



# Enemy of the State: The Trial and Execution of Saddam Hussein

*Michael A. Newton, Michael P. Scharf*

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At 12:21 p.m., on October 19, 2005, Saddam Hussein was escorted into the Courtroom of the Iraqi High Tribunal in Baghdad for one of the most important and chaotic trials in history. For a year, two American law professors had led an elite team of experts who prepared the judges and prosecutors for "the mother of all trials." Michael Scharf, a former State Department official who helped create the Yugoslavia Tribunal in 1993, and Michael Newton, then a professor at West Point, would confront such issues as whether the death penalty should apply, how to run a fair trial when political and military passions run so high, and which of Saddam's many crimes should be prosecuted.

Newton was in Baghdad in December 2003 when the Tribunal was announced and Saddam was captured. In the following months, Scharf and Newton helped write the rules of the Tribunal, conducted a mock trial in (perhaps appropriately) Stratford-upon-Avon, England, and provided legal analysis on dozens of issues. Newton then returned to Baghdad several times during the trial and appeal. Now, from its two shapers, comes the fascinating inside story of the trial and execution of Saddam Hussein and the attempt to bring the rule of law to post-invasion Iraq.

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