jul 2004 14:42:20 GMT
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drunkillhmm yeah, kinda sucks for him. and as well, bush is keeping him untill next year, its ment to be a handover to the iraqi govenment, ofr everyhting, yet, they keep saddam till next year. when they said everything will be theres agin on the turnover date.
oh well.

Reason for the US to keep him in a prison run by the US... Security.

The Iraqis lack the forces to detain him. We are his guards and that is it. He is not being tried by the US. Another thing... It is an Iraqi court not a US court, so take your complaints to Iraq not the

US on the lawyers not being there.

Subject: Operation: Blunderbuss
Posted by [Javafx](#) on Fri, 02 Jul 2004 14:43:49 GMT
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Well, remember, Saddam's wife hired a lawyer already. He just wasn't allowed to be present for reasons that have not been disclosed.

Subject: Operation: Blunderbuss
Posted by [KIRBY098](#) on Fri, 02 Jul 2004 14:48:49 GMT
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Java points out a valid point.

You cannot destroy the existing order, install a representative government based on Democratic ideals, and then in the next breath, DENY BASIC LEGAL REPRESENTATION PROVIDED FOR IN THE CONSTITUTION.

There is something inherently wrong with that, no matter how bad the person is.

Subject: Operation: Blunderbuss
Posted by [Javafx](#) on Fri, 02 Jul 2004 14:53:31 GMT
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That was essentially a major component to Saddam's counter argument to his trial. He's able to hide behind it because it's valid. It just goes to show that evil people can still be protected by law. :\
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Subject: Operation: Blunderbuss
Posted by [warranto](#) on Fri, 02 Jul 2004 16:48:48 GMT
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KIRBY098Java points out a valid point.

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Which constitution?

Subject: Operation: Blunderbuss
Posted by [Javaxcx](#) on Fri, 02 Jul 2004 17:03:48 GMT
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The new Iraqi one. Check that link in my first post for the link to the outline of it.

Subject: Operation: Blunderbuss
Posted by [warranto](#) on Fri, 02 Jul 2004 21:26:18 GMT
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ok then. Just wanted to make sure it wasn't a reference to the American Constitution.

Edit: I took a second look at this and noticed something. When you state that they have the ability to seek council, that's only when the person is arrested. However, as far as I saw, there was nothing in the constitution stating anything about a lawyer needing to be present. Not saying it's not part of judicial law, it's just not mentioned in the constitution.

Subject: Operation: Blunderbuss
Posted by [Riftgarde](#) on Wed, 07 Jul 2004 04:03:20 GMT
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They should have lifted the block of foam ever so slightly and rolled a grenade in the hole.
