

## **The Case Against War**

By Stephen Zunes

Despite growing opposition, both at home and abroad, the Bush Administration appears to have begun its concerted final push to convince Congress, the American people and the world of the need to invade Iraq. Such an invasion would constitute an important precedent, being the first test of the new doctrine articulated by President Bush of "pre-emption," which declares that the United States has the right to invade sovereign countries and overthrow their governments if they are seen as hostile to American interests. At stake is not just the prospect of a devastating war but the very legitimacy of an international system built over the past century that--despite its failings--has created at least some semblance of global order and stability.

It is therefore critical to examine and rebut the Administration's arguments, because if as fundamental a policy decision as whether to go to war cannot be influenced by the active input of an informed citizenry, what also may be at stake is nothing less than American democracy, at least in any meaningful sense of the word.

Below are the eight principal arguments put forward by proponents of a US invasion of Iraq, each followed by a rebuttal.

1. Iraq is providing support for Al Qaeda and is a center for anti-American terrorism.

The Bush Administration has failed to produce credible evidence that the Iraqi regime has any links whatsoever with Al Qaeda. None of the September 11 hijackers were 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 spring 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.

There have been credible reports of extremist Islamist groups operating in northern Iraq, but these are exclusively within Kurdish areas, which have been outside Baghdad's control since the end of the Gulf War. Iraq's past terrorist links are 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 US officials were unable to cite increased Iraqi ties to terrorism.

The State Department's own annual study, Patterns of Global Terrorism, 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. The last clear example that American officials can cite of Iraqi-backed terrorism was an alleged plot by Iraqi agents to assassinate former President George Bush when he visited Kuwait in 1993. (In response, President Bill Clinton ordered the bombing of Baghdad, hitting an 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, the struggle against terrorism is too important to be sabotaged by ideologues obsessed with settling old scores.

## 2. Containment has failed.

While some countries, in part due to humanitarian concerns, are circumventing economic sanctions against Iraq, the military embargo appears to be holding solid. It was only as a result of the import of technology and raw materials from Russia, Germany, France, Britain and the United States that Iraq was able to develop its biological, chemical and nuclear weapons programs in the 1980s.

Iraq's 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 collapse have led to a substantial reduction in men under arms. Iraq's navy is now 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 what it was in the 1980s. The Bush Administration has been unable to explain why today, when Saddam has only a tiny percentage of his once-formidable military capability, Iraq is now considered such a threat that it is necessary to invade the country and replace its leader--the same leader Washington quietly supported during the peak of Iraq's military capability.

The International Atomic Energy Agency declared in 1998 that Iraq's nuclear program had been completely dismantled. The UN Special Commission on Iraq (UNSCOM) estimated then that at least 95 percent of Iraq's chemical weapons program had been similarly accounted for and destroyed. Iraq's potential to develop biological weapons is a much bigger question mark, since such a program is much easier to hide. However, UNSCOM noted in 1998 that virtually all of Iraq's offensive missiles and other delivery systems had been accounted for and rendered inoperable. Rebuilding an offensive military capability utilizing weapons of mass destruction (WMDs) virtually from scratch would be extraordinarily difficult under the current international embargo.

## 3. Deterrence will not work against a Saddam Hussein with weapons of mass destruction.

Saddam Hussein has demonstrated repeatedly that he cares first and foremost about his own survival. He presumably recognizes that any attempt to use WMDs against the United States or any of its allies would inevitably lead to his own destruction. This is why he did not use them during the Gulf War, even when attacked by the largest coalition of international forces against a single nation ever assembled and subjected to the heaviest bombing in world history. By contrast, prior to the Gulf War, Saddam was quite willing to utilize his arsenal of chemical weapons against Iranian forces because he knew the revolutionary Islamist regime was isolated internationally, and he was similarly willing to use them against Kurdish civilians because he knew they could not fight back. In the event of a US invasion, however, seeing his

overthrow as imminent and with nothing to lose, this logic of self-preservation would no longer be operative. Instead, a US invasion--rather than eliminate the prospect of Iraq using its WMDs--would in fact dramatically increase the likelihood of his utilizing weapons of mass destruction should he actually have any at his disposal.

Saddam Hussein's leadership style has always been that of direct control; his distrust of subordinates (bordering on paranoia) is one of the ways he has been able to hold on to power. 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, particularly radical Islamists who could easily turn on him. If he does have such weapons at his disposal, they would be for use at his discretion alone. By contrast, in the chaos of a US invasion and its aftermath, the chances of such weapons being smuggled out of the country into the hands of terrorists would greatly increase. Currently, any Iraqi WMDs that may exist are under the control of a highly centralized regime more interested in deterring a US attack than provoking one.

4. International inspectors cannot insure that Iraq will not obtain weapons of mass destruction.

As a result of the inspections regime imposed by the United Nations at the end of the Gulf War, virtually all of Iraq's stockpile of WMDs, delivery systems and capability of producing such weapons were destroyed. During nearly eight years of operation, UNSCOM oversaw the destruction of 38,000 chemical weapons, 480,000 liters of live chemical-weapons agents, forty-eight missiles, six missile launchers, thirty missile warheads modified to carry chemical or biological agents, and hundreds of pieces of related equipment with the capability to produce chemical weapons. 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 of dozen Iraqi-made ballistic missiles remained unaccounted for, but these were of questionable caliber. In its last three years of operation, UNSCOM was unable to detect any evidence that Iraq had been concealing prohibited weapons.

The periodic interference and harassment of UNSCOM inspectors by the Iraqis was largely limited to sensitive sites too small for advanced nuclear or chemical weapons development or deployment. A major reason for this lack of cooperation was Iraqi concern--later proven valid--that the United States was abusing the inspections for espionage purposes, such as monitoring coded radio communications by Iraq's security forces, using equipment secretly installed by American inspectors. The United States, eager to launch military strikes against Iraq, instructed Butler in 1998 to provoke Iraq into breaking its agreement to fully cooperate with UNSCOM. Without consulting the UN Security Council as required, Butler announced to the Iraqis that he was nullifying agreements dealing with sensitive sites and chose the Baath Party headquarters in Baghdad--a very unlikely place to store weapons of mass destruction--as the site at which to demand unfettered access. The Iraqis refused. Clinton then asked Butler to withdraw UNSCOM forces, and the United States launched a four-day bombing campaign, which gave the Iraqis an excuse to block UNSCOM inspectors from returning. With no international inspectors in Iraq since then, there is no definitive answer as to whether Iraq is actually developing weapons of mass destruction. And as long as the United States continues to openly espouse "regime change" through assassination or invasion, it is very unlikely that Iraq will agree to a resumption of inspections.

5. The United States has the legal right to impose a regime change through military force.

According to Articles 41 and 42 of the UN Charter, no member state has the right to enforce any resolution militarily unless the Security Council determines that there has been a material breach of its resolution, decides that all nonmilitary means of enforcement have been exhausted and 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 occupation of Kuwait, which violated a series of resolutions demanding their withdrawal that passed that August. When Iraq finally complied in its forced withdrawal from Kuwait in March 1991, this resolution became moot.

Legally, the conflict regarding access for UN inspectors and possible Iraqi procurement of WMDs has always been between the Iraqi government and the UN, not between Iraq and the United States. Although UN Security Council Resolution 687, which demands Iraqi disarmament, was the most detailed in the world body's history, no military enforcement mechanisms were specified. Nor has the Security Council specified any military enforcement mechanisms in subsequent resolutions. As is normally the case when it is determined that governments are violating all or part of UN resolutions, any decision about enforcement is a matter for the Security Council as a whole--not for any one member of the Council.

If the United States can unilaterally claim the right to invade Iraq because of that country's violation of Security Council resolutions, other Council members could logically also claim the right to invade states that are similarly in violation; for example, Russia could claim the right to invade Israel, France could claim the right to invade Turkey and Britain could claim the right to invade Morocco. The US insistence on the right to attack unilaterally could seriously undermine the principle of collective security and the authority of the UN and, in doing so, would open the door to international anarchy.

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 a 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 measures necessary to maintain international peace and security." If Iraq's neighbors were attacked, any of these countries could call on the United States to help, pending a Security Council decision authorizing the use of force.

Based on evidence that the Bush Administration has made public, there doesn't 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 US self-defense.

#### 6. The benefits of regime change outweigh the costs.

While the United States would likely be the eventual victor in a war against Iraq, it would come at an enormous cost. It would be a mistake, for example, to think that defeating Iraq would result in as few American casualties as occurred in driving the Taliban militia from Kabul last autumn. Though Iraq's offensive capabilities have been severely weakened by the bombings, sanctions and UNSCOM-sponsored decommissioning, 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, the Iraqi government decided not to put up a fight for Kuwait and relied mostly on 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. 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.

Close to 1 million members of the Iraqi elite 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, and it 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. Iraqi Kurds, having been 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 United States 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. US forces would have to march on Baghdad, a city of more than 5 million people, virtually alone.

Unlike in the Gulf War, which involved conventional and open combat in flat desert areas where US and allied forces could take full advantage of their superior firepower and technology, US soldiers would have to fight their way through heavily populated agricultural and urban lands. Invading forces would likely 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, the United States would likely engage in heavy bombing of Iraqi residential neighborhoods, resulting in high civilian casualties.

The lack of support from regional allies could result in the absence of a land base from which to launch US air 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 US air bases might not be deployable. 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. American 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.

Such a major military operation would be costly in economic terms as well, as the struggling and debt-ridden US economy would be burdened by the most elaborate and expensive deployment of American forces since World War II, totaling more than \$100 billion in the first six months. Unlike in the Gulf War, the Saudis--who strenuously oppose such an invasion--would be unwilling to foot the bill. An invasion of Iraq would also be costly to a struggling world economy; higher oil prices could be devastating to some countries, causing even more social and political unrest.

7. Regime change will be popular in Iraq and will find support among US allies in the region.

While there is little question that most of Iraq's neighbors and most Iraqis themselves would be pleased to see Iraq under new leadership, regime change imposed by invading US military forces would not be welcome. Most US allies in the region supported the Gulf War, since it 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. Saudi Crown Prince Abdullah has warned that the Bush Administration "should not strike Iraq, because such an attack would only raise animosity in the region against the United States." At the Beirut summit of the Arab League at the end of March, the Arab nations unanimously endorsed a strongly worded resolution opposing an attack against Iraq. Even Kuwait has reconciled with Iraq since Baghdad formally recognized Kuwait's sovereignty and international borders. 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."

American officials claim that, public statements to the contrary, there may be some regional allies willing to support a US war effort. Given President Bush's ultimatum that "either you are with us or you are with the terrorists," it's quite possible that some governments will be successfully pressured to go along. However, almost any Middle Eastern regime 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 any ruler supporting the US war effort, such acquiescence would take place only reluctantly, as a result of US pressure or inducements, not from a sincere belief in the validity of the military operation.

8. "Regime change" will enhance regional stability and enhance the prospects for democracy in the region.

As is apparent in Afghanistan, throwing a government out is easier than putting a new one together. Although most Iraqis would presumably be relieved in the event of Saddam Hussein's ouster, this does not mean that a regime installed by a Western army would be welcomed. For example, some of the leading candidates that US officials are apparently considering installing to govern Iraq following a successful US invasion are former Iraqi military officers who took part in offensives that involved war crimes.

In addition to possible ongoing guerrilla action by Saddam Hussein's supporters, American occupation forces would likely be faced with competing armed factions among the Sunni Arab population, not to mention Kurdish and Shiite rebel groups seeking greater autonomy. This could lead the United States into a bloody counterinsurgency war. Without the support of other countries or the UN, a US invasion could leave American forces effectively alone attempting to enforce a peace amid the chaos of a post-Saddam Iraq.

A US invasion of Iraq would likely lead to an outbreak of widespread anti-American protests throughout the Middle East, perhaps even attacks against American interests. Some pro-Western regimes could become vulnerable to internal radical forces. Passions are particularly high in light of strong US support for the policies of Israel's rightist government and its ongoing occupation of the West Bank and Gaza Strip. The anger over US double standards regarding Israeli and Iraqi violations of UN Security Council resolutions and possession of weapons of mass destruction could reach a boiling point. Recognizing that the United States cannot be defeated 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. The Arab foreign ministers, aware of such

possibilities, warned at their meeting in Cairo that a US invasion of Iraq would "open the gates of hell."

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