

## *The Case Against a War with Iraq*

By Stephen Zunes

The United States still appears determined to move forward with plans to engage in a large-scale military operation against Iraq to overthrow the regime of Saddam Hussein. In the international community, however, serious questions are being raised regarding its legality, its justification, its political implications, and the costs of the war itself. Such an invasion would constitute an important precedent, being the first test of the new doctrine articulated by President George W. Bush of “preemption,” which declares that the United States has the right to invade sovereign countries and overthrow their governments if they are seen as hostile to U.S. interests. All previous large-scale interventions by American forces abroad have been rationalized—albeit not always convincingly to many observers—on the principle of collective self-defense, such as through regional organizations like the South East Asia Treaty Organization (SEATO) or the Organization of American States (OAS). To invade Iraq would constitute an unprecedented repudiation of the international legal conventions that such American presidents as Woodrow Wilson, Franklin Roosevelt, Harry Truman, and Dwight Eisenhower helped create in order to build a safer world. Despite the pretense of “working through” the United Nations, it appears the Bush administration is determined to pursue its objectives unilaterally.

Although there have been some questions raised recently about the scale and logistics of such a military operation—including by such key Republicans former National Security Adviser Brent Scowcroft and other retired generals—Congress formally approved granting President Bush unprecedented warmaking authority in early October 2002. This came through the support of both the Republican and Democratic Party leadership in Congress and an overwhelming majority of both houses of

Congress—though there was substantial democratic opposition, largely due to public outcry against the war. This raises serious concerns, given that an invasion of Iraq constitutes such a dramatic shift in U.S. foreign policy and involves enormous political and military risks. It appears that war is inevitable unless there is a groundswell of popular opposition. This policy report attempts to encourage popular debate by raising a number of concerns that challenge some of the key rationales and assumptions behind such a military action.

### 1. A WAR AGAINST IRAQ WOULD BE ILLEGAL

There is no legal justification for U.S. military action against Iraq.

Iraq is currently in violation of part of one section of UN Security Council Resolution 687 (and subsequent, related resolutions) requiring full cooperation with United Nations inspectors ensuring that Iraq’s weapons of mass destruction, delivery systems, and facilities for manufacturing such weapons are destroyed. Legally, the conflict regarding access for UN inspectors and possible Iraqi procurement of weapons of mass destruction has always been an issue involving the Iraqi government and the United Nations, not between Iraq and the United States. Although UN Security Council Resolution 687 was the most detailed in the world body’s history, no military enforcement mechanisms were specified. Nor did the Security Council specify any military enforcement mechanisms in subsequent resolutions. As is normally the case when it is determined that governments violate all or part of UN resolutions, any decision about the enforcement of its resolutions is a matter for the UN Security Council as a whole—not for any one member of the council.

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The most explicit warning to Iraq regarding its noncompliance came in UN Security Council Resolution 1154. Although this resolution warned Iraq of the "severest consequences" if it continued its refusal to comply, the Security Council declared that it alone had the authority to "ensure implementation of this resolution and peace and security in the area."

According to articles 41 and 42 of the United Nations Charter, no member state has the right to enforce any resolution militarily unless the UN Security Council determines that there has been a material breach of its resolution, decides that all nonmilitary means of enforcement have been exhausted, and then specifically authorizes the use of military force. This is what the Security Council did in November 1990 with Resolution 678 in response to Iraq's ongoing occupation of Kuwait in violation of a series of resolutions passed that August. The UN has not done so for any subsequent violations involving Iraq or any other government.

If the United States can unilaterally claim the right to invade Iraq due to that country's violation of UN Security Council resolutions, other Security Council members could logically also claim the right to invade other member states that are in violation of UN Security Council resolutions. For example, Russia could claim the right to invade Israel, France could claim the right to invade Turkey, and Great Britain could claim the right to invade Morocco, simply because those targeted governments are also violating UN Security Council resolutions. The U.S. insistence on the right to attack unilaterally could seriously undermine the principle of collective security and the authority of the United Nations and in doing so would open the door to international anarchy.

Claims that failure to act militarily against Iraq to enforce these resolutions would undermine the credibility of the

United Nations are patently false. The United States, in addition to vetoing nearly fifty UN Security Council resolutions, has blocked the enforcement of scores of UN Security Council resolutions that the U.S. did allow to pass. For example, Daniel Patrick Moynihan, the U.S. ambassador to the UN under the Ford administration, bragged how he had made the UN "as ineffective as possible" in enforcing resolutions against Morocco and Indonesia when they refused to withdraw their occupation forces from small neighboring states they had invaded in late 1975. Indeed, of the more than 100 UN Security Council resolutions currently being violated, less than a dozen are by Iraq, while the vast majority of the remainder is by close U.S. allies.

International law is quite clear about when military force is allowed. In addition to the aforementioned case of UN Security Council authorization, the only other time that any member state is allowed to use armed force is described in Article 51, which states that it is permissible for "individual or collective self-defense" against "armed attack ... until the Security Council has taken the measures necessary to maintain international peace and security." If Iraq attacked any of its neighbors, any one of these countries could call on the United States to help, pending a Security Council decision authorizing the use of force. But these countries have not appealed to the Security Council, because they have not felt threatened by Iraq. Based on evidence that the Bush administration has made public, there does not appear to be anything close to sufficient legal grounds for the United States to convince the Security Council to approve the use of military force against Iraq in U.S. self-defense. This may explain why the Bush administration has thus far refused to go before the United Nations on this matter. Unless the United States gets such authorization, any such attack on Iraq

would be illegal and would be viewed by most members of the international community as an act of aggression. In contrast to Iraq's invasion of Kuwait and the subsequent Gulf War, it is likely that the world community would view the United States—not Iraq—as the international outlaw.

There is little debate regarding the nefarious nature of the Iraqi regime, but this has never been a legal ground for invasion. When Vietnam invaded Cambodia in 1978 to overthrow the Khmer Rouge—a radical communist movement even more brutal than the regime of Saddam Hussein—the United States condemned the action before the United Nations as an act of aggression and a violation of international law. The United States successfully led an international effort to impose sanctions against Vietnam and insisted that the UN recognize the Khmer Rouge as the legitimate government of Cambodia for more than a decade after their leaders were forced out of the capital into remote jungle areas. Similarly, the United States challenged three of its closest allies—Great Britain, France, and Israel—before the United Nations in 1956 when they invaded Egypt in an attempt to overthrow the radical anti-Western regime of Gamal Abdul-Nasser. The Eisenhower administration insisted that international law and the UN Charter must be upheld by all nations regardless of their relations with the United States. Now, however, both major political parties have voted to reverse what was once a bipartisan consensus to uphold such international legal principles.

## 2. REGIONAL ALLIES WIDELY OPPOSE A U.S. ATTACK

Although there was some serious opposition to the Gulf War in many parts of the Middle East and elsewhere, it did have the support of major segments of the international community, including several important Arab states. The

Gulf War was widely viewed as an act of collective security in response to aggression by Iraq against its small neighbor. This would not be the case, however, in the event of a new war against Iraq. Instead, Washington's proposed action would be seen as an unprovoked invasion. Unlike in 1991, when most of the region supported—and even contributed to—the U.S.-led war effort (or was at

ment” and expressed confidence that Iraq would uphold the agreement. Though the agreement also resolved Kuwaiti demands regarding outstanding issues from the Gulf War, the United States has rejected the Kuwaitis' insistence that their disputes with Iraq have been resolved and instead claims that these very disputes are grounds for war against Iraq.

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least neutral), Arab opposition is strong today. Saudi Crown Prince Abdullah has warned that the U.S. “should not strike Iraq, because such an attack would only raise animosity in the region against the United States.” When Vice President Dick Cheney visited the Middle East in March, every Arab leader made clear his opposition. At the Beirut summit of the Arab League at the end of March, the Arab nations unanimously endorsed a resolution opposing an attack against Iraq. Twenty Arab foreign ministers meeting in Cairo in early September unanimously expressed their “total rejection of the threat of aggression on Arab nations, in particular Iraq” and warned that a U.S. invasion would “open the gates of Hell.”

Even Kuwait has reconciled with Iraq. This past March, Iraq and Kuwait signed a document written by Kuwaiti Foreign Minister Sheik Sabah al Ahmed al Jabbar al Sabah in which Iraq, for the first time, formally consented to respect the sovereignty of Kuwait. Sabah declared that his country was 100% satisfied with the agreement, and Kuwait reiterated its opposition to a U.S. invasion of Iraq. Saudi Arabia's Crown Prince Abdullah called the pact a “very positive achieve-

U.S. officials claim that, public statements to the contrary, there may be some regional allies willing to support a U.S. war effort. Given President Bush's ultimatum that “you are either with us or the terrorists,” it is quite possible that some governments might be successfully pressured to go along. However, any government in the Islamic world willing to provide such support and cooperation would be doing so over the opposition of the vast majority of its citizens. Given the real political risks for such a ruler in supporting the U.S. war effort, such acquiescence would take place only reluctantly as a result of American pressure or inducements, not from a sincere belief in the validity of the U.S. military operation.

In the event of a U.S. invasion of Iraq, there would likely be an outbreak of widespread anti-American protests, perhaps even attacks against American interests. Some pro-Western regimes could become vulnerable to internal radical forces as part of such a reaction. Passions are particularly high in light of strong U.S. support for the policies of Israel's rightist government and its ongoing occupation of the West Bank and Gaza Strip. The anger over U.S. double stan-

dards regarding Israeli and Iraqi violations of UN Security Council resolutions could reach a boiling point. Recognizing that the United States cannot be defeat-

There have been credible reports of some Al Qaeda operatives working with extremist Islamic groups in northern Iraq, but these are exclusively within

ordered the bombing of Baghdad, hitting Iraqi intelligence headquarters as well as a nearby civilian neighborhood.)

An American invasion of Iraq would not only distract from the more immediate threat posed by Al Qaeda but would likely result in an anti-American backlash that would substantially reduce the level of cooperation from Islamic countries in tracking down and neutralizing the remaining Al Qaeda cells. Indeed, one of the goals of Al Qaeda's September 11 attacks may have been to provoke just such an unprecedented act of U.S. military force in the middle east.

#### 4. THERE IS NO FIRM PROOF IRAQ IS DEVELOPING WEAPONS OF MASS DESTRUCTION

Despite speculation—particularly by those who seek an excuse to invade Iraq—of possible ongoing Iraqi efforts to procure weapons of mass destruction, no one has been able to put forward clear evidence that the Iraqis are actually doing so, though they have certainly done so in the past. The dilemma the international community has faced since inspectors withdrew from Iraq in late 1998 is that no one knows what, if anything, the Iraqis are currently doing. The U.S. government does not appear to be at all interested in finding out, however, since it has rejected Iraq's agreement to allow the United Nations to resume an inspections program with unfettered access to any site within Iraq, and is now demanding a complete overhaul of the inspections that would almost inevitably lead to Iraqi noncompliance.

In the aftermath of the 1991 Gulf War and the subsequent inspections, virtually all of Iraq's stockpile of weapons of mass destruction, delivery systems, and capability of producing such weapons were destroyed. Inspectors with the United Nations Special Commission (UNSCOM) were withdrawn from Iraq in late 1998 before their job was com-

ed on the battlefield, more and more Arabs and Muslims resentful of American hegemony in their heartland may be prone to attack by unconventional means, as was so tragically demonstrated last September 11.

#### 3. THERE IS NO EVIDENCE OF IRAQI LINKS TO AL QAEDA OR OTHER ANTI-AMERICAN TERRORISTS

The Bush administration has failed to produce credible evidence that the Iraqi regime has any links whatsoever with Al Qaeda. No September 11 hijacker was Iraqi, no major figure in Al Qaeda is Iraqi, nor has any part of Al Qaeda's money trail been traced to Iraq. Investigations by the FBI, the CIA, and Czech intelligence have found no substance to rumors of a meeting in the spring of 2001 between one of the September 11 hijackers and an Iraqi intelligence operative in Prague. It is highly unlikely that the decidedly secular Baathist regime—which has savagely suppressed Islamists within Iraq—would be able to maintain close links with Osama bin Laden and his followers. Saudi Prince Turki bin Faisal, his country's former intelligence chief, has noted that bin Laden views Saddam Hussein “as an apostate, an infidel, or someone who is not worthy of being a fellow Muslim.” In fact, bin Laden offered in 1990 to raise an army of thousands of mujahedeen fighters to liberate Kuwait from Iraqi occupation.

Kurdish areas, which have been outside Baghdad's control since the end of the Gulf War. Iraq's past terrorist links were limited to such secular groups as the one led by Abu Nidal, a now largely defunct Palestinian faction opposed to Yasir Arafat's Palestine Liberation Organization. Ironically, at the height of Iraq's support of Abu Nidal in the early 1980s, Washington dropped Iraq from its list of terrorism-sponsoring countries so the United States could bolster Iraq's war effort against Iran. Baghdad was reinstated to the list only after the Iraqi invasion of Kuwait in 1990, even though U.S. officials were unable to cite increased Iraqi ties to terrorism.

The State Department's own annual study, *Patterns of Global Terrorism 2001*, could not list any serious act of international terrorism connected to the government of Iraq. A recent CIA report indicates that the Iraqis have been consciously avoiding any actions against the United States or its facilities abroad, presumably to deny Washington any excuse to engage in further military strikes against their country. Indeed, it is widely believed that the aging terrorist leader Abu Nidal was murdered by Iraqi agents in his Baghdad apartment in August to deny the Bush administration such an excuse. The last clear example that American officials can cite of Iraqi-backed terrorism against U.S. interests was an alleged plot by Iraqi agents to assassinate former President George Bush when he visited Kuwait in 1993. (In response, President Bill Clinton

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plete, however, under pressure by President Bill Clinton prior to a heavy four-day U.S. bombing campaign. Prior to that time, UNSCOM reportedly oversaw the destruction of 38,000 chemical weapons, 480,000 liters of live chemical weapons agents, 48 missiles, six missile launchers, 30 missile warheads modified to carry chemical or biological agents, and hundreds of pieces of related equipment with the capability to produce chemical weapons.

Meanwhile, in its most recent report, the International Atomic Energy Agency—which, unlike UNSCOM, was able to engage in inspections without harassment and delays by Iraqi authorities—categorically declared in 1998 that Iraq no longer had a nuclear program.

In late 1997, UNSCOM Director Richard Butler reported that UNSCOM had made “significant progress” in tracking Iraq’s chemical weapons program and that 817 of the 819 Soviet-supplied long-range missiles had been accounted for. A couple dozen Iraqi-made ballistic missiles remained unaccounted for, but these were of questionable caliber and had never been tested. UNSCOM was unable to detect any evidence during its last three years of operation that Iraq had been further concealing prohibited weapons, even though the scope of inspections had expanded.

The development of biological weapons is much easier to conceal than chemical or nuclear weapons or their delivery systems, due to the small amount of space needed for their manufacture. Early UNSCOM inspections revealed evidence of the production of large amounts of biological agents, including anthrax, and charged that Iraq had vastly understated the amount of biological warfare agents it had manufactured. In response, UNSCOM set up sophisticated monitoring devices to detect chemical or biological weapons, though these devices were dismantled in

reaction to the U.S. bombing campaign of December 1998.

Frightening scenarios regarding mass fatalities from a small amount of anthrax assume that the Iraqis have developed the highly sophisticated means of distributing these bio-weapons by missile or aircraft. However, there are serious questions as to whether the alleged biological agents could be dispersed successfully in a manner that could harm troops or a civilian population, given the rather complicated technology required. For example, a vial of biological weapons on the tip of a missile would almost certainly either be destroyed on impact or dispersed harmlessly. To become lethal, highly concentrated amounts of anthrax spores must be inhaled and then left untreated by antibiotics until the infection is too far advanced. Similarly, the prevailing winds would have to be calculated, no rain could fall, the spray nozzles could not clog, the population would need to be unvaccinated, and everyone would need to stay around the area targeted for attack.

Although Iraq’s potential for developing weapons of mass destruction should not be totally discounted, Saddam Hussein’s 54-month refusal to allow UN inspectors to return and his lack of full cooperation prior to their departure does not necessarily mean he was hiding something, as President Bush alleges. More likely, the Iraqi opposition to the inspections program is based on Washington’s abuse of UNSCOM for intelligence gathering operations and represents a desperate effort by Saddam Hussein to increase his standing with Arab nationalists by defying Western efforts to intrude on Iraqi sovereignty. Indeed, the Iraqi defiance of the inspections regime may have been designed to provoke a reaction by the United States in order to capitalize on widespread Arab resentment over Washington’s double-standard of objecting to an Arab country

procuring weapons of mass destruction while tolerating Israel’s nuclear arsenal.

A far more likely scenario for an Iraqi distribution of biological agents would be through Iraqi agents smuggling them clandestinely into targeted countries. This is what led to some initial speculation, since ruled out, that the Iraqis were behind the anthrax mail attacks during the fall of 2001. To prevent such a scenario requires aggressive counterintelligence efforts by the United States and other potentially targeted nations, but this type of terrorism is not likely to be prevented by an invasion. Indeed, a U.S. invasion could conceivably encourage rogue elements of Iraqi intelligence or an allied terrorist group to engage in an anthrax attack as an act of revenge for the heavy Arab casualties resulting from U.S. bombing. One of the frightening things about biological weapons production is the mobility of operations. A “regime change” engineered by the U.S. would not necessarily ensure the closure of labs producing such weapons, since they could easily be relocated elsewhere or even continue to operate clandestinely in Iraq.

Scott Ritter, a former U.S. Marine officer who served as chief weapons inspector for UNSCOM, responded to a query on a television talk show in 2001 about Iraq’s potential threat to the U.S. by saying:

*In terms of military threat, absolutely nothing. His military was devastated in 1991 in Operation Desert Storm and hasn't had the ability to reconstitute itself... In terms of weapons of mass destruction ... we just don't know. We know that we achieved a 90 to 95% level of disarmament. There's stuff that's unresolved, and until we get weapons inspectors back into Iraq, that will remain a problematic issue .... We should be trying to get weapons inspectors back into Iraq, so that we can ascertain exactly what's transpiring in Iraq today instead of guessing about it.*

Finally, Saddam Hussein has demonstrated that he cares first and foremost

about his own survival. He presumably recognizes that any effort to use weapons of mass destruction would inevitably lead to his own destruction. He was willing to use chemical weapons against Iranian troops in the 1980s because he knew Iran did not have any allies; indeed, the U.S. Defense Intelligence Agency assisted Iraqi forces in their campaign against the Iranians in full knowledge that they were using chemical weapons. Similarly, Saddam Hussein used chemical weapons against Kurdish civilians because he knew they could not fight back; indeed, the U.S. helped cover up the Halabja massacre and similar attacks by falsely claiming it was the Iranians who attacked these Kurdish towns. In short, the Iraqi dictator is a coward, willing to use such weapons only when he knows there would be no serious consequences in doing so. This is why he did not use them during the Gulf War. In the event of a U.S. invasion, seeing his overthrow as imminent, and with nothing to lose, this logic of self-preservation would no longer be operative. Instead, such an invasion would dramatically increase the likelihood of his ordering the use of any weapons of mass destruction he may have retained or developed. Rather than prevent the use of such weapons, a U.S. invasion would create the most likely scenario that they would actually be used.

Saddam Hussein's leadership style has always been that of direct control; his distrust of subordinates (bordering on paranoia) is one of the things that has helped him survive. It is extremely unlikely that he would go to the risk and expense of developing weapons of mass destruction only to pass them on to some group of terrorists. If he does have such weapons at his disposal, they would be for him and nobody else. In the chaos of a U.S. invasion and its aftermath, however, the chances of such weapons being smuggled out of the country into the hands of terrorists would increase.

Currently these weapons, if they do exist, are under the control of a highly centralized government unlikely to provoke an attack by passing on the weapons to terrorist groups.

## 5. IRAQ IS NO LONGER A SIGNIFICANT MILITARY THREAT TO ITS NEIGHBORS

It is also hard to imagine that an Iraqi aircraft carrying biological weapons, presumably some kind of drone, could somehow penetrate the air space of neighboring countries, much less far-off Israel, without being shot down. Most of Iraq's neighbors have sophisticated anti-aircraft capability, and Israel has the best regional missile defense system in the world. Similarly, as mentioned above, there is no evidence that Iraq's Scud missiles and launchers even survived the Gulf War in operable condition. Indeed, UNSCOM reported in 1992 that Iraq had neither launchers for their missiles nor engines to power them.

Israeli military analyst Meir Stieglitz, writing in the Israeli newspaper *Yediot Ahranot*, noted that "there is no such thing as a long-range Iraqi missile with an effective biological warhead. No one has found an Iraqi biological warhead. The chances of Iraq having succeeded in developing operative warheads without tests are zero."

The recent American obsession with Iraq's potential military threat is discredited by the fact that Iraq's military, including its real and potential weapons of mass destruction, was significantly stronger in the late 1980s than it is today. Iraqi dictator Saddam Hussein was a real threat to Iraq's neighbors when he had his full complement of missiles, a functioning air force, and a massive stockpile of chemical and biological weaponry and material. Yet, from the Carter administration through the Reagan administration and continuing through the first half of the senior Bush administration,

the U.S. dismissed any potential strategic Iraqi threat to the point of coddling Saddam's regime with overt economic subsidies and covert military support. This support continued even as Iraq invaded Iran and used chemical weapons against Iranian soldiers and Kurdish civilians. The anthrax seed stock and other materials for Iraq's biological weapons in the 1980s came from the United States. Many of the toxic chemicals used in Iraq's weapons program during that period also came from the United States, ostensibly as components for pesticides made possible by huge agricultural grants.

Iraq's current armed forces are barely one-third their pre-Gulf War strength. Even though Iraq has not been required to reduce its conventional forces, the destruction of its weapons and the country's economic difficulties have led to a substantial reduction in men under arms. Iraq's navy is virtually nonexistent and its air force is just a fraction of what it was before the war. Military spending by Iraq has been estimated at barely one-tenth of its levels in the 1980s. The Bush administration has been unable to explain why today, when Iraq has only a tiny percentage of its once-formidable military capability, the government is considered such a threat that it is necessary to invade the country and replace its leader—the same leader that Washington quietly supported during the peak of Iraq's military capability.

## 6. THERE ARE STILL NONMILITARY OPTIONS AVAILABLE

The best way to stop the potential of Iraq developing weapons of mass destruction would be through resuming United Nations inspections, which—despite episodes of Iraqi non-cooperation and harassment during the 1990s—were largely successful. It was Washington's ill-considered decision to

misuse the inspection teams for unrelated spying operations and the decision to engage in an intense four-day bombing campaign against Iraq that led Saddam Hussein to suspend his cooperation altogether in December 1998.

Despite offers by Iraq for UN inspectors to return under the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) under far stricter terms than under UNSCOM, the United States has blocked the UN from allowing them to return. The Bush administration is now insisting that the rules for the inspections be rewritten, usurping the very modalities for inspections the U.S. had initially supported. Now, the United States insists that the safeguards to prevent the UN inspection teams from being abused for espionage purposes as they were under UNSCOM be rescinded, that heavily armed escorts accompany the inspectors and that they be allowed to set up military bases inside Iraq, and that any member state could unilaterally determine whether or not Iraq was cooperating and unilaterally launch a military assault against the nation for any alleged noncompliance. This raises questions as to whether the potential Iraqi possession of weapons of mass destruction is really a genuine concern of American officials or merely an excuse to go to war.

The only exceptions to Iraq's promise of unfettered inspections—allowable under guidelines drawn up by the United Nations with the approval of the U.S. government—are eight presidential palaces, where the inspection teams would have to be accompanied by an Iraqi official, but would still be allowed to search wherever they wanted.

Furthermore, existing satellite surveillance makes it very unlikely that Iraq could move weapons and delivery systems around ahead of inspectors without being detected.

There is also no reason why the current emphasis on deterrence will not continue to work. Iraq was able to build up its initial raw components, equipment, and technologies for the development of biological, chemical, and nuclear weapons through imports, most of which came from the United States. The vast majority of these items and infrastructure has

ing, its defensive military capabilities are still strong.

Nor would a military victory today be as easy as during the Gulf War. Prior to the launching of Operation Desert Storm, when the Iraqis figured out the extent of the forces being deployed against them, they decided not to put up a fight for Kuwait and relied mostly on

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*The serious moral, legal, political, and strategic problems with a possible U.S. invasion of Iraq require that the American public become engaged in the debate over the wisdom of such a dramatic course of action.*

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since been destroyed. Although the economic sanctions have been quite controversial as a result of their devastating effects on Iraqi civilians (and are therefore violated with increased frequency), international support for and enforcement of the military sanctions have remained quite solid.

Finally, given that UN Security Council Resolution 687 also calls for disarmament initiatives throughout the region, the United States could help curb Iraq's appetite for weapons procurement by reversing its opposition to arms control initiatives for the entire Persian Gulf region.

## 7. DEFEATING IRAQ WOULD BE MILITARILY DIFFICULT

Most likely, the United States would eventually be victorious in a war against Iraq, but it would come at an enormous cost. It would be a mistake, for example, to think that defeating Iraq would result in as few Americans casualties as occurred in driving the Taliban militia from Kabul. Though Iraq's offensive capabilities have been severely weakened by the bombings, sanctions, and UNSCOM-sponsored decommission-

ing young conscripts from minority communities. Only two of the eight divisions of the elite Republican Guard were ever in Kuwait, and they pulled back before the war began in mid-January. The vast majority of Iraq's strongest forces were withdrawn to areas around Baghdad to fight for the survival of the regime itself, and they remain there to this day. In the event of war, defections from these units are not likely.

There are close to one million members of the Iraqi elite who have a vested interest in the regime's survival. These include the Baath Party leadership and its supporters, security and intelligence personnel, and core elements of the armed forces and their extended families. Furthermore, Iraq—a largely urban society—has a far more sophisticated infrastructure than does the largely rural and tribal Afghanistan that could be mobilized in the event of a foreign invasion.

Nor is there an equivalent to Afghanistan's Northern Alliance, which did the bulk of the ground fighting against the Taliban. The Kurds, after being abandoned twice in recent history by the United States, are unlikely to fight beyond securing autonomy for Kurdish

areas. The armed Shiite opposition has largely been eliminated, and it too would be unlikely to fight beyond liberating the majority Shiite sections of southern Iraq. The U.S. would be reluctant to support either, given that their successes could potentially fragment the country and would encourage both rebellious Kurds in southeastern Turkey and restive Shiites in northeastern Saudi Arabia. U.S. forces would have to march on Baghdad, a city of over five million people, virtually alone. Unlike the Gulf War, which involved conventional and open combat where U.S. forces could excel and take full advantage of their firepower and technological superiority, U.S. soldiers may have to fight their way through heavily populated agricultural and urban lands. Invading forces could be faced with bitter, house-to-house fighting in a country larger than South Vietnam. Iraqis, who may have had little stomach to fight to maintain their country's conquest of Kuwait, would be far more willing to sacrifice themselves to resist a foreign, Western invader. To minimize American casualties in the face of such stiff resistance, which would largely come from within crowded urban areas, the United States would likely engage in heavy bombing of Iraqi residential neighborhoods, resulting in extremely high civilian casualties.

A lack of support from regional allies could result in an absence of a land base from which to launch U.S. aerial attacks, initially requiring the United States to rely on Navy jets launched from aircraft carriers. Without permission to launch aerial refueling craft, even long-range bombers from U.S. air bases might not be able to be deployed. It is hard to imagine being able to provide the necessary reconnaissance and surveillance aircraft under such circumstances, and the deployment of tens of thousands of troops from distant staging areas could be problematic as well. U.S. forces could

conceivably capture an air base inside Iraq in the course of the fighting, but without the pre-positioning of supplies, its usefulness as a major center of operations would be marginal.

Finally, there is the question of what happens if the United States is successful in overthrowing Saddam Hussein's regime. As is becoming apparent in Afghanistan, throwing a government out is easier than putting a new one together. Although most Iraqis presumably fear and despise Saddam Hussein's rule and would likely be relieved in the event of his ouster, this does not mean that a regime installed by an invading Western army would be welcomed. For example, most of the leading candidates that U.S. officials are apparently considering installing to govern Iraq are former Iraqi military officers who have been linked to war crimes.

In addition to possible ongoing guerrilla action by Saddam Hussein's supporters, U.S. occupation forces would likely be faced with competing armed factions among the Sunni Arab population, not to mention Kurd and Shiite rebel groups seeking to break away from any ruler in Baghdad. This could lead the United States into a bloody counterinsurgency war. Without the support of other countries or the United Nations, a U.S. invasion could leave American forces effectively alone enforcing a peace amidst the chaos of a post-Saddam Iraq.

## CONCLUSION

The serious moral, legal, political, and strategic problems with a possible U.S. invasion of Iraq require that the American public become engaged in the debate over the wisdom of such a dramatic course of action. What is at stake is not just the lives of thousands of Iraqi and American soldiers and thousands more Iraqi civilians, but also the international legal framework established in the

aftermath of World War II. Despite its failings, this multilateral framework of collective security has resulted in far greater international stability and far less inter-state conflict than would otherwise have been the case.

During the 2000 election campaign, George W. Bush scored well among voters by calling for greater "humility" in U.S. foreign policy, decrying the overextension of U.S. military force, and criticizing the idea that the U.S. armed forces should be engaged in such practices as "nation-building" in unstable areas. As president, Bush has made a remarkable reversal of this popular position and appears eager to embark on perhaps the most reckless foreign military campaign in U.S. history. Taking advantage of the fear, anger, and sense of nationalism felt by so many Americans in the wake of the September 11 terrorist attacks, the Bush administration and its allies in Congress and the media are now seeking to justify an unrelated military campaign that would have otherwise been unimaginable. Furthermore, based upon leaked government documents, a U.S. invasion of Iraq appears to be only the first major operation in a broader effort to impose a kind of U.S. hegemony in the region and throughout the world more akin to nineteenth century empires than twentieth century multilateralism and law-based standards of international relations.

The most effective antidote to such arrogance of power is democracy. Unfortunately, in times of international crisis, many Americans are wary of exercising their democratic rights and are reluctant to oppose a president's foreign policy. This is particularly true when both political parties and most of the mainstream media support the government's line. Yet, seldom in U.S. history has it been so important for Americans to raise their concerns publicly and challenge their elected representatives to honor their legal and moral obligations.