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OPTIONS FOR DEALING WITH IRAQ

HEARINGS

BEFORE THE

DEFENSE POLICY PANEL

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

SECOND SESSION

HEARINGS HELD
AUGUST 10 AND 11, 1992

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NON-MILITARY OPTIONS FOR DEALING WITH IRAQ

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
DEFENSE POLICY PANEL,
Washington, DC, Monday, August 10, 1992.

The panel met, pursuant to call, at 2:10 p.m., in room 2118, Rayburn House Office Building, Hon. Les Aspin (chairman of the panel) presiding.

OPENING STATEMENT OF HON. LES ASPIN, A REPRESENTATIVE FROM WISCONSIN, CHAIRMAN, DEFENSE POLICY PANEL

The CHAIRMAN. The meeting will come to order. Today we are going to have a hearing on the issue of Iraq, and we welcome the witnesses that have appeared before us.

Saddam Hussein has belligerently resisted complying with the U.N. resolutions on Iraq's weapons of mass destruction and treatment of minority groups. His "cheat and retreat" strategy has been met with the "threat and forget" from President Bush.

This "threat and forget" has done little to ensure that Iraq complies with the resolutions. The Defense Policy Panel today begins a couple of days of hearings to explore options that the United States might pursue more successfully to achieve the goal of compliance.

We begin by concentrating on nonmilitary actions, such as aiding the Iraqi opposition, strengthening sanctions and other possibilities. Tomorrow we will explore military options.

Throughout the hearings, we will also ask which options might help remove Saddam from power and whether the advantages of such action outweigh the risk. We today welcome a very distinguished panel of witnesses. Ms. Laurie Mylroie, a fellow at the Washington Institute for Near East Policy; Dr. Patrick Clawson, the resident scholar at the Foreign Policy Research Institute; and the Honorable Richard Murphy, the former Assistant Secretary of State for Near Eastern and South Asian Affairs, and currently senior fellow for the Middle East at the Council on Foreign Relations.

Lady and gentlemen, we welcome you here this afternoon. Let's have opening statements in the order in which I introduced the panel, and then we would like to ask some questions at the end of all of the opening statements.

Laurie, why don't you start.

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STATEMENT OF LAURIE MYLROIE, WASHINGTON INSTITUTE FOR NEAR EAST POLICY

Ms. MYLROIE. OK. Thank you. I would like to thank the panel and the chairman for the opportunity to speak here today. I will be submitting a written statement for the record.

Saddam Hussein, as you know, is in flagrant violation of the key U.N. resolutions on Iraq. Chairman Aspin recently put out a statement to that effect, so I won't go into any detail about those violations. I will remind you of the key resolutions: Resolution 687, the formal cease-fire to the war; Resolution 688, which demands that Iraq cease the repression of its population; and Resolution 706, which requires Iraq to sell oil under U.N. supervision. All of these resolutions were passed over a year ago.

What are we to make of this situation? That we have to be more vigorous in forcing Saddam Hussein to comply with the resolutions? I don't think so. I don't think that Saddam Hussein can be made to comply with the U.N. resolutions.

I think that the current situation indicates that the U.N. resolutions are impossible to enforce with Saddam Hussein in power. Therefore, I think it appropriate for the United States and the United Nations to declare simply that he is in hopeless violation of the resolutions and that they will be supporting the ouster of Saddam Hussein.

To pretend that the U.N. resolutions are being enforced when that is not the case, only weakens the U.N. and the New World order to which this country aspires.

There is another reason why ousting Saddam and his regime should be the U.S. goal. As long as the United States is committed to the territorial integrity of Iraq, it is impossible to address the Kurdish problem with Saddam Hussein and his regime in power. If Saddam is allowed to reassert his authority over the north, he will renew the Kurdish genocide.

The Kurds will resist, by armed force, the reassertion of Baghdad's authority in the north unless the Government in Baghdad can provide assurances about how they will be treated with guarantees for human rights. The current regime in Baghdad can never provide those assurances.

The administration has recently shifted its policy on Iraq by receiving a delegation from the opposition of the Iraqi National Congress. That shift, in effect, entails a policy whose logical end is Saddam's overthrow. The Iraqi National Congress, the INC, proposes to establish an alternative Iraqi Government—in the north—in the Kurdish territories, to gain international support, and eventually, to extend the liberated part of Iraq southwards from the north.

The administration promised that the high level contacts with the INC will continue. Saddam Hussein may react to this new situation with the determined effort to re-take the north before developments there become a real threat to him; the Kurds are only lightly armed.

I recently visited northern Iraq and met the officers of the allied Military Coordinating Commission, the MCC. They were concerned about the military situation and felt that they were not getting enough support from allied capitals.

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Saddam has two-thirds of his army concentrated in the north. The officers of the MCC felt he could easily re-take the north if he was determined to do so. However, the Kurdish leadership has a different assessment. It places more emphasis on the low morale of the Iraqi army.

They believe that if the allies continue to keep Iraqi aircraft south of the 36th parallel, they can hold most of their territory themselves against an Iraqi attack. As Massoud Barzani, the head of the KDP explained to me, the aircraft are 70 percent of the problem. Their recent experience would seem to bear out the Kurd's assessment.

Once the allies began keeping Iraqi aircraft south of the 36th parallel, the Kurds were able to take large sections of Kurdish territory outside the safe haven zone. Still, the Kurds would feel more confident if they were better armed, and specifically, if they had anti-tank weapons and artillery to counter Baghdad's.

Now, if the administration does not recognize that, in fact, it has begun a strategic shift in its policy, and thinks of this shift only in tactical terms of adding more points of pressure on Saddam Hussein, Saddam may respond in a decisive manner. There could be few disasters greater in Iraq than if Saddam Hussein were to retake the north and the scenes that we witnessed last year were to reappear on our television sets.

Therefore, the first step in any coherent anti-Saddam strategy is to fortify the north. There are two elements to that. One is to arm an Iraqi liberation army consisting of the Kurdish militias and the 15,000 Iraqi Arab soldiers in exile; and two, to make sure that allied aircraft now based in Turkey are ready to continue their present mission of excluding Iraqi aircraft north of the 36th parallel, even under combat conditions.

Turkish cooperation would be essential. There are good reasons why such a policy should be attractive to Turkey, and I would be happy to address them during the question period.

Aside from fortifying the north, other measures can be taken to isolate and weaken Saddam's regime. One, release some frozen Iraqi assets to the INC administration that will be set up in northern Iraq. The INC will seek to attract defectors from Saddam's regime. To do that, they have to provide food and shelter to the defectors.

Also, bringing Iraqi Arab soldiers to the north will require the ability to provide those soldiers with food and shelter. Two, ease the U.N. embargo on the north.

The north suffers not only from the U.N. embargo, but from an Iraqi blockade. Commodities that should be available, are not. For example, as the head of the MCC explained to me, the crop was half of what it should have been this year because peasants did not have access to seed, fertilizer, or pesticides. They used their old seed.

I met one family that told me they were eating the rest of the seed that they had to supplement the insufficient rations that they get from the Kurdish front. There is an urgent need to make food, seed, fertilizer and pesticide available before the next planting season.

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Northern Iraq has oil. That oil can be pumped and refined, and it would largely meet the domestic needs. Moreover, the money from the local sale of that oil can be used to fund local administration in the north.

Fuel reserves for heating were largely consumed last winter. The chief oil engineer in the town of Erbil explained the general situation in terms of his personal position. Last year he began the winter with six barrels of kerosene in reserve. When I spoke to him last month, he had half-a-barrel.

Addressing the economic situation in the north should be done for its own sake. But additionally, the better the situation in northern Iraq, compared to the rest of Iraq, the more the pressures on Saddam Hussein will intensify.

Three, indict Saddam Hussein for war crimes and crimes against humanity. The European Community called last year for war crimes trials. It was the administration that turned that call aside.

It believed, and still does believe, that war crimes might inhibit a palace coup. That was what the Iraqi delegation was told that visited Washington. But it should be clear by now that no palace coup is likely to occur in Iraq.

Four, enforce 688. The enforcement of 688 weakens Saddam's hold on power. Among the elements to enforcing 688 are, A, ground all Iraqi military aircraft, particularly in the south where Saddam is launching a genocidal campaign against Shiite guerrillas, paralleling the campaign he conducted in the north; B, demand Saddam lift the embargo he imposed on northern Iraq; C, prevent Iraqi forces from shelling Kurdish towns along the demarcation lines as Baghdad does from time to time; D, demand that Baghdad renew the memorandum of understanding that regulates relief work in Iraq. Or better yet, dictate to Baghdad a new agreement that is much tougher than the accommodating understanding that was originally reached.

Specifically, one, relief workers have to get visas from Baghdad. Baghdad has been withholding the visas, attriting the relief force. The U.N. should have the authority to send in anyone it designates whenever it chooses.

Two, the U.N. exchanges all money it spends in Iraq at the official exchange rate. The official exchange rate is 60 times the Iraqi dinar's real market value. That makes U.N. operations in Iraq unnecessarily expensive and puts foreign exchange in Saddam's pocket.

Three, the movement of U.N. personnel in Iraq is subject to the approval of Baghdad. They should be able to move freely.

Four, the U.N. is generally too accommodating to Baghdad because it believes it needs Baghdad's approval to carry out urgent relief work in areas under Iraqi control in the south. For example, when I visited northern Iraq, relief workers there complained to me that the U.N. was asking them to provide details on the local staff that worked for them. Such inquiries could only be intended to intimidate and harass those working with the relief agencies. The particular people that I talked with refused to comply with the U.N. request.

Five, if, as part of the renewed drive to enforce the U.N. resolutions, allied military action is contemplated, such action will be

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most effective if it is targeted against that which allows Saddam Hussein to stay in power. For example, attacking the helicopters which have suppressed the Iraqi population would be a legitimate target. By destroying the helicopters you will also weaken Saddam's rule.

Finally, if these inspections become too onerous, in all honesty, they can be dropped. What are they accomplishing at this point?

The real goal, after all, is to see an Iraqi Government prepared to cooperate with the U.N. and the international community. Saddam Hussein is constitutionally incapable of that.

Thank you.

PREPARED STATEMENT OF LAURIE MYLROIE

REDEFINING U.S. GOALS: THE OVERTHROW OF SADDAM HUSSEIN'S REGIME

It should be clear by now that the enforcement of the U.N. resolutions concerning Iraq cannot be achieved with Saddam Hussein in power. The United States has spent 18 months trying to get him to comply with one resolution, 687. Yet, as Chairman Aspin recently detailed, Saddam is in violation of many provisions of 687, in addition to other resolutions notably, 688 which demands Iraq not repress its population and 706 and 712 which require Iraq to sell oil under U.N. supervision to pay for U.N. activities in Iraq, including humanitarian assistance.

Why the Ouster of Saddam Hussein and his Regime Should be the U.S. Goal in Iraq

The regime of international constraints imposed on Iraq after the Gulf War is becoming a joke, making a mockery of the "new world order." It is nearly 18 months since the key U.N. resolutions were passed. Saddam flouts them all. There are ample grounds for declaring that as Saddam Hussein has demonstrated that he will not comply with the U.N. resolutions, we seek his ouster in order to implement them. There is another important reason for seeking the ouster of Saddam and his regime. Regional stability is impossible to promote otherwise.

The Kurds have established an effective local administration in northern Iraq, controlling a territory the size of Belgium. They will forcefully resist the return of any Iraqi authority to the North, unless they have assurances that Baghdad will not repress and abuse them. The present regime in Baghdad, even without Saddam, cannot provide such assurances.

Yet senior officials, including the President, continue to formulate U.S. goal in Iraq as forcing Saddam to comply with all U.N. resolutions. That lack of clarity could become dangerous. The administration has recently shifted its Iraq policy. In doing so, it has started down a path whose logical end is Saddam's ouster. Saddam will likely perceive the new U.S. policy as such and could respond in ways that Washington is not prepared for.

The Tacit Shift in the Administration's Iraq Policy

Senior officials just completed a series of meetings with a visiting delegation of the opposition Iraqi National Congress (INC). Previously, the administration held aloof from the Iraqi opposition, placing its bets on a palace coup.

Yet elements of the old policy continue. The INC delegation was told that an important reason why the United States did not support war crimes trials was that it did not want to cause those around Saddam to feel they might be included and refrain from moving against him. It fell to a Sunni member of the delegation, a former Iraqi prime minister and head of the air force to explain why a coup would not occur.

Such U.S. thinking, in effect conciliating and appealing to those around Saddam, has been a key factor contributing to Saddam's endurance. Saddam's colleagues are not about to move against him, while conciliating them strengthens Saddam and his regime.

The administration endorsed elements of the INC program and promised to continue high level contacts. This in effect represents a strategic change in policy.

The INC plans to establish an administrative base in northern Iraq. The optimistic scenario is that such an Iraqi administration in the north, enjoying international support and recognition, will attract many Iraqis who oppose Saddam, but are unable to take action and that this will precipitate the collapse of his regime. The pessimistic scenario is that an Iraqi Liberation Army, including Arab soldiers now in

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exile, deserters to the North, and the Kurdish militias will have to retake Iraq militarily, expanding southward from the Kurdish-held zone.

Yet it is not clear that the administration recognizes that it has undertaken a strategic shift. Serious problems can arise if Washington does not recognize the full implications of its new position on Iraq.

The Need to Fortify Northern Iraq

(1) Saddam will recognize the new U.S. policy as a strategic shift and may respond. The most serious possibility is that he might make a determined effort to retake the north. Two-thirds of Saddam's army is concentrated along the demarcation line with the lightly armed Kurdish forces. Officers of the allied Military Coordinating Commission (MCC) in Zakho believe that Saddam could retake that territory almost as easily as he took Kuwait.

But the Kurdish leaders are less pessimistic. They place more weight on the army's low morale. Recent experience suggests their assessment is probably more likely to be correct than the MCC's. Once allied forces prohibited Iraqi aircraft from flying north of the 36th parallel, Kurdish forces were able to recover considerable Kurdish territory outside the allied-designated safe haven zone. In that fighting, which occurred last year, there was such a high level of desertion from the Iraqi army, that Saddam withdrew his forces, rather than see them melt away.

However, Baghdad has had a year to recover. The Kurdish leaders would feel more confident if their troops were better armed, specifically if they had anti-tank weapons and artillery to counter Baghdad's.

This would be controversial. But it is the logical consequence of the administration's new policy toward Iraq. The United States cannot approach Saddam with half-measures. He is resolute and determined. It would be a worse disaster than it was the first time, if Saddam again assaulted the north, recovered significant territory, and sent the Kurdish population fleeing. Gen. Brent Scowcroft promised Massoud Barzani personally, "We won't let you down."

(2) The Kurdish assessment that they could hold most of their territory against an Iraqi attack is premised on the assumption that the United States will continue to keep Iraqi aircraft, including helicopters, out of the north. As Barzani explained, the aircraft are "70 percent of the problem." Are the Joint Chiefs prepared to continue enforcing the present ban on Iraqi aircraft in the north under combat conditions?

Turkish cooperation would be required to arm the north, because supply lines would run through Turkish territory. But Ankara may well find such a policy acceptable. Ankara is very dissatisfied with the ill-defined status quo, which leaves a Kurdish authority in the North with no prospect of change in sight. The INC incorporates Kurdish aims within an Iraqi framework, and it has begun to develop relations with Ankara.

Moreover, because Washington had not appeared serious in dealing with Saddam, Turkey followed a two-track policy, agreeing to western requests to extend "Poised Hammer," while making contradictory approaches to Baghdad. It has recently reopened its embassy there and the speaker of parliament has announced that he will invite an Iraqi National Assembly delegation to Ankara. A coherent U.S. policy will ease Turkey's anxieties that it needs to repair relations with Baghdad because it will have to learn to live with Saddam as its neighbor. That will promote co-operation with an American-led effort against Saddam.

Fortifying the north is the most essential element in any coherent anti-Saddam strategy. But there are other important steps, several of which were presented last week by the INC:

Other Steps to Oust Saddam

(1) Ease the U.N. embargo on the North:

(a) The economic situation in the north is particularly difficult, because in addition to the U.N. embargo, the north also suffers from an embargo imposed by Baghdad. Northern Iraq is a fertile region. But the crop this year was half what it should have been. Because of the embargoes, peasants did not have fertilizer, or pesticides, while they used old seed for the last harvest. The Kurdish peasants urgently need the agricultural basics before the next planting season.

(b) There is some quantity of oil under Kurdish control. Ease the embargo so that the Kurds can begin pumping and refining their own oil. They estimate they can meet 75 percent of their domestic needs and use the money from oil sales to fund the local administration.

The Kurds largely consumed their supplies for heating last winter. They urgently need fuel for heating before the next winter.

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(2) Release some frozen Iraqi assets to the INC administration in northern Iraq. To attract defectors from Saddam's regime the INC has to be able to care for their basic needs, including food and housing. Both are in short supply in the north and money is needed to provide them. Also, if the 15,000 Arab soldiers currently in exile are to be brought to the north to liberate the country, they will need food and housing too.

(3) The indictment of Saddam Hussein and his cronies for war crimes and crimes against humanity.

This will not impose a burden on the United States to "get" Saddam. But it will increase the pressure on him and isolate his regime. It is also the right thing to do. One unstated reason for the administration's hesitation may be that publicizing Saddam's atrocities would increase its embarrassment at having left Saddam in power.

(4) Enforce 688, as the administration told the INC it intends to do. The enforcement of 688 is critical, because that weakens Saddam's regime. It is also the principled and humane thing to do. Until recently, Washington subordinated 688 to 687. It feared that enforcing 688 would undermine Iraqi "co-operation" on 687.

However, Iraq is not co-operating on 687 anyway. Besides, the CIA estimates that as soon as sanctions and the inspections regime ends, all Iraq's prohibited weapons programs can be relatively quickly rebuilt. Yet it is difficult to believe that the inspection regime can be maintained indefinitely. As Chairman Aspin detailed in his July 28 floor statement, the U.N. regime is already eroding.

Among the elements to enforcing 688:

(a) Ground all Iraqi military aircraft, particularly in the south. That can be easily done, attacking them in flight or afterwards, on the ground. The downing of a few helicopters or planes would likely produce a big effect, as many pilots would be unwilling to fly.

(b) Make Saddam lift the embargo on the north. Those forces maintaining the embargo, would likely melt away after a few air attacks.

(c) Occasionally, Iraqi forces shell Kurdish towns near the demarcation line. Again, if the United States responded with an air attack, they would likely desist.

(5) Encourage the U.N. to show more backbone in its Iraq operations:

(a) Currently, all the money that the U.N. spends in Iraq is exchanged at the official rate, $3 to the Iraqi dinar. But the real exchange rate is 20 dinars to the dollar. U.N. operations are funding Saddam's regime and cost much more than they should.

(b) Closely monitor the activities of the U.N. Special Commission on Iraq, charged with finding and destroying Iraqi weapons prohibited by 687. There may be grounds for concern that it is beginning to exercise self-censorship in order to avoid confrontation with Baghdad. For example, the August 8 inspection was intended to demonstrate that the fiasco at the Agricultural Ministry set no precedents. However, a Russian was appointed to head the team, providing no assurances that the terms Baghdad succeeded in imposing on the Agricultural Ministry inspection are not, in fact, continuing in one form or another.

However, the attempt to enforce 687 should not be at the expense of other key elements in a strategy aiming to overthrow Saddam. If the inspections prove troublesome and dangerous for the inspectors, *and if* Washington is ready to declare that it seeks Saddam's ouster because he has demonstrated that he is incapable of implementing the resolutions, then inspections could even be discontinued, and renewed only after Saddam is overthrown, with a successor government. That might be more advisable than continuing the present farce, which is eroding the credibility of the United States, the U.N., and "new world order," the laudable effort to establish new principles to govern dealing between states in the wake of communism's collapse.

(6) Military Action. Any military action against Iraq, it should not be to "teach Saddam a lesson" or "send him a message." Desert Storm did not leave the expected impression on him, and no limited air strike will teach Saddam anything.

However, if the United States judges military action against Iraq to be appropriate, then the most useful targets to hit are those elements which help him stay in power—i.e., the barracks of his internal security forces, the helicopters, which were scarcely touched during the war, etc.

The CHAIRMAN. Mr. Clawson.

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STATEMENT OF DR. PATRICK CLAWSON, RESIDENT SCHOLAR, FOREIGN POLICY RESEARCH INSTITUTE

Mr. CLAWSON. I would like to thank the panel and the chairman for the opportunity to speak today. I will be submitting a more formal statement. In my remarks, I would like to touch on two topics.

First, how is Iraq evading the U.N. sanctions. Second, what are the options for increasing economic pressure on Saddam?

Let me begin by assuring you that Iraq is, indeed, evading the U.N. sanctions on a large scale. As a result, the Iraqi economy is recovering from the devastation brought by the war. Times are tough in Baghdad, but there is no public health crisis. I want to emphasize this point, because the war period formed in the public mind an image of Iraqi starvation and deprivation.

In fact, the Iraqi economy has been able to recover much more rapidly than most experts forecasted. Take the example of food supplies. Thanks in part to humanitarian shipments permitted by Security Council Resolution 687, the Iraqi Government has, since the summer of 1991, provided, to all under its control, rations sufficient for a bare minimum diet. Families supplement the rations with purchases on the free market.

For 1992, the best forecast is that Iraq's imports will be about $2 billion, which is roughly one-fifth of the pre-war civilian level. The bulk of the money for these imports will not come from secret bank accounts, but from readily identifiable sources.

Saddam is surviving economically, not thanks to some wizardry on his part, but because smuggling is hard to stop, and because the world's governments, including that of the United States, have not placed high priority on closing off the relief valves. There are five clearly identifiable sources of foreign exchange available to Saddam.

First and most important is oil sales, which will earn Iraq somewhere between $400 million and $800 million this year. Iraq is exporting between 60,000 and 100,000 barrels of oil per day, most of that to Jordan, but some to Turkey, and according to oil industry sources, some to Syria.

When Jordan notified the U.N. Sanctions Committee in June 1991 of its intention to import oil, Jordan stated that no payments would be made to Iraq. The value of the oil would be used only to reduce Iraq's debt to Jordan. On this basis, the Sanctions Committee took note of Jordan's declaration without expressing formal approval or disapproval.

However, Jordan evidently made no commitments about refraining from new loans to Iraq. Therefore, Jordan can comply with the letter of the sanctions, while it may be violating the spirit. Jordan imports Iraqi oil, and at the same time extends new loans to Iraq in a transaction that amounts to much the same thing as paying Iraq directly for the oil.

A second source of income is gold sales, which will earn Iraq $100 million to $200 million this year. At the end of the war, Iraq had somewhere between $1 billion and $7 billion in gold, most of it in jewelry in private hands. Iraqis, like many in the Middle East, often sell gold during times of crisis, and these gold stocks will last for at least another 5 years.

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A third source is other exports, besides gold and oil, which will earn Iraq between $200 million and $400 million. Iraq has been exporting dates to Jordan and to Turkey. Iraq has also been exporting goods seized from Kuwait, especially automobiles, primarily to Iran, and it has also exported some used construction equipment that it no longer needs. All of these sources will, again, last for at least another 5 years.

Iraq has also used its bank accounts to the tune of $100 million to $200 million this year. The U.N. Sanctions Committee has authorized governments to release frozen bank funds to finance humanitarian imports. Under this provision, the British Government, for example, agreed to release $125 million frozen in Britain in association with the release of a Britain who had been held on corruption charges dating from well before the crisis. Reports suggest that various Northern European governments have also released many, many millions of dollars.

Finally, there are grants and loans which will earn Iraq $200 million to $400 million this year. Libya has exported roughly a $100 million of food aid since April of 1991 to Iraq. The U.N. system agencies are spending roughly a similar amount each year. As for loans, some traders are reported to be extending loans to Iraq which has promised to be generous in the future to those who provide aid in the hour of need.

Furthermore, let me point out that Saddam has an easily available option if he wants to loosen the sanction's choke hold. In August 1991, the Security Council authorized the sale of Iraqi oil up to the amount of $1.6 billion over a 6-month period, subject to deductions for reparations and the cost of U.N. operations in Iraq.

As mandated by the Security Council, the U.N. Secretary General calculated those costs and determined that Iraq would get $933 million out of the oil sales. If Saddam is feeling a need for additional foreign exchange, he need only make a few concessions to start the flow of oil exports under the U.N.-approved procedures.

Let me turn to the question of how economic pressure could be made tougher and more sustained. However, first a word of caution. Economic sanctions may weaken Saddam and leave him preoccupied. They are not going to lead to Saddam's overthrow.

It is hard to see any scenario in which economic sanctions directly lead soon to a coup. A coup would have to be organized by the Iraqi elite. But the current level of imports is sufficient to sustain the consumption of that elite at a comfortable level.

Furthermore, Saddam can reasonably argue to his subordinates that his policies are working. The sanctions regime is eroding without Iraq bending its neck. To be sure, the sanctions may undermine the regime's economic control mechanisms and may contribute to popular dissatisfaction. These economic factors may weaken the regime, but it is quite unlikely that they would lead to Saddam's overthrow.

Getting rid of Saddam is going to require a political opposition that can take advantage of the popular discontent caused by the economic pressure. With that note of caution, what can be done to increase the economic pressure?

A major step would be to tighten the sanctions. Ideally, all the routes into Iraq should be controlled equally strictly. However,

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some of the borders are easier to control than others for strictly technical and geographic reasons. The easiest border to monitor is the Baghdad-Amman Road. It runs through the middle of the desert where any traffic is obviously headed for Iraq. We have several options for monitoring the sanctions more closely, especially along that road.

First, the Sanctions Committee could order a stop to the oil exports to Jordan. This would dry up any money that Saddam is getting from the oil and would reduce the Jordanian incentive to provide Saddam with credits. Jordan would be more likely to cooperate with such a step if the alternative sources of oil were secured, especially if the oil were made available at a concessional price.

Second, the allies may wish to consider placing inspectors on the Iraqi side of the border along that road. The Baghdad-Amman Road is less than 70 miles from Saudi Arabia through which the inspectors could enter Iraq. This option would require a continuing presence of U.S. ground forces to back up the inspectors, which would run the risk of U.S. casualties.

However, Iraq could not easily harass the inspectors who could rely on logistic support from the Saudi side, and the inspections post would be 250 miles across barren desert from the nearest Iraqi city, giving ample warning of any Iraqi movements. Third, the allies could consider simply closing the road through Jordan by denying approval for any humanitarian imports via Jordan, insisting that the Turkish route be used instead.

Humanitarian aid that went via Turkey could be better monitored, as it would pass through the Poised Hammer territory. Furthermore, this humanitarian aid would have to pass through Kurdish areas, giving Saddam an incentive to ease up on the Kurds. Once all traffic on the Jordan road was in violation of the U.N. sanctions; then, if necessary, military action could be taken to close the road in Iraq.

Fourth, economic pressure could be applied to Jordan to cooperate more closely. Reports suggest that Jordan has recently been applying the sanctions regime more strictly, a trend which should be encouraged. In this regard, let me note that Jordan has benefited from the repatriation of about $3 billion in foreign exchange from Kuwait. The Kuwaitis have allowed departing Palestinians to take with them their bank accounts.

In effect, what is happening is that the Palestinians leaving Kuwait have taken this money, put it in Jordanian banks, and then the Jordanian banks have turned around and lent the money to the Iraqi Government. So indirectly, the Kuwaiti funds which the Kuwaitis are trying to allow the Palestinians to leave with are ending up financing imports into Iraq.

If the Jordanians will not cooperate with the sanctions, Kuwait may wish to reconsider the release of these funds.

In addition, to enforce the sanctions more stringently, the West could take some additional steps to deprive Saddam of resources. At the moment, the U.N. system is incurring a substantial financial burden, both for the inspections regime and also for humanitarian operations. We might wish to use Iraqi funds to finance those costs.

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We also might wish to begin to accumulate a fund that could be earmarked for a more cooperative Iraqi Government as soon as it took power. We could secure Iraqi money for these purposes through a variety of steps. One step would be to reverse the Sanctions Committee decision which permits each country to unfreeze Iraqi assets for humanitarian purposes. We could direct, or excuse me, we could request the United Nations, to direct instead that these frozen Iraqi funds be used to pay for the U.N. relief operations and for humanitarian—excuse me, and for enforcement efforts.

We could also simply directly seize the $4 billion remaining in Iraq's foreign assets. However, the commercial banks would object to this. In many cases those funds were deposited in commercial banks before the banks agreed to extend letters of credit to the Iraqis.

So the banks are now stuck with the loans to the Iraqis, and we are coming along and saying to the banks, we are going to take the assets which you made the Iraqis put in your bank before you extended them a loan. In the banks' view, that is rather unfair, because we are sticking them with the bad debt while taking away the assets which they insisted the Iraqis deposit before they extended the loan.

A more far-reaching step that we could take to penalize Saddam Hussein would be to export Iraqi oil directly if Saddam refuses to cooperate with the U.N. scheme for exporting Iraqi oil.

Miss Mylroie mentioned the Kurdish proposal. The Kurds would like U.N. permission to export Iraq's oil. We could agree to that, or we could also begin exporting oil from the oil field which overlaps the border between Iraq and Kuwait. That Rumaila oil field has the potential to produce oil worth nearly $10 billion a year. So we could just export a small amount of oil from that, and we would have ample amounts to pay for the U.N. relief operations.

In conclusion, the most dangerous aspect of the situation in Iraq today is that Saddam evidently thinks that time is on his side. The sanctions are eroding the allies engaged in "threat and forget," and Arab and Third World opinion is losing interest in the U.N. inspections regime. Saddam can reasonably argue to his people that his postwar policies have stabilized the economic situation, while preserving Iraqi pride in resisting foreign pressure.

Furthermore, he can point to the erosion of the sanctions as evidence that persistence in an obdurate stance has paid off, and that there is no reason to change the Iraqi policy. Under present trends, Iraq's economic situation will steadily improve without Saddam having to bend his neck.

The exact steps taken to pressure Saddam, be they economic, political or military, are less important than the demonstration of a clear determination to stay the course. If the U.N. resolutions are to be enforced successfully, then the West must be more patient with Saddam. Thank you.

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PREPARED STATEMENT OF DR. PATRICK CLAWSON

TIGHTENING SANCTIONS AGAINST SADDAM: WHAT CAN BE DONE AND WHAT EFFECT WILL IT HAVE?

The evidence does not support the post-war optimism that, in the words of Henry Kissinger, "sanctions are more likely to work now than before hostilities" because "the war has ravaged Iraq's economy and military capacity" (*Washington Post*, May 5, 1991). The sanctions against Iraq are eroding. Without a change in current trends, Iraq will be able to import about $2 billion in 1992, equal to one-third or one-fourth of the pre-war civilian imports.

The most dangerous aspect of the situation in Iraq today is that Saddam evidently thinks that time is on his side: the sanctions are eroding, the allies engage in "threat and forget," and Arab and Third World opinion is losing interest in the U.N. inspections regime. Saddam can reasonably argue to his people that his post-war policies have stabilized the economic situation while preserving Iraqi pride in resisting foreign pressure. Furthermore, he can point to the erosion of the sanctions as evidence that persistence in his obdurate stance has paid off and that there is no reason to change Iraqi policy: under present trends, Iraq's economic situation will steadily improve without Saddam having to bend his neck.

Compelling Baghdad's compliance with the U.N. resolutions, much less accomplishing other U.S. goals with regards to Iraq, will require a sustained multi-front campaign. The United States must tread with caution lest unrealistic assessments about what one specific action could accomplish lead to disillusionment and loss of will to stay the course. It is implausible that any one military strike, much less any measure to deepen Iraq's political or economic isolation, will bring a change in Iraqi policy. However, each step becomes more powerful when reinforced with steps on other fronts.

Can Sanctions Lead to Saddam's Overthrow?

Much as additional measures against Saddam may be useful in the medium term, caution is in order about what any such steps could achieve in the short term. It is hard to see any scenario in which economic sanctions directly lead soon to Saddam's overthrow. That overthrow would have to come from a popular rebellion or a coup, or some messy combination of the two. A coup would have to be organized by the elite. But the level of imports is sufficient to sustain their consumption at a comfortable level. Furthermore, Saddam could reasonably argue to his subordinates that his policies are working: the sanctions regime is eroding without Iraq bending its neck. It is unclear why a general would want to make a coup that could lead him to be castigated as an American stooge who gave up Iraq's independence just as the brave nation had come through its darkest hour and the dawn was breaking.

As for a popular rebellion, it would be difficult to stir up in a situation in which the poor are receiving their daily bread from the regime, which provides them with ration coupons more valuable than their cash wages. In addition, the economic situation has stabilized and seems to be improving slowly—again, hardly the ideal conditions for provoking a popular rebellion. To be sure, the sanctions may undermine the regime's economic control mechanisms and may contribute to popular dissatisfaction. These can be powerful forces in the long run, but are unlikely to lead to revolt within the next year.

Furthermore, there is undoubtedly rage in Iraq at the tough times, but at whom is it directed? The Iraqi Government has devoted great effort to directing the anger against the West. Iraqi propaganda constantly repeats that the sanctions were designed to get Iraq out of Kuwait and Iraq is now out of Kuwait, so the sanctions accomplished their announced purpose and are now being maintained only to make Iraqis suffer. It is not possible to know the state of Iraqi public opinion, as should be clear after the civil war of March and April 1991 which erupted against the expectations of every U.S. observer. Nevertheless, to the extent that visitors can judge, it seems that the Iraqi regime's propaganda campaign to blame the West for the recent suffering inside Iraq has had some success. To be sure, Saddam's decision to invade Kuwait appears to be recognized by Iraqis to have been a monumental error. Nevertheless, in recent months, outside observers have not seen evidence—street graffiti, popular jokes, spontaneous demonstrations—blaming Saddam's post-war policies for the shortages.

Another factor mitigating against a change of government is that the hardest hit group has been the middle class—the 10 percent below the elite 1 percent and above the lower 89 percent. Unlike the elite, they have little access to imported niceties; unlike the lower 89 percent, the rations do not begin to provide them with a diet as varied and flavorful as they expect. The middle class is in the depressing situa-

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tion of seeing the shops full but lacking the income to buy. It is hard to mobilize the middle class for change: they can not lead a coup, and they have neither the numbers nor the inclination to engage in street fighting in a popular rebellion. Plus the middle class is disproportionately Sunni Arab and therefore inclined to support Saddam for ethnic reasons. Their one safety valve is emigration, an option that quite a number have taken or are trying to take.

What is the State of the Iraqi Economy?

The war period formed in the public mind an image of Iraqi starvation and privation. That image was fed by the dramatic report of the Secretary General's envoy, Martti Ahtisaari, who visited Iraq in March 1991. Under Secretary General Ahtisaari concluded "Iraq has, for some time to come, been relegated to a pre-industrial age, but with all the disabilities of a post-industrial dependency on an intensive use of energy and technology."[1] He warned, "the Iraqi people may soon face a further imminent catastrophe, which could include epidemic [sic] and famine, if massive life-supporting needs are not rapidly met." Perhaps the dramatic language about the poor situation of the moment was justified, though that seems doubtful. For instance, Mr. Ahtisaari made a plea to permit emergency imports of fuel and parts for trucks to move food and medical supplies, but as U.S. authorities pointed out, he made no mention of the trucks and fuel being used in profusion by the Iraqi Army to fight a war against rebels. Be that as it may, the forecast about Iraq's recovery abilities turned out to be vastly too pessimistic; the Iraqi economy has been able to restore services much more rapidly than Ahtisaari forecast.

The image of an imminent public health catastrophe has persisted long after its reality has faded. One factor in the improvement was that on March 22, 1991, the U.N. Security Council voted to permit humanitarian shipments to Iraq on a "no objections" basis. While the text of Resolution 657 referred to expediting imports of the broad range of goods classified as humanitarian in the Ahtisaari report, in practice, because of skepticism by some governments about the humanitarian character of many non-food shipments, licenses were readily granted for food and medicine imports but fewer licenses were issued for other items. Thanks to this change in policy, the Iraqi Government was able to begin regular and large-scale food imports by early summer 1991. The regular distribution of rations, which had in practice stopped from mid-January through April, began from May or June 1991. The government provided a minimum diet, the exact composition of which changed month to month. Families could supplement the rations with purchases on the free market.[2] The wage of one low-skill worker would have been roughly sufficient to provide a family of six with 1,800 calories per person per day, through a combination of rationed goods and free-market domestically grown goods.[3] In other words, in the unlikely event that a household had to rely on only one income-earner at a low-level job, it could still afford a diet that meets bare minimum needs.

The food situation has been quite typical of other vital sectors. Regular water service was restored in spring 1991 in Baghdad and summer in areas hit by the civil disturbances. Electricity by July 1991 was sufficient to meet the 1989 level of demand for all purposes other than industry. The July 1991 Aga Khan mission of experts warned that the electrical situation would deteriorate because of the absence of spare parts.[4] In fact, exactly the opposite occurred: the situation improved month-by-month. In short, there was no evidence by the end of the second year of sanctions of the peaking followed by slow deterioration expected by each of these teams. The common wisdom that has proved to be wrong was, "Overall, the American analysts say, the Iraqis are struggling precariously under a patchwork of short-term fixes and remedies that will probably deteriorate in the months ahead if the Bush administration maintains trade sanctions." (*New York Times*, June 3, 1991). By the end of first year of sanctions, the Iraqi economy had stabilized at a low standard of living. The standard was not only sufficient to sustain human life; it

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[1] *Report to the Secretary General on Humanitarian Needs in Iraq in the Immediate Post-Crisis Environment by a Mission to the Area led by Mr. Marti Ahtisaari, Under Secretary General for Administration and Management*, March 20, 1991.

[2] A detailed analysis of the food distribution system is Jean Dreze and Harris Gazdar, *Hunger in Iraq, 1991*, Development Economics Research Programme Discussion Paper 32, Suntory-Toyota International Centre for Economics and Related Disciplines, London School of Economics. They write, "It may seem surprising that a regime as repressive and intolerant as that of Saddam Hussein should turn out to be so considerate and impartial in food distribution" but this fits a pattern of some authoritarian rulers using food to contain dissent and stifle tension.

[3] For calculations, see Patrick Clawson, "Year Two of Sanctions Against Iraq: Can Saddam Hussein Survive?", study prepared for DOD, December 1991.

[4] *Report to the Secretary General dated 15 July 1991 on Humanitarian Needs in Iraq Prepared by a Mission Led by Sadruddin Aga Khan*, S/22799.

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was probably as good as today's global average. Furthermore, the evidence suggests that the main source of economic damage was the war, not the sanctions.

Iraq should provide an important lesson to those who evaluate vulnerability to sanctions. While Iraq would seem remarkably vulnerable to sanctions for technical reasons such as dependence on export income and ease of blocking trade routes,[5] politics was much more important than economics in determining how Iraq would react to sanctions. On the political level, Iraq was not especially vulnerable to sanctions. The Baath Government did not care particularly about welfare of the people, so suffering for the masses would cause the country's leaders few qualms. Indeed, as subsequent events showed, Western public opinion appears to be at least as concerned about famine and epidemics in Iraq as are the leaders in Baghdad. It was not clear how the sanctions would cause suffering to the elite, given that they had myriad ways to divert whatever supplies were available to their own use. Even if people became discontent because of declining living standards, they had few opportunities to influence government policy. Saddam had organized an extensive security apparatus to detect and eliminate dissent, so those opposed to his policies could not express their viewpoints much less act on them. The elite had found that Saddam was not open to criticism, as evidenced by the famous 1954 episode in which Saddam had invited criticism at a cabinet meeting only to kill the one minister who voiced mild complaints. Saddam had acquired a world-class expertise at avoiding assassination and coups.

Furthermore, Iraq's history at stubborn confrontations demonstrates its people's deep nationalistic, if not xenophobic, streak. Iraqis seem proud that their governments—royal, liberal, and Baath—deprived Iraq of badly needed oil revenues through two decade-long confrontations with international oil companies, one in the 1930s and one over the southern fields in the 1960s. Indeed, modern Iraqi history is a succession of one political obstacle to growth after another. A summary of Iraq's economic history by the Economist Intelligence Unit (*1990/91 Country Profile: Iraq*) lists some of the disputes other than the last two wars, which were of course the biggest drains on the economy:

> Growth of national income has been erratic and generally poor for an oil economy. Much of the problem arose from political events which caused prolonged pauses in the rate of economic advance. An oil dispute with the Iraq Petroleum Company began in 1960 and persisted in a variety of forms until 1973, inhibiting capital formation and value added in oil. The revolution of 1958 brought land reforms and other changes in the ownership of productive factors that adversely affected the private sector and left individual enterprise all but stultified. Perennial fighting in Kurdistan has been a further retardant on growth, while bad relations with Syria have interrupted use of pipeline facilities to the eastern Mediterranean ports and made Iraqi oil exports unreliable and depressed.

How is Iraq Evading Sanctions?

Iraq will probably import goods worth about $2 billion in 1992. The bulk of the money for these imports will not come from secret bank accounts, but from readily identifiable sources. Saddam is surviving economically not thanks to some wizardry on his part, but because smuggling is hard to stop and because the world's governments, including that of the United States, have not placed high priority on closing off his relief valves.

The identifiable sources of foreign exchange will be:

Oil sales: $400–800 million. Iraq is exporting 60,000 to 100,000 barrels of oil per day, most of that to Jordan but with some to Turkey and, according to *Petroleum Intelligence Weekly*, to Syria. When Jordan notified the sanctions committee in June 1991 of its intention to import the oil, Jordan stated that no payments would be made to Iraq; the value of the oil would be used only to reduce Iraq's debt to Jordan. On this basis, the sanctions committee "took note" of Jordan's declaration, without expressing approval or disapproval. However, Jordan evidently made no commitments about refraining from new loans to Iraq. Therefore, Jordan can comply with the letter of the sanctions while it may be violating the spirit: it can import Iraqi oil to repay old Iraqi debts while extending new loans to Iraq, in a transaction that amounts to the same thing as paying Iraq directly for the oil. In addition, at least 5,000 barrels per day are smuggled into Turkey, in order to take advantage of a

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[5] However, information about the Iraqi economy was extremely scarce. Iraqi Governments have been as secretive as any in the world. Outside analysts therefore had only the vaguest idea of what Iraq had in the way of stocks and of adjustment capacity when the sanctions started. Indeed, the U.S. Government seriously underestimated up until the start of the war Iraq's stocks of foodstuffs.

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$2.20 per gallon price differential that results from heavy Turkish taxation and large Iraqi subsidies. The Turkish Government loses $20 in tax revenue from each barrel of smuggled oil.

Gold Sales: $100–200 million. The stock of gold jewelry in Iraq in fall 1991, after the return of the gold taken from the Central Bank of Kuwait, was 100 to 700 tons, most of it in private hands. That gold was worth $1 billion to $7 billion. Iraqis have long sold gold when times were tough or when making large purchases. There would be ready purchasers; jewelers in neighboring countries do an active trade in buying gold scrap. Turkish jewelers alone purchase 100 tons, worth $1 billion, each year. The gold from Iraq could, in short, be readily sold at world market prices. Sales are at levels that could be sustained for at least 5 years.

Other exports: $200–400 million. Exports of dates to neighboring countries have been about $80 million a year since the sanctions started. The Iranian and Iraqi press both report on a regular trade in sale of used durables, including some of the 100,000 automobiles, mostly high-value cars, taken from Kuwait. In November 1991, Reuters reported "luxury saloons [cars] were fetching up to $30,000 when sold in Iran, and the cars were often driven to the border filled with stolen electronic cable, steel wire, and goods looted from Kuwait." In addition, Iraq is reliably reported to have exported used construction equipment and the like to Iran. To quote Peter Galbraith,[6]

> In Haj Omran, within a mile of the border itself sits one of the largest collections of construction and earth moving equipment in the world. In a short period of time I saw more than 30 large bulldozers, at least 7 giant cranes, steam shovels, and hundreds of big dump trucks. The equipment, manufactured by Volvo, Komatsu, Caterpillar, and Kawasaki looks to be in good condition. Parked along the road leading to the border were trucks loaded down with machinery. The Kurds explained that whole factories were among the contraband waiting to cross into Iran. From the evidence at Haj Omran, it is clear that Iraq is exporting its infrastructure to Iran at fire sale prices.

Use of Bank Accounts: $100–200 million. The U.N. sanctions committee has authorized governments to release bank funds to finance humanitarian imports. A list of $3,755 million in bank funds as of end-March 1991 was provided by Iraq to the U.N., and that list was not complete. It would seem that Iraq has access to the $72 million in Yemen and Jordan. The British Government agreed to release $125 million (70 million pounds sterling) of the $538 million frozen there in association with the release of a Briton held on corruption charges dating from well before the crisis. Reports suggest that some north European governments have also released some tens of millions of dollars of the $1.2 million held in Europe outside the U.K. There are no indications that the United States has released any of the $1.5 billion it froze. The Bank for International Settlements has indicated an interest in releasing the $300 million it holds into the escrow account that the U.N. has established for humanitarian relief, if Baghdad ever agrees to cooperate with the U.N. on this account (associated with, but distinct from, the account to handle the proposed oil sales).

Loans and Grants: $200–400 million. Libya has exported to Iraq food aid with a value of $100 million since April 1991. Yemen has also sent $20 million in aid. The U.N. system agencies reported that they spent $100 million in Iraq in 1991 for emergency relief, exclusive of the U.N. guards, arms monitoring programs, and refugee assistance. (The largest source of financing for this relief was $32 million from the U.S. Government to the World Food Programme.) A GAO source estimates that the value of the U.S. aid provided under Operation Provide Comfort to aid Kurds in April through September 1991 was $100 million. (The United States spent $460 million, but that included the cost of transport and U.S. personnel.)

As for loans, some traders are rumored to have extended loans to Iraq, which may well be inclined to be generous in the future to those who provide aid in an hour of need.

What Are Saddam's Options?

In August 1991, the Security Council authorized the sale of Iraqi oil up to the amount of $1.6 billion over a 6-month period subject to deductions for reparations and the cost of U.N. operations in Iraq. As mandated by the Council, the Secretary General calculated those costs and determined that Iraq would get $933 million out of the oil sales. If Saddam is feeling a need for additional foreign exchange, he always has available a ready route to this extra $1 billion: he need only make a few

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[6] Peter Galbraith, *Kurdistan in the Time of Saddam Hussein*, Staff Report to the Senate Committee on Foreign Relations, November 1991, p 11.

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concessions to start the flow of oil exports under the U.N.-approved procedures. In other words, Saddam can ease the choke hold of the sanctions anytime he wants.

The oil sales program involves a complicated set of procedures to reduce the amounts Iraq can divert from humanitarian needs. Baghdad complained bitterly that the procedures would delay the oil sales. That argument that had some force in August 1991, but by December the procedures had been worked out, the experts hired, and the program could proceed smoothly soon after Iraqi agreement. The Iraqi Government insists on three major further changes: permission for long-term contracts rather than spot sales, use of Persian Gulf ports in addition to the pipeline through Turkey, and full information for Iraq about the goods imported by international humanitarian agencies with the funds from the oil sales (the plan being to band $933 million to charitable agenda to buy goods for distribution in Iraq, rather than to let the Iraqi Government handle the funds directly). Not only are the differences rather narrow, but in addition the U.N. has a strong financial incentive to begin the oil sales so that it can be compensated for its expenditures on cease-fire monitoring.

Were Iraq to cooperate with the U.N. on the oil sales, Iraq would probably get access to more than the $933 million. The additional resources would come from two sources. The first would be additional contributions or unfrozen Iraqi funds, which various governments have talked about adding to the U.N. account as a reward for Iraqi cooperation. These funds are almost certain to be at least $300 million. The second source of additional resources would be oil sales beyond the $1.6 billion level. The Secretary General, relief organizations and various governments have lobbied vigorously to permit additional oil sales, and the Security Council looks set to continue and expand the oil sales program after the 6-month period.

With additional resources, the regime could have more of a carrot to combine with the stick it now uses to maintain control. Specifically, Baghdad could offer more goods to Kurdish villages that cooperate, and it could provide selective access for middle-level cadres to the stores now reserved for the elite. The U.N. plan incorporates provisions for strict monitoring of the imports financed by the oil sales, but that will have little effect on the regime's gain from the oil sales for two reasons. First, the supervision of U.N. restrictions will be less tight in practice than in theory. The non-governmental organizations and international bureaucracies which will be tasked to implement the restrictions are bitterly opposed to them. The humanitarian organizations are in the business of distributing as much aid as they can, so it is in their interest to work with governments rather than to engage in the much harder task of building a parallel distribution system. Second, the Iraqi regime will probably indeed use the imports financed by oil for humanitarian goods distributed on a strictly egalitarian basis, but it will simply divert to other purposes the resources that it would have otherwise dedicated to such a distribution of humanitarian goods. Economists like to say that money is fungible: if more resources are made available, then Iraq can do more of what it wants to do, no matter what restrictions are placed on the additional funds.

With the resources made free by the use of U.N.-approved oil sales for basic needs, Saddam could spend more on Iraq's military. The sums involved would be at most a few hundred million dollars, which is not enough to purchase modern weaponry in amounts sufficient to change the strategic balance in the region. On the other hand, a few hundred million dollars would permit better maintenance and some repairs to the existing weapons and to military-industrial facilities.

Given the obvious advantages of the oil sales, why has Saddam not agreed to proceed? He appears to be motivated by a conviction that he would gain less from the extra income than he does from his ability to portray himself as standing firm in the face of the world. He also appears to be gambling that the U.N. will compromise on looser controls over the terms and the proceeds, so that he can divert some of the money through a myriad of mechanisms, such as under invoicing the oil to understate his income, over invoicing the humanitarian aid to overstate his expenses, or charging excessive amounts for transport and insurance to again overstate his expenses. Indeed, some reports suggest that Saddam is so determined to make a strong case for relaxing the sanctions that "government agents have been threatening people with arrest if they accept foreign food assistance." As Patrick Tyler, a *New York Times* reporter who spent 10 weeks in Iraq during 1991, summarized the views of many analysts,

> If [Saddam's] last weapon is the sacrifice of millions of Iraqis to the horrors of starvation and disease until the Western alliance is shocked into saying "Enough!" and relaxing sanctions, then Mr. Hussein will not hesitate to reach for this weapon.

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How Could Economic Pressure Be Made Tougher and More Sustained?

Some of Iraq's escape valves cannot be closed: there is no practical way to stop gold sales or to completely eliminate smuggling. But more can be done to increase the economic pressure. If such steps are taken, they may weaken Saddam and leave him preoccupied; they are not going to lead to his overthrow. The measures outlined below to increase the economic pressure are not going to solve U.S. problems with Saddam, though they could make a contribution to a coordinated campaign of economic, political, and military pressure.

A major step to make economic pressure tougher and more sustained would be to tighten the sanctions. Ideally, all routes into Iraq should be controlled equally strictly. However, some of the borders are easier to control than others for strictly technical, geographic reasons. The hardest to monitor is the Iranian border, because there are dozens of roads that cross the relatively short distance between villages on each side of the frontier. The Turkish and Syrian borders have some of this problem, but less so. The easy borders to monitor are those in mid-desert, where there are few roads and any traffic is obviously headed for Iraq. For this reason, accelerated monitoring should focus on the road to Jordan, which is an important route for trade with Iraq.

First, the sanctions committee could order a stop to oil exports to Jordan. This would dry up any money Saddam is getting from the oil and would reduce the Jordanian Incentive to provide Saddam with credits. Jordan would be more likely to cooperate with such a step if alternative sources of oil were secured, especially if the oil were available at a concessional price.

Second, the allies may wish to consider placing inspectors on the Iraqi side of the border. The road is less than 70 miles from Saudi Arabia, through which the inspectors could enter Iraq. This option would require a continuing presence of U.S. ground forces to back up the inspectors, which would run the risk of U.S. casualties. However, Iraq could not easily harass the inspectors, who could rely on logistic support from the Saudi side and the inspection post would be 250 miles across barren desert from the nearest Iraqi population center, giving ample warning of Iraqi movements.

Third, the allies could consider closing the road through Jordan by denying approval for any humanitarian imports via Jordan, insisting that the Turkish route be used instead. Humanitarian aid that went via Turkey could be better monitored, as it would pass through Poised Hammer territory, and would have to pass through the Kurdish areas, giving Saddam an incentive to ease up on the Kurds. Once all traffic on the Jordan road was in violation of the U.N. sanctions, then military action could be taken to close the road in Iraq. However, this could require sustained air strikes and/or a relatively large ground presence.

Fourth, economic pressure could be applied to Jordan to cooperate more closely. Reports suggest that Jordan has recently been applying the sanctions regime more strictly, a trend which should be encouraged with some combination of carrots and sticks. In particular, Jordan has benefited from the repatriation of about $3 billion in foreign exchange from Kuwait's action to release funds of the departing Palestinians. If the Jordanians will not cooperate with the sanctions, Kuwait may wish to reconsider the release of funds.

In addition to enforcing the sanctions more stringently, the West could take additional steps to deprive Saddam of resources. Iraqi funds could be used to reduce the financial burden being imposed on the U.N., fund ample humanitarian operations, and permit accumulation of funds that would be earmarked for a more cooperative Iraqi Government as soon as it took power.

One step would be for the sanctions committee to reverse its decision to permit each country to unfreeze Iraqi assets for humanitarian purposes, permission which several countries have made use of already. The funds could be used instead to pay for U.N. relief and enforcement efforts. The disadvantage would be that this would decrease the flow of humanitarian goods into Iraq; however, such goods do not appear to be in short supply.

In addition, the U.N. could seize the approximately four billion in Iraqi frozen assets, including bank accounts and money for oil that was in transit when the invasion took place. This, however, would mean taking money from banks which have outstanding loans to Iraq, often made only on condition that Iraq maintain offsetting balances that would now be seized.

A more far-reaching step would be to export Iraqi oil directly. There are several possibilities. Some oil is under the control of the Kurdish regional government, which could be permitted to export at will for humanitarian needs. Alternatively, production could be restarted in the Rumaila field which overlaps the Iraqi-Kuwaiti border. If indeed Saddam has nullified the cease-fire, then moving the cease-fire line roughly 10 miles would allow the allied side to control the 2 million barrels per day

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capacity, worth $10 billion a year. However, restarting production would entail reintroducing foreign experts, and forces to protect them.

Many of the steps to reinforce economic pressure on Saddam require the threat of military force as a backup. However, the force would be applied to support inspectors or oil workers operating in the middle of the desert along Iraq's borders, where the danger of civilian casualties is much less than in the urban areas where the U.N. inspectors operate. Paradoxically, a clear commitment to use force when necessary may minimize casualties. If Saddam understands that the United States has the will to bring to bear the force necessary to back up the U.N. inspectors, he may avoid confrontation, in which case no one, Iraqi or American, will be killed. Air strikes, by contrast, are sure to kill (at the least) Iraqis.

The exact steps taken to increase pressure on Saddam—be they economic, political, or military—are less important than the demonstration of a clear determination to stay the course. If the U.N. resolutions are to be enforced, the West must be more patient than Saddam.

Within that context, economic measures can be used to keep Saddam weak and preoccupied. Economic steps are unlikely, however, to be sufficient to bring down Saddam.

The CHAIRMAN. Thank you. Mr. Murphy.

STATEMENT OF HON. RICHARD MURPHY, SENIOR FELLOW FOR THE MIDDLE EAST, COUNCIL ON FOREIGN RELATIONS

Mr. MURPHY. Thank you, Mr. Chairman. Your hearings are timely in light of Saddam Hussein's continued flaunting of the U.N. authority. In opening, I think it is appropriate just to remind ourselves that a number of misjudgments have been made by Middle Eastern specialists, including myself, in predicting Iraqi developments over the last several years.

So I approach today's hearing with a certain humility. I agree with much of what has been said in specific terms by Ms. Mylroie and Mr. Clawson. I will be touching on some of the costs and the tradeoffs in their proposals.

It seems to me there are two objectives which are dominating our thinking about Iraq. First, how to enforce the Security Council resolutions, particularly on destruction of Iraq's unconventional weapons systems. Second, how to get rid of Saddam Hussein, the unrepentant invader of Kuwait and the brutal master of his own country.

Now, the program of inspection and destruction of Iraq's nonconventional weapons, is in the hands of the U.N. While Baghdad has repeatedly sought to frustrate the U.N.'s work, its personnel are undeniably making progress.

The second objective, to bring about the end of Saddam's leadership, has proven elusive. There is a lot of debate about what form a successor leadership and regime for Iraq ideally should take.

Both of these objectives can be reached only if there is a concerted and persistent campaign from inside and outside Iraq. U.N. representative Rolf Ekeus has stressed the need for a "steady course" to implement last year's cease-fire resolutions. I agree that steadiness is a must if Iraq is to be able to go beyond mere rhetorical threats against its own people and against its neighbors.

I fully agree with the views of the representatives from the Iraqi National Congress who, 2 weeks ago in this city, argued that removal of Saddam and establishment of a more democratic pro-West regime will be a sustained process and not just a series of events. Unfortunately, one difficulty in maintaining the campaign against

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Saddam is that his domestic opponents are disunited and the regional powers' policies toward him are uncoordinated.

Three brief comments on renewing military action, although I realize that is the hearing tomorrow, but I think it does bear on what we are saying today. First, an attack by coalition forces or by the U.S. acting unilaterally, if not coordinated with his domestic adversaries, would not significantly hasten Saddam's departure; they might well be counterproductive.

Second, renewed military action would jeopardize the ongoing U.N. and IAEA inspections. As Ekeus implied in his article published in the *New York Times*, the Special Commission has done more to destroy Iraq's missile and non-conventional weapons systems than did last year's massive air and ground campaign. The U.N.'s highly intrusive inspections also serve to remind the Iraqi people that Saddam is not master in his own house. The way he is resisting this intrusiveness is the measure of the embarrassment that it's causing him.

Third, there will be political cost in the region to resume military attacks. For example, Egypt has made plain that it is increasingly skeptical about punishing Iraq further. A resumption will, in varying degrees, exacerbate anti-Western, anti-American feeling in all Arab countries.

Continuation of economic sanctions. As Patrick has pointed out, the sanctions show our continued resolve, even though they principally serve to add to the index of popular misery in Iraq. The duration has far exceeded the time thought necessary to trigger reactions which would bring down the regime.

This is having a negative impact on the Iraqi people's attitude toward the United States. Regrettably, this is not sufficient. In fact, it is no reason to scrap the pressures of the sanctions. But it is a political reality.

Tightening the sanctions may well be worthwhile, but we must recognize this is a double-edged sword. Iraqis take pride in having survived many deprivations over the generations. There is a point when "the sole leader who has succeeded in facing down the world," as he likes to call himself, will be able to exploit Iraqi national pride and personal toughness to his advantage. The impact of the attacks and sanctions may eventually stimulate more loyalty than anger toward the regime.

It may well be possible to ease the embargo on the Kurdish-controlled region in the north, where, because of Operation Provide Comfort, Saddam's writ does not run. Humanitarian assistance, medicine, building materials, spare parts, all these would go a long way to ease the refugee and economic problems and provide psychological support to the rebels.

The Baker-Scowcroft meetings with the Iraqi opposition 2 weeks ago were one step toward greater American involvement in Iraq's domestic politics. Those meetings have added to the international legitimacy the opposition has been seeking. But how much is Washington committed to see a democratic alternative succeed in Iraq?

I urge caution in our dealings with the opposition, lest they assume we are ready to do more to support them than appears to me likely. Frankly speaking, the United States lacks the capability, let

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alone the national consensus, to play the role of the external power that is to be principally responsible for installing a democratic regime in Baghdad. Setting aside our foreign policy preoccupations outside the region, one difficulty we have in advancing the interests of the opposition is that for the past 20 years, the opposition has been fragmented and responsive to regional patrons. Many oppositionists have been to a large degree marginalized just because they were so dependent on those patrons.

So it is the Iraqis who have to take the lead in replacing Saddam. We can play a useful supporting role by encouraging regional powers to be more generous than they have been to date in funding and equipping the opposition. We should urge them not to continue to try to control them.

The Kurds are the spearhead of the opposition, as it has developed to date. They have held their own elections, and it is in Kurdish territory that an all Iraqi opposition provisional government may one day be established.

Now, our support for Kurdish aspirations adds to the political pressures on Baghdad. Provision of needed humanitarian relief to the northern region is going to take coordination with the neighbors—Turkey, Iran, Syria and Saudi Arabia.

Laurie Mylroie has written about the dislike of the Kurds by both Arabs and Iranians. That is accurate and it is mutual. As for the Kurds's future political status, all of these countries remain weary of any move toward Kurdish separation.

Greater autonomy/self government for the Kurds, who themselves are still debating the issue of independence, should be the goal of our policy. An attempt to establish an independent Kurdish state or to federate the Kurdish area with any country except Iraq will be a prescription for future instability.

To argue against an independent Kurdish state strikes many Americans as both undemocratic and as absurd, the latter in the light of the disintegration of the former Soviet Union and events in Eastern Europe. But I remind you, that all Middle Eastern borders, with the exception of the Egyptian borders, are just as open to challenge as are those of Iraq. Border changes to provide statehood for the Kurds risk challenges to existing sovereignties throughout the region.

In the south, Saddam's attacks on the Shia have not excited the international concern which they deserve. Although information is limited, we know a massive refugee problem exists and that the Iraqi Air Force continues to attack the population at large.

Unquestionably, to create a safe haven in the south, comparable to that north of the 36th parallel, would not only preserve human lives, but would add further internal pressures on the regime.

A decision should be made, in my opinion, to ban all Iraqi military flights. There is a question whether existing U.N. resolutions justify that action. But if there is an argument against simply acting on the basis of 687 to ban these flights, then we should take the lead at the Security Council and seek a new resolution.

The problem of getting agreement on a local staging-point for coalition aircraft to enforce the flight ban may prove problematic. Iran, up to now, has taken exception to coalition military operating in the region.

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On the positive side, Saudi concerns over the Iranian-based Shia opposition seem to be receding. This may create new areas of cooperation helpful to the opposition. Syria's position is less clear.

One of the main reasons for the failure of last year's uprising, and this is the reason cited by the opposition itself, was the lack of communication, the lack of coordination between south and north. They have urged that the United States play a significant role in helping facilitate communication and cooperation among the regional patron states. There are indications that the opposition groups—those which are supported by Iran and Saudi Arabia, and they boycotted the meeting of the National Congress in Vienna last month—may now be willing to cooperate and to establish a base in northern Iraq.

This should be encouraged, although the still-existing ill-will felt by Tehran toward Washington suggests we might not be the right party to do the encouraging.

On the question of releasing the frozen assets, I hope that they could be transferred to the opposition and used for humanitarian aid to both south and north. It won't be done easily because our allies oppose the release of those funds to anyone but the recognized government. They argue such transactions would compromise the traditional banking system. We should examine, as an alternative, the opposition's idea to allow them to borrow against these frozen assets.

Recognition of a provisional government made up of all opposition elements would confer additional legitimacy and help in the transition after Saddam's departure, and could help to bring it about. A consultative assembly, the term used by the Iraqi National Congress, comprised of opposition leaders could be established in the north.

As far as the war crimes trial issue is concerned, there are constantly new efforts coming—new evidence coming to light—documenting the brutal nature of the regime. Why don't we use Iraq as a case study to stimulate thinking about creating a tribunal to try international criminals? Our effort to this end could further delegitimize the government, no matter whether we can get agreement within the United Nations framework. It would underscore an emerging global commitment to keeping pressure on Iraq, at least until his removal from office. This display of international resolve could help break the barrier—the fear of retribution by Saddam among the Iraqi people, particularly in his military.

There is a downside. The possibility it would harden the regime's attitude against further U.N. disarmament efforts in Iraq.

So to support Kurdish aspirations, to provide safe haven in the south, to arrange for the release of frozen assets to opposition hands, these are all options that will add pressures on the Baghdad regime. For that reason alone they are worth pursuing, but each also risks increasing the prospect of a breakup of Iraq.

I believe the Balkanization of that country not to be in our best interests, basically because of its unpredictable but likely spreading results region-wide. I take summary note of the concerns of some of Iraq's neighbors.

Turkey. The Kurds in Turkey are no longer called mountain Turks, and the government seems intent on liberalizing restrictions

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on the Kurds. But Ankara basically wants to assimilate their Kurds as Turks.

A loose confederation with northern Iraq or any situation that opens trade, access to mineral rights, water and oil from the Kurdish entity would be a boon to the Turkish economy. But a Turkish entity, in confederation with Turkey, a Kurdish entity in confederation with Turkey, would potentially be a loose cannon.

Iraqi Kurdish leaders would not be able to expel the PKK element of the Kurdish political structure, even if they wanted to. This latter point is still being debated.

Saudi Arabia and Kuwait would feel more comfortable with the permanently weakened, but not with a dismembered Iraq. The Saudis are reportedly concerned that Balkanization, or the separation of the north, could prompt a land grab by Iran and possibly Syria. A breakup of Iraq might enhance the regional influence of Iran, as well as Saudi Arabia and Syria. Recent reports about Iran's military budget remind us of that country's determination one day to regain its formerly dominant role in the Gulf region.

The manner of confrontation with Saddam. His interest is in the survival of his person and his regime. Restoring his image as the hero of the "mother of all battles" is fundamental to his game plan. He has successfully irritated the United States and the U.N. He has provoked the American President to speak angrily about the delays over U.N. inspections.

This has been reminiscent of the highly personal attacks which President Bush and Saddam made on one another in the pre-war period. Saddam's survival, much less his maneuvering against the Council resolutions, is galling. But we should confine ourselves to dignified and relatively few statements rejecting Iraq's challenges to the U.N., and supporting the international community's refusal to see Iraq maintain an offensive military capability.

Angry rhetoric debases us and quickly translates into bluff in Iraqi ears. Furthermore, it is Saddam alone who benefits when foreign leaders allow themselves to be cast as his equals.

In conclusion, I admit I speak to you today as a conservative who prefers to work with certain givens in that messy and volatile part of the world in which we have major interests. With regard to the administration, I do not know whether, or how committed, it is to playing a sustained role to effect major changes in the region's political structures.

I am unaware that there are many budding strategists in the administration who want to emulate Messrs. Sykes and Picot—the engineers of British and French foreign policy during the First World War who drew those Middle Eastern borders to suit then-prevailing imperial interests.

The administration may believe that once Saddam is out of power, there will be no successor with a personal power base to play so malevolent a role in the region. If so, its ambition may be no more than to see Saddam disappear.

Our only real choice is to stay the course, working firmly and calmly, to maintain the intrusive inspections already agreed upon in the Security Council. This will achieve our goal of preventing Iraq from again threatening our interests and those of the region.

Thank you, sir.

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The CHAIRMAN. Thank you, Mr. Murphy, and thanks to all of you for the very interesting set of opening statements. Let me begin with a couple of questions and then yield to my colleagues.

Perhaps you all agree on this, so build on each other's answers. Lay out for me, if you can, and for the record, what are the dangers if we continue on the current course?

We have now had—a year and 4 or 5 months? It was April of 1991 when the U.N. resolutions were passed, accepted by Iraq, and ended the war. In that year-and-a-quarter or so since, what we have seen is a lot of resistance on behalf of Saddam Hussein and the Iraqi Government toward compliance with these resolutions. Suppose this were to continue. What do you see as the future?

Why are we worried about a continuation of the current trend? Anybody?

Ms. MYLROIE. I agree completely with what Patrick suggested about Saddam thinking time is on his side, the erosion of the present U.N. regime is likely to occur over time. It seems that at present, we are not likely to get a hold of Saddam's chemical weapons program, his biological weapons program or his Scud missiles.

One can only cite Robert Gates in his January 15 testimony, in which he said much of the hard-to-get production equipment for chemical weapons was removed and hidden before the bombing started. Biological weapons we don't know about, and the inspectors are looking for hundreds of Scud missiles.

Furthermore, the way the latest crisis regarding the U.N. inspections has evolved, it is very difficult to be certain that the U.N. has maintained its right to appoint as head and deputy head of the inspections teams whomever it chooses and to go wherever it chooses, because the head of this team which was supposed to show that the fiasco at the Agricultural Ministry set no precedents is a Russian, and the team refuses to say publicly where it is they have been.

So we don't know whether they are avoiding a crisis with Baghdad by self-censorship.

Mr. CLAWSON. To be honest, I am more worried about the effects that staying the course would have on our policies elsewhere in the Middle East and elsewhere in the world than I am about the effects vis-a-vis Iraq, because Iraq is going to remain a relatively militarily weak country.

But I am very concerned that the people in the Middle East may draw the conclusion that the United States lacks staying power. This was a powerful impression that the Middle East held about the United States after the events in Lebanon in the early 1980s. Some people, particularly the Iranian leadership, are vigorously arguing that the events in the post-war period demonstrate that if you can take what the United States dishes out when the United States gets mad at you, then the United States will forget, leave, and then you can go back to doing what you want to do.

I am concerned that others in the Middle East and other parts of the world, such as the former Soviet Union, may draw the conclusion that in a confrontation with the United States—if you can get over the immediate crisis, which may be pretty terrible—that you can eventually prevail because the United States will forget and leave the area.

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Mr. MURPHY. I don't think there is a danger of continuing the current course. I don't say we should sail away from Iraq and abandon what we demanded through the U.N.

Ms. Mylroie is saying that the U.N. may have compromised itself in its negotiations to get the inspectors operating again in Baghdad. I don't know that. The case has said something to the contrary. He has his manner of dealing with the Iraqis. If he is able to get the results, I think his manner is less important than the results.

Now if he is not getting the results, that will soon enough be clear. He may prefer to speak quietly through the Security Council to the individual governments involved rather than a daily denunciation of the Iraqi regime or daily accounting of the Iraqi regime. I think it is too early to say that the system has been compromised.

The U.N. is in there. I think it behooves us to give the U.N. full support for just the reason Mr. Clawson talks about, that we are no longer interested in seeing the will of the world carried out.

The CHAIRMAN. Let me ask the question that Laurie Mylroie addressed in her statement. If we are setting about to correct this situation, an essential part of it is the removal of the Saddam Hussein from office.

We would like to ask both Patrick Clawson and Richard Murphy about that.

I would like to ask all of you if you are under the impression, first of all, that Saddam Hussein is in a stronger position now. Is he correct in assuming, if he is assuming, that time is on his side? In other words, is he getting stronger under the current circumstances?

My first question is: is he stronger now than when the war ended and is that part of the picture that we are dealing with?

Second, if we want to enforce the U.N. resolutions, is it going to be necessary to get rid of Saddam Hussein in order to have full compliance with 687, 688 and all the other resolutions?

Who wants to start?

Mr. CLAWSON. I am not sure that Saddam is stronger than he was at the end of the war. I think he can make a reasonable case that he is and he certainly is vigorously making that argument.

The picture is quite mixed. Clearly, he commands less popular support than he did at the end of the Gulf War. I think Saddam was genuinely relatively popular in Iraq in the period after August 1990.

At least initially there was an enthusiasm about having access to all of Kuwait's oil wealth and that made the action potentially rather popular under the Iraqis until they saw just how vigorously the world was going to react.

I think Saddam is weaker in the sense that he has less popular support and that he has to rely more on fear.

On the other hand, he can make a plausible argument that his position has improved since April 1990, which was, in many ways, the nadir of his power.

I would argue vigorously that Saddam has to go for there to be any credible enforcement of Resolution 687. I just don't think that we can anticipate 687 will ever be enforced on a systematic and continuing basis while he is in power.

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What worries me the most is that Saddam's's relatives may decide to dump Saddam and bring in a clone who is in many ways worse. Some of his relatives are more thuggish, more cruel and nasty than he.

I would not want to personalize this against Saddam. Not because I think we can live with Saddam, but because I am worried that we may find that one of his relatives bumps him off and takes power for himself.

I think we have to say we want some kind of change in system in Iraq. Not that we want to bring parliamentary democracy to Iraq, but we have to see some degree of popular participation, some opening of the system. I will be happy to go back to the situation during the late 1960s. Iraq had an authoritarian government, but it had some semblance of popular consultation and at least it was not openly flaunting public opinion as this current regime is prepared to do.

Mr. MURPHY. He certainly showed that he had more resilience than any of us assumed when the war ended. He did not die in the bunkers; he was supposed to. He did not fade away in 6 months, which the war plus the sanctions were supposed to accomplish.

As far as a clone succeeding him, I think it is important that he go. I don't know that we can bring it about. However, I do believe that the day he is gone there will be no one of his capabilities in power.

It took him 23 years to build that machine, that personality. It is not that there will be other brutal men around Iraq hoping to seize power, but they will not have the controls, presumably the charisma, peculiar as it is in our eyes, to play the role as President of the Iraq that he has done.

I think, if I may say, thus far I am glad to see that it is not a major issue in our campaign because I think that he is hoping to benefit by our campaign for the presidency. I think basically that the statements are mutually supportive thus far. I hope it will continue.

Ms. MYLROIE. I believe that Iraq is the largest military power in the Persian Gulf. Much of what was destroyed in terms of conventional weapons production has been rebuilt, 70 to 80 percent. Those involved in the conventional arms industry were employed round the clock, initially, to take out the equipment that had not been damaged, and then subsequently, to rebuild what had been damaged.

I think there is no doubt that militarily, he is stronger than he was when the war ended. I think also politically, he feels stronger.

I would point to the crowds in Baghdad that were harassing and intimidating the U.N. inspectors. When the war ended there were no demonstrations in Baghdad for some months. Whenever those demonstrations began, it was women, school teachers, and children involved, as if Saddam didn't trust having large numbers of men in the street. Now he does. He is not afraid of it.

As to the questions of time being on his side in the sense that it seems that he survived the worst of it. An example to illustrate that is what the Iraqis told the Kurds when they were negotiating with them immediately after the war ended. Husayn Kamil, Saddam's son-in-law, said to the Kurdish delegation, "How long

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will the United States stay there, 1 year, 2 years or 5 years? Eventually they will go and we will know how to take care of you." That, I believe, is a reflection of Saddam Hussein's and his cronies' attitude toward the situation.

Finally, I think it appropriate to ask what is U.S. policy. We have to think through this clearly. General Scowcroft told Massoud Barzani, who came here with great hesitation, remember what had happened in 1975 to his father, and in that meeting General Scowcroft told him, "We won't let you down." Well, that is fine. But what does that mean? What will the United States do if Saddam Hussein launches a determined assault on the Kurds?

The CHAIRMAN. Let me ask Laurie about the version of the statement that Patrick Clawson had there. You say that getting rid of Saddam Hussein is kind of the sine qua non of being able to get some enforcement of these resolutions.

Suppose you had the Patrick Clawson phenomenon. Suppose Hussein goes but is replaced with somebody just as thuggish and who has the same objectives?

Let me put another spin on it. As soon as Saddam Hussein goes, my guess is the world heaves a sigh of relief and turns to other issues. One of the advantages of keeping the pressure on is that Saddam Hussein, at least from a public opinion standpoint, is still there, so it is relatively easy for people in the United States and, perhaps, in the U.N. to believe that there is still mischief going on.

I would guess that if Saddam Hussein goes, people will think the mischief has stopped. However, the mischief does not stop, according to the Patrick Clawson theory.

Dick Murphy says, "But the man will not have the same power, charisma, experience and whatnot."

Could you actually have a more dangerous situation with Saddam Hussein gone than with Saddam Hussein in place?

Ms. MYLROIE. I don't think the situation would be more dangerous with Saddam Hussein gone, but I don't think it will solve the problem. A Suni member of the INC delegation told American officials that we can't have war crimes trials because then there won't be a palace coup. This fellow, who was once an Iraqi Prime Minister and Chief of the Air Force, explained to the American officials why there would not be a coup in Iraq in any case: It is inconceivable that Saddam's cronies would move against him; and two, even if they did it would not solve Iraq's problems. I believe that is absolutely correct. In my testimony I gave an example of that.

The Kurds will resist—with the arms they have—the restoration of Baghdad's authority in the north unless it is accompanied by guarantees of human rights for them. None of Saddam's cronies can possibly provide those guarantees. So you will have the same Kurdish problem even if one thug ousts the other and they get rid of Saddam.

One option is to turn to Turkey and say if you want northern Iraq, fine, take it, because Baghdad's sovereignty over them means genocide and we don't accept genocide as an implied part of our policy. However, that runs up against the U.S. commitment to Iraq's territorial integrity. That brings me back to where I began.

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If the United States intends to maintain its commitment to Iraq's territorial integrity, the only way the problems of Iraq can be resolved is by the ouster of this entire regime.

The CHAIRMAN. This is my last question. I will then yield to my colleagues here.

In a minute I want to get to the question of the break up of the country. There was a report that there was an attempt on Saddam Hussein, or some kind of coup attempt a couple of months ago.

Do any of you know anything about it? What do we know about this report of an attempt on Saddam Hussein?

Mr. CLAWSON. I think we know there will be repeated attempts to get rid of Saddam Hussein; that has happened over the years and will continue to happen. The general method of changing governments in Iraq is by coup. It would not be surprising if there were people who wanted to be President of Iraq who attempted this.

We also know Saddam is a master at putting down such coups. Sometimes he puts them down even before the people thought of doing them.

The policy of killing those who are planning to eliminate you, even before they realize they want to eliminate you, is remarkably self-fulfilling.

Saddam is a master at that. This is a man who every time he makes a bold move, his first impulse is to think who would oppose that move and let me now eliminate them.

I have no particular information about this episode, but I think we should anticipate that there will be repeated claims by Saddam that there were such episodes and he will repeatedly purge the elite.

Ms. MYLROIE. My information is that there was something of a coup attempt but that it was very early in the coup. I think that is typical.

Furthermore, I think that the more there is a focus on promoting a coup in Iraq, the more you set yourself up to be manipulated by Saddam Hussein, because he certainly has much more experience with coups than any American.

One of the things I am currently exploring is what happened at the end of the Gulf War. Schwarzkopf gave Iraqi helicopters permission to fly without any restrictions. That was evident in the Safwan transcripts. There is some reason to believe that he was acting on information that these helicopters were going to launch a coup.

When I was in northern Iraq, I spoke with many people who personally knew the head of the helicopter squadrons, who identified that fellow as a man very loyal to Saddam Hussein, who would never in his life move against him.

I use the example because the more the idea is to promote a coup, the more Saddam can manipulate it by sending out people who will tell you I have a list of officers and I can promote a coup.

But they are, in fact, acting on Saddam's instructions. It seems to me that is one of the things that is happening in the context of this crisis and that several players, not only the United States, but the Syrians as well, and others, fell for that.

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Mr. MURPHY. That rather argues for not talking so much about getting rid of him.

Ms. MYLROIE. No. I think it argues for getting rid of him not by a coup. What you need is a broad-based movement like the Iraqi opposition which is not subject to the same sort of manipulation by a fellow who knows more about coups than anyone else.

The CHAIRMAN. Does anybody else have a question?

Mr. SKELTON. Thank you, Mr. Chairman.

It is hindsight time. Each of you, either in your testimony or on the television news programs, touched on the matter—you discussed your advice during the Desert Shield-Desert Storm era. I would like to ask each of you, A, what was your advice and recommendation; B, how accurate were you?

Ms. Mylroie.

Ms. MYLROIE. OK, confession time.

I will confess to being absolutely wrong about Iraq prior to, say, 1989–1990. I understand why the administration believed that Saddam was a kind of dictator they could work with, that the Middle East was a very difficult place and there were not many people you could work with.

Further, in retrospect I've come to understand better the extent of deception in that regime. I would compare it somewhat to Stalin, an Arab version of Stalin.

For example, in conversations that I had with a senior Saudi, we were looking back at what Saddam had intended. I suggested that in 1980, when Iraq invaded Iran, Saddam had in mind as a maximum goal to control the oil in the Persian Gulf. Because if he had defeated Iran—the Shah had just fallen—who could have protected the States of Kuwait and Saudi Arabia?

Only over the past years with the big American defense buildup was Desert Storm possible. Controlling the Gulf's oil is what I think Saddam had in mind in 1990 when he invaded Kuwait. The old goal came up when the opportunity seemed to come up.

As I suggested that the Saudi said to me, "Yes, in fact, I used to meet Saddam Hussein and he would confess, I thought that in 1980, but I learned my lesson." Well now, that is kind of a manipulation of individuals. He manipulated many people, the administration, myself as well.

However, in the spring of 1990, I began to feel that something was very wrong because it was apparent to me that Saddam was unnecessarily picking a fight with the United States.

When the invasion of Kuwait came, I think that the administration, by its misreading of what had gone on previously—in the sense that it reassured Saddam prior to the invasion of Kuwait that it had no hostile intentions—failed to do anything that might have deterred Saddam. But I am not sure that would have been possible because he was bent on invading Kuwait.

I supported the war. I supported the administration up until the end of the war.

I believed that Saddam would fall as a result of the war. I still think had Schwarzkopf stuck to what seemed to have been the original policy, to ground all the Iraqi aircraft, Saddam might have fallen because the population revolted against Saddam.

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Furthermore, the helicopters played a very important role in suppressing the revolt, particularly in northern Iraq. The helicopters were able to individually target fleeing civilians in a way that artillery could not.

When the uprisings broke out, I went on the public record saying the United States should support those uprisings.

I believe if the United States supported those uprisings, even in the most minimal way, we would not have Saddam Hussein here today.

There were many options. One was to shoot at a few helicopters which would have had a chilling effect on all other helicopters. Another would have been to demand that Saddam Hussein's army stay in place. However, the administration made another decision which was to stay out of what it called, "Iraq's internal affairs."

Furthermore, on the 26th of March, after a month of this, it made what became, obviously, a big mistake in clarifying an ambiguity that had developed about helicopters by announcing they would not shoot down helicopters. I believe the reason for that was they thought it would precipitate a coup that everyone expected and thought would happen.

That announcement on the 26th of March 1991, by the White House Press Secretary that the United States would not shoot down helicopters was, in effect, a green light for Saddam Hussein to repress the revolts. But it precipitated the Kurdish exodus.

The President tried to close his eyes to that, he went to Florida for a fishing vacation, but because of the media and the attention given to it, it became too much and we ended up with a safe havens program. Since that time, I have taken the position that Saddam Hussein must go and that a coup is not very likely to happen.

Mr. SKELTON. Mr. Clawson.

Mr. CLAWSON. I confess that during the crisis I foolishly agreed to answer some questions about military matters—a subject on which I know very little—and most of my comments were not insightful at all. I was worried that Saddam would find some way to win a political victory despite a military defeat, and to this day, I don't think he has been able to do that.

So, when I stuck to the ground which I knew best, which is about economics, the subject I spoke most often about, I think my forecasts were pretty accurate. I was a vigorous defender of the position that economic sanctions were unlikely to bring about a change in the Iraqi regime behavior, and that the effects of sanctions on reducing the living standards in Iraq would not particularly impress Saddam and cause him to change his behavior.

Mr. SKELTON. Thank you.

Mr. SKELTON. Mr. Murphy.

Mr. MURPHY. How far back did you want me to go? Seriously, are you talking about Desert Storm and the buildup?

Mr. SKELTON. Desert Shield, I would say from the moment of invasion.

Mr. MURPHY. I thought that he would blink as the forces started gathering in Kuwait and that he would have been wise enough to make at least a partial withdrawal and thereby block what became Desert Storm. I misread him. I still don't believe I understand the psychology.

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I know him very slightly from my own service. Of course I have to remember that he ordered the movement against Iran 10 years before which was considered a strategic mistake in retrospect and the same man made the same dumb power play against Kuwait.

Something is missing in his analysis of his capabilities and Iraq's capabilities. But I did think that he would blink and that we would not see a war. I advocated sanctions publicly in the fall, coupled with the assumption that this would bring him to blink, that plus the military buildup, and he did not.

He appears to—well, it has been said that he felt that we would have been out to get him in any case and this may have all have been an enormous entrapment of Iraq. I think he was quite wrong on that. I don't think we were nearly that farseeing in the 1980s or as the buildup started in the spring of 1990 with his increasingly hostile and negative stands.

Since he did not die in the bunker, I think he has shown predictable interests in day-to-day survival and telling his own people that he in effect won and he is managing to succeed by getting rises out of us, not in defense of the U.N. intrusiveness, but of expressions of anger and we will show you, and all. I think we have to be very careful to not let him jerk us around or the U.N. around.

Mr. SKELTON. That is what concerns me a great deal, Mr. Murphy. A little reading of history shows that this is somewhat deja vu with the League of Nations back in 1935. If the United Nations can't enforce its resolutions against someone like Saddam Hussein who, relatively speaking is not a major figure on the world scene insofar as past tyrants are concerned, what happens when another Adolph Hitler comes along?

Mr. Clawson mentioned that economic sanctions will not overthrow Saddam Hussein. Ms. Mylroie said the resolutions are impossible to enforce with Saddam Hussein in power.

Mr. MURPHY. That is where I disagree. I would take issue with Ms. Mylroie on that. I think they are enforceable. What I see in the case that is proceeding is trying to win that way to get the job done to enforce those resolutions.

Mr. SKELTON. I have one last question, really procedural. Does the U.N. need to pass another resolution to enforce 688 or 687? What is your judgment on that? Do they have to go through the same thing again?

Ms. MYLROIE. The 687 is under chapter 7 and the authorization for military action exists. The 688 is not under chapter 7.

Mr. SKELTON. So they could proceed under 687 to enforce sanctions without further resolution?

Ms. MYLROIE. Yes, that is in the resolution itself.

The CHAIRMAN. Pat.

Mrs. SCHROEDER. Thank you, Mr. Chairman. I want to thank our witnesses who are providing very interesting testimony. It is also an interesting day in that the Attorney General turned down the House Judiciary Committee's request for an independent counsel vis-a-vis the Iraqi investigation that three full committees asked for. I think that is very troubling as to how well we can deal with our own background and where we are.

Part of my concern is I have always felt our weakness as a culture is that we personalize all this too much. We tend to make Sad-

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dam Hussein a good guy, then suddenly he is Hitler and now we are back to saying he is the worst thing that ever happened. Often we don't look forward to see what might replace him or the fact that personalizing him may be one of the things that helps make him so popular.

My frustration is how do we as a world community keep this at the U.N. level rather than the U.S.? Let's really make the U.N. real, not just a front for the United States. The U.N. should be very real and make sure that they are not just passing resolutions but they are also proceeding to enforce those resolutions. What I think I hear everyone saying is that one of the reasons things are not working too well, and we all know this, is that Jordan is letting everything go right on through, much as they did during the war. Syria, Saudi Arabia, and some of the neighborhood is very weak in standing up on this.

Do we have any way to get the neighborhood to be much stronger? America can't just do this all by itself under U.N. cover saying, "Well, the U.N. votes for it and we'll run out and be the policeman." I would think that there would be direct interests of other countries in the region to be sure that we don't burn out in our frustration, that the sanctions are there but people who voted for them won't help enforce them.

Are there ways to do that or are we just kidding ourselves? Will the U.N. never work except just to vote for resolutions? Then the question becomes: will we enforce them or not?

Is there a way to depersonalize all this to make it more the U.N. versus a country that is not doing what it signed up and agreed to do?

Mr. CLAWSON. Perhaps if I can speak up for some of the allies, some of the other countries in the region. I think they made a good bit of effort to enforce the sanctions, including Jordan for that matter. Enforcing the sanctions is not an easy task. We know from our experience that the border between the United States and Mexico, despite our greatest efforts, still sees a fair amount of contraband, including deadly drugs flowing across it. It is hard to seal these borders in spite of considerable efforts by some of the governments. I think, for instance of the Turkish Government which in particular has put a lot of effort into its small border region and yet finds a lot of smuggling going on.

The problem is not only lack of cooperation from other governments but it is the inherent difficulty in enforcing sanctions that makes them a problematic tool under many circumstances. That said, we also have to say that if the world has a problem with Saddam Hussein, that it is not immediately obvious to his neighbors, then they should be the ones to bear the full financial burden of the effort to stop him. To the extent that Saddam Hussein is a problem, because he threatens the world's oil supplies, then the world's oil consumers should bear part of the burden.

All of that said, I fully endorse your sentiment that we should find mechanisms to get the U.N. more actively involved in this process and not rely so heavily on the United States forces.

Mr. MURPHY. We are up against—well, you are on to something, but you are up against two things: One, the way the Iraqi leader personalized everything himself. Not a sparrow falls in Iraq in

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peace or war that has not been overseen by the President of Iraq. He is the greatest farmer, thinker, warrior, everything. He is everything. His personality exceeds anything we saw in Moscow or anywhere else in the world over the years.

You are up against the fact that the United States is not only impatient, but it did play this massively dominant role in organizing the war and in organizing the international diplomacy at the Security Council. Now we are saying we cannot get some things just because we are the only remaining superpower and it certainly is a time to look very hard at one specific, the war crimes trial. I assume we are not going to keep bringing Noriegas to the United States.

There has to be something created that will be supportable internationally. The threat of that, it has been mentioned with regard to Yugoslavia, wouldn't it be useful to have it out there as a threat today that you will be hauled before and be indicted by such a U.N. mechanism. I think you are right. We should be pushing for that. That is just one specific area we could push.

Ms. MYLROIE. I would like to underscore what Mr. Murphy just said particularly with regard to war crimes because I think two things have been missing in U.S. policy since the war ended. One has been principle and the other has been a coherent plan, leadership. War crimes trials are the basis of any principled posture toward Baghdad.

They should have been held, not in the sense that you have to go and get him, but you have to indict him and not just him, but those around Saddam, too. Publicize the atrocities so you don't have Arab public opinion asking why Iraq is singled out. Iraq is singled out because of the remarkable, astonishing atrocities of the regime. Not to do so sets bad precedent.

In fact, when the United States, after the war's end, gave the green light to Saddam Hussein to suppress the Shia and Kurdish revolts, it gave a green light to fierce sectarian warfare in Iraq. A Yugoslavian friend of mine says that Croats and Slovenes believe that Malosejc took his cue from the way the United States dealt with Saddam Hussein.

So, principle is one necessary element. Leadership is another. The regional alliance is becoming shaky because the countries are wondering, "Is Washington serious," countries like Turkey. If Saddam Hussein does not go, they will have to live with him for the next two decades. Now if they believe that Washington is not serious about getting rid of that regime, then they start to look to measures to accommodate Saddam Hussein.

That is what you have going on with Turkey pursuing a two-track policy. Going along on the one hand with Poised Hammer, but on the other hand reopening its embassy in Baghdad, saying it will invite a delegation from the Iraqi National Assembly. You have the erosion of Iraq's isolation in the absence of any clear American policy aimed at what really must be the goal of removing that regime.

Mrs. SCHROEDER. My frustration is if we had this hearing a year ago in this room and people predicted Gorbachev would be gone and Saddam Hussein would still be in power, Americans would never have believed it. Again, I think that is because of how we

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perceive different world leaders. We are rarely right when we start perceiving different world leaders.

Mr. Murphy said something that I thought was important and I want to make sure I got it right. I am troubled by pursuing the Kurd policy, particularly when you look at Yugoslavia and when you look at the potential of the world continuing to break apart in this New World order or, rather disorder.

I think that maybe part of the reason Turkey is pursuing the two-track policy is not so much because they are afraid of America leaving the region but that they are afraid of where the Kurdish policy may go vis-a-vis Turkey and vis-a-vis the region for further disassemblance. The fear is that at some future time in order to get at Saddam Hussein, we may adopt a policy that unleashes other forces we have not thought about that will affect other areas.

So I like very much the war crimes aspect. One, because I think it fits across every part of the globe and especially with TV and CNN. I think that war crimes trials done by the world community can be very, very important. That is not a policy that gets us into lots of trouble.

I would be interested in your analysis of that. I also want to go back for one followup on my prior question. That is, what is the biggest problem of enforcing sanctions? If it is money, and I think a lot of it is the commitment of resources by the U.N. because the U.N. seems tapped out. It is also being used by Iraq; Iraq is tapping them out by charging them for everything, yet the U.N. doesn't go against their assets. You could also make a very logical policy similar to the war crimes policy where you could access against the frozen assets the running of the U.N. sanctions or the enforcement of the sanctions. Why couldn't you get that kind of mechanism going? I think that is one of the reasons it is so hard to keep the money coming to the U.N.

Mr. MURPHY. This is to start using the frozen assets?

Mrs. SCHROEDER. Right.

Mr. CLAWSON. Let me address the second part of your problem, if I may. I suggest the biggest problem in the enforcement of sanctions is the political will, particularly the political will of the United States. We have sent mixed signals to the Jordanian Government in part because of the high priority we placed upon Jordan's participation in the Arab/Israeli peace process. We have at times turned a blind eye to their practices and encouraged the Jordanians to think we would turn a blind eye if only they complained loud enough.

There are a fair number of people in the administration who are very much of two minds about how vigorously we should push Jordan on the sanctions front because of concern about the Arab/Israeli peace process. That seems to be an overwhelming factor in explaining Jordan's behavior on sanctions enforcement. The mixed signals they are getting from the United States combined with their own mixed impulses, which is on the one hand to cooperate with the U.N. and then on the other hand a considerable amount of sympathy with the Iraqi situation.

While there are many advantages to seizing the Iraqi assets, let me note that one disadvantage—which I am sure you come up against often—is that if we seize the Iraqi assets to use for these

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purposes, the Iraqi assets will not be available to pay Iraq's debts and that means the $2 billion the Iraqis owe the American taxpayers. That means our budget deficit will go up $2 billion if we take the Iraqi assets and use them to finance the U.N. operation rather than use them to repay the money Iraq owes its debtors.

Mrs. SCHROEDER. Which was supposed to go for agricultural loans, and not for military loans. But the Attorney General doesn't want us to look into it. This is sick.

Mr. CLAWSON. Precisely. We have a problem because if we seize the Iraqi assets, in some ways what we are doing is taking money out of our left pocket, namely the debts that we are owed by Saddam Hussein, and putting it into our right pocket to fund the relief operations.

This is why I personally would rather compel Saddam to start exporting oil. Because if we compel him to start exporting oil, that is new money he is bringing to the table. I think one of the reasons he doesn't want to agree to the U.N. conditions for exporting oil is he doesn't like the fact that the U.N. will take 40 percent of that money and use it to pay for the U.N. operations, to pay reparations, to pay the money that the Iraqis owe. They owe thousands and thousands of Indian and Bangladesh workers who had to leave Iraq without any pay for their last year of work. I would like to see those people get their money back.

So, for that reason, I would like us to compel Saddam to start exporting oil. He is dragging his feet on this. I think we should put his feet to the fire.

The CHAIRMAN. To do that, do you mean we should run the Rumaila oil field, for example, and sell the oil? Is that what you are saying? To force them to sell it would mean that we, the West or somebody else, would just go in there and pump it.

Mr. CLAWSON. Yes, or cooperate with the Iraqi National Congress in allowing production from the fields in the north. The Iraqi oil production is split between two areas, one which overlaps the Kuwait border and the other is the area that the Kurds control. We have two options.

The CHAIRMAN. Then Richard Murphy suggested you borrow against those assets.

Mr. MURPHY. That is something the American Congress suggested themselves. Presumably a loan against the future government.

The CHAIRMAN. That is right.

Ron Dellums.

Mr. DELLUMS. Thank you, Mr. Chairman. I join you in welcoming the three witnesses this afternoon.

Two years ago a discussion started, a debate ensued and action finally culminated. Action was finally taken by the Congress of the United States around this important question—how do you deal with Iraq and do you use military options or non-military options. A great debate ensued. The three of you are here today at a hearing entitled, "hearing on non-military option shops for dealing with Iraq".

We now have deployed troops ostensively for the purposes of tasking and training again in that region. So the issue of military options as opposed to non-military options is now a debate that is

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beginning to rekindle. I tried to listen carefully to all three of the witnesses, Mr. Chairman. One alluded to non-military and military options. The other alluded to non-military options and then said, I am not sure that military options are workable or positive. The third witness did not allude to non-military options at all.

I would like to raise this broad question and put it squarely before all three of you: Is your presence here today a statement that non-military options are preferable, that you reject military options or that you have some other configuration? Because tomorrow we are going to be looking at military options.

Clearly at some point the debate is going to be rekindled around whether or not we ought to go down the road toward military options again or whether we ought to continue to pursue non-military options. I would appreciate if all three of you would address that broad question.

Ms. MYLROIE. For the sake of the panel's convenience, I understand that some decision had to be made in subject matter between military and non-military. But in reality, politics is integrated, war is a continuation of politics by other means.

When Saddam declares that the mother of all battles is not over, he is right, it is not over. I guess what I have suggested is that any military action has to be part of a much broader policy. Military action need not even be the central feature of it or at least not military action by U.S. troops.

However, what I sought to emphasize is a very basic military component here and that is the need to protect or fortify the north against Iraqi assault and to think through what General Scowcroft meant in practice when he told the leader of the Kurdish Democratic Party, "We won't let you down."

Mr. DELLUMS. I am sorry, I heard what you said, but I am still wondering whether you addressed the question. Maybe I am stating it too simplistically.

Are you suggesting that under certain circumstances military options are preferable, or are you here today as witnesses on this panel suggesting that non-military options are preferable even at this moment in dealing with Iraq?

Ms. MYLROIE. My own position is that any policy would have to have several components, one economic, another political and a third military. Military is part of this policy. Even as we speak, an allied air force is keeping Iraq's aircraft south of the 36 parallel. So there is a military component toward American policy in Iraq.

Mr. DELLUMS. I appreciate that clarification.

Mr. Murphy.

Mr. MURPHY. I would prefer and recommend non-military at this point and for several months ahead until at least we see whether the U.N. can deliver the goods. I believe progress is being made in these inspections and that they are deeply irritating to the Iraqis. What the U.N. is trying to do is find a way to carry out the intent of the resolutions, succeed in that mission.

The returns are not in as to whether they will be able to succeed. We have shown what we can do militarily; this has not been forgotten. The superpower flashed that Third World estate called Iraq. I am not sure we would have to show our manhood to get a political point across again by military action. But as Ms. Mylroie says,

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the military is sitting in Turkey right now and that is a restraint on his policies within his own country.

Mr. CLAWSON. I tried to offer some economic options if we decide to pursue the non-military route. My personal judgment is that those economic actions will help but probably will not be sufficient in the long run. It will probably be necessary at some point to supplement them with military action.

However to be honest, I am much more concerned about having a sustainable program that can convince Saddam that we are going to stay the course than I am about the precise mix of economic, political and military instruments that we use. I would rather have an economic and political program in which we keep ratcheting up the pressure on Saddam, rather than have a one-time military action which we then abandon under further pressure.

I think the sustained pressure is much more important than the particular option we use to sustain that pressure.

Mr. DELLUMS. Thank you.

One final question: In listening to the witnesses this afternoon, Mr. Chairman, I wrote down three comments. U.S. goals vis-a-vis Iraq, I think Mr. Clawson used the term, "U.S. staying power in question." Then Ms. Mylroie used the term "Is Washington serious?" All three of those comments communicate at least to this person a high degree of unilateralism with respect to our role vis-a-vis Iraq.

My question is: Why should we have a unilateral policy in this situation? Why shouldn't all of our dealings and activity be multinational, be done within the context of the U.N. maximally or certainly minimally within the context of the U.S. coalition partners that we entered into this process a year and a half ago? Or why should there be such heavy emphasis on, "Is Washington serious?" What about is the world serious? What about is the U.N. serious? Or how about a major group of the family of nations serious?

Why should it be reduced to is the United States serious about Iraq? Why should it be confined to those narrow terms, particularly when the President alluded to the term, "New World Order" when he went to the United Nations? We at least ostensively attempted to communicate that there was a family of nations involved in it. Why should it come down to questioning U.S. staying power or is Washington serious? Did my question come through clearly?

Ms. MYLROIE. Yes. Let me explain. Washington, that abstraction, is elected by the American people, the Congress as well as the President. The American people expect certain things from their elected officials and hold them accountable if they fail. Now chances are this year of a heavy focus on domestic politics, but still there is a foreign policy element to that. The American people do not like to see the suffering of millions of people when they know it is not necessary.

One of the things, as you know, that forced action in Iraq after the war ended and that obliges the administration to act now in Bosnia is the sentiments of the American people.

Now, the thing is no one elected the U.N., they are unaccountable. It is the accountability of elected American officials which is why the American public, myself as a member, say we expect Washington to do this. It doesn't mean unilateral action. Only the

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contrary, it can well be multilateral, but it does imply the U.S. taking a principled leadership position rather than looking at any problem and saying, gee, there is nothing we can do.

Mr. DELLUMS. Then do I conclude from your answer that you are saying that the United States should operate within the context, even playing a leadership role in the context of multinational organizations like the U.N. or operate in concert with their partners?

I listened carefully to your answer, but I am not sure that you have given me an answer. But I am willing to be held publicly accountable and say to the American people that we ought to deal within the context of the family of nations, that we ought to start engaging in more and internationalization and that we cannot play supercop anymore and we can't be 911 of the world anymore and we can't be the bully on the block any more.

Let some us of prepare to be accountable in that context. That is not what I am asking. What I am asking is with respect to Iraq, should we be dealing in a multinational environment using the U.N. or at a minimum the coalition partners that we started down the road with?

Ms. MYLROIE. We cannot act in Iraq without at least the coalition partners. Let me give you an example of a balanced position between unilateralism and multilateralism. Since Operation Poised Hammer began and started to continue, the Turkish Government has asked the United States what do you expect to happen in northern Iraq aside from extending a Poised Hammer every 6 months? It is renewed bi-annually because the present situation, the status quo, is uncomfortable for Turkey. There is a Kurdish authority de facto in the north of Iraq. There is Turkish-Kurdish terrorism, a different group, inside Turkey. Turkey does not feel comfortable with that Kurdish authority.

But at the same time there is a recognition that if Saddam returns to northern Iraq, he will have the same problems he had a year ago with a million refugees on the border, and Turkey condemned by Europe for the way it deals with it.

So, Turkey turns to the United States and says, what do you imagine besides renewing Poised Hammer every 6 months and we say, don't ask us for more in the next 6 months? That is indication of our responsibility. A kind of working in the international arena would be to try to develop a coherent strategy so that you can answer to Turkish politicians and say, yes, this is how we plan to deal with the problem that exists in Iraq.

Ms. MYLROIE. It is not just extending Poised Hammer every 6 months and all the problems that exist, so that is what I mean by the need for the United States to play the leadership role commensurate with its resources. But that doesn't mean sort of being 911 to the world.

Mr. DELLUMS. Thank you. I appreciate your answer.

Mr. MURPHY. I think we took the lead in the U.N. context in building a coalition. I think it is not fair to say that we played supercop. We did play the strong lead, no question. But the administration was very anxious from the beginning to get the coalition as large as possible, and it put some extraordinary partners together in the course of the fall of 1990. I guess one of the unpleasant results of being so powerful is people outside the States expect

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you to use it. So they, as some commentators I read in Europe today as saying, look, we overdosed last year on Iraq, we have had it. It is yours. We will think about some European problems now, but you can handle it. So it is not just our arrogance at work here. Not that we aren't, but people do expect a lot from us, because we are so much more powerful than they are.

Mr. DELLUMS. Thank you, sir. Mr. Clawson.

Mr. CLAWSON. I would just add to what my colleagues have said that the family of nations can arrive at a decision only if each member of that family speaks vigorously its mind and argues vigorously for the policies that it prefers, and if I have directed my comments at the U.S. Government, it is to urge that Government to take a position within the family of nations for the positions that it should advocate. I would certainly agree that to the extent possible, we should coordinate all of our actions with our allies, and that wherever possible, and I think in this case that means almost always, we can act within the framework of the United Nations.

Mr. DELLUMS. Thank you, sir. Mr. Chairman, thank you for your generosity, and I thank each of you for your answers to both questions that I raised.

The CHAIRMAN. Mr. Sisisky.

Mr. SISISKY. Thank you, Mr. Chairman. We talk about sanctions. Obviously, the sanctions are doing some good and some bad. But nothing is really happening. I agree with you. They can get things across the border. Smuggling is a way of life out there, to get—and gold, to block that, you can always smuggle gold, and the other sanctions you talked about seem not to be working, but there is one thing, particularly you, Mr. Clawson, had mentioned, and the chairman just mentioned it just a few minutes ago that makes more sense to me than anything else.

In business, if you lose business because there is a recession or a depression, or you have cut back on your people, that is one thing. But when you see somebody else getting you business, that is another thing, and the drilling for oil in the south, if you want to tweak anybody's nose or get somebody's attention, it seems to me that that would be the proper way to get their attention. Plus in the North, you could do the same thing.

Now, obviously, that is going to imply, and to reply to you, that that is going to be military and sanctions, because obviously somebody is going to have to protect that, because I don't think they would be met with much favor, but it just seems to me that that idea is so stimulating, to get somebody's attention, you take $10 billion a year just in one oil field. I mean you are really taking something. I mean this is no small feat, and I am sure the United Nations can do a lot with that $10 billion, particularly in countries like Somalia and former Lithuania, just providing food alone.

We could find some good purposes to use for it, and it just seems to me that that is the thing we should explore, but the risk is that it would take military action to protect it. It may or may not; I don't know if they would do it, but let me just ask something else, because I should know, but I don't know. We have grounded all their commercial aircraft; am I correct in that? Are they still flying to any countries?

Mr. MURPHY. No.

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Mr. CLAWSON. They are not flying to any countries, no.

Mr. SISISKY. How about the embassies, Iraqi embassies around the world. Have we closed most of the countries?

Mr. CLAWSON. No, we have allowed the Iraqis to continue to operate embassies.

Mr. SISISKY. There is none operating in the United States?

Mr. CLAWSON. No, but we have——

Mr. SISISKY. That seems to be one sanction that that—that would be a face-losing type of thing, and particularly expulsion from the United Nations. The expulsion seems to be something that—I mean we give their ambassador television time. Every time there is a crisis, he is on television talking about the crisis, and we are giving him television time, and obviously, that builds up Iraq. But somebody also made a statement that there is progress in the inspection.

Now, maybe I am missing something. But when you keep people out of the agriculture building, time enough to get things out of there, and then somebody is going to inspect another building, and they say, well, it is a holiday, you can't inspect. I don't know how much progress is being made, but maybe it is some intelligence that they are catching these Scud missiles, I don't know. But I don't think I have read anywhere where they are finding them. Maybe you could elaborate on the progress.

Mr. MURPHY. Just on the progress issue, Congressman, I think the fact is they have done a great deal of uncovering of missile sites and equipment. I am talking about back over the period since the inspection teams went in there, the Agricultural Ministry over the last few days, no, that certainly hasn't been progress. But what I submit is the returns aren't in that the U.N. will be unable to continue making progress.

Mr. SISISKY. I hope you are right, because we discovered the missile sites. The problem is that they were mobile missiles, and they moved them around. That is the only reason I bring it up.

Another thing. Someone also made a statement that their arms were rebuilt 70 to 80 percent? I don't know who made that. Are you sure of that figure? Does that include air power, aircraft also, or are you just talking about numbers of people?

Ms. MYLROIE. I, to be precise, I meant to say their conventional military production capacity has been restored something like 70, 80 percent. Furthermore, it is my impression that they have reconstructed the ability to build fixed Scud launchers, and sort of moved the site from where it was. So I am not sure what it means for the U.N. to destroy their Scud launchers, if in fact they are capable of building more Scud launchers.

Mr. SISISKY. Yes. Thank you, Mr. Chairman.

Mr. MURPHY. Just, if I may make one small point, Mr. Chairman.

The CHAIRMAN. Sure.

Mr. MURPHY. Could I just add that you will have to reconcile the project of drilling with Rumaila with Mr. Dellum's concerns about going it alone, because I will wager that you won't get Security Council backing for military force to go in and protect an oil rig. I hope I am wrong, but I doubt it.

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Mr. SISISKY. I think you are probably right, particularly from the neighboring nations there that would probably present it. But it still seems like a good idea, even if it is unilateral to me.

Mr. CLAWSON. I think we might find the Kuwaitis endorsing the idea, because one of the things which led the Iraqis to invade Kuwait, was that the Kuwaitis were taking some of the oil from the Rumaila field, and I feel it would be poetic justice if in return Saddam found that the Rumaila field was being pumped to repay the victims of his aggression.

The CHAIRMAN. Charlie Bennett.

Mr. BENNETT. I have listened with great attention to the things you have said. It seems to me that the drift of what we have talked about here in the last minutes has to do with what we can do, what the U.N. can do with our prodding, perhaps, to make it difficult for Iraq to thumb its nose at the people that contest them. Several things run through my mind, and several of them have been discussed.

One has to do with the Kurdish border where there is oil. Why don't we consider at one arm of an effort, perhaps in with other arms that I will mention later, while we consider arming and feeding and taking care of the Kurdish people, and going in and getting the oil on that boundary. That is the second point, getting that oil, as Mr. Sisisky has mentioned. Then thirdly, perhaps in the package, a move toward an indictment of Saddam in some sort of a court arrangement.

While I mentioned oil on the border of the Kurds, why not on the border of Kuwait as well? Why not pay off reparations out of that and pay the Nations that put on the war. These are very substantial, painful things for Saddam to look at. There may be others, if we think about it, that we could do all at once, not just bit by bit, but just say, we had a war, it is a declared war. Congress eventually declared war, and we are still at that war. We have not ended the war. There are reparations that are not being paid. There are people that are hungry who are within that country, but are not loyal to Saddam, namely the Kurds, the Kuwaitis on the border.

It would seem like to me, as Mr. Sisisky pointed out, there are billions of dollars worth of oil there. Why don't we just take it ourselves? Why do we tell them to take it? Why don't we take it? We being the United Nations, and we being the United Nations saying Saddam, you are going to be tried, saying the Kurds are going to be adequately fed and are going to be adequately armed. Why isn't this a procedure that can work?

Mr. CLAWSON. Before mentioning some of the problems with the procedure, let me say that I wholeheartedly endorse it, in part because of my concern about the many people who are owed reparations for the Kuwaiti damages. My particular concern has always been those poor Indians, Sri Lankans and Bangladeshes who had to leave without getting paid. I think it is quite scandalous that we are here 2 years on and they still haven't received a penny from the Iraqis.

I also think that one great merit of your proposal is that we will say to Saddam that issues which once appeared closed, we are going to reopen. We are going to step up the pressure on you so that if you don't cooperate with us, life is going to get more difficult

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for you month by month. That, I think, would send a powerful lesson to his elite that this crisis is not fading; that, in fact, it is going to get more acute, and that therefore they can't just wait us out.

On the other hand, as Mr. Murphy suggested earlier, we are not likely to get anywhere near the consensus in the United Nations for these kind of measures that we got with some of the earlier steps. It is going to be more difficult to construct a consensus the more we propose vigorous measures. I would frankly suggest that we begin by saying that we want to pump that oil to pay the reparations that has already been mandated from the Iraqis, and to pay for relief efforts. I think that there is broad international support that Saddam should pay those reparations, and that those relief efforts should not be such a heavy burden on the United Nations system, which has got so many financial pressures on it.

Mr. BENNETT. What would the U.N. worry about? What would disturb the U.N.? It looks like it is all beneficial to the U.N. Why would they have any cold feet about it?

Mr. CLAWSON. I think that some countries are already concerned that we are infringing upon the sovereignty of the Iraqis more than we should.

Mr. BENNETT. We are still at war with them. When you are at war with some country you are infringing upon their sovereignty.

Mr. CLAWSON. It is indeed an infringement on their sovereignty. It is just a question of what forms of infringement on sovereignty are acceptable to our U.N. partners or not.

Mr. BENNETT. I think if we made a statement that we wanted to do all of these things and put as many of them as we could at one time instead of just drifting into it, I think we would probably have a turnaround at that point. At the moment Saddam can say he won the war and his people don't understand how he won it, but anyway, he won it, and he is getting by with it. He ought to pay a lot of penalty. He ought to pay the penalty of knowing that he is going to be captured like Noriega and he is going to be tried and executed. He ought to know that the Kurds are going to be well armed and they are going to take out oil and pay reparations, and on the border line of Kuwait, the same thing is going to take place.

In other words, we are not offering enough pain to the other side, and we ought to be taking this leadership. We ought not to be drifting along with it. I was not enthusiastic about going into the war to begin with. One other point I want to make is that early on in this conversation there was something said about being surprised that Saddam went into Kuwait. Well, after watching that video and after reading the transcript, I don't know how anybody would be surprised. I know people told him that he didn't have to worry about it, so how could we be surprised.

Maybe you didn't know that at the time. But looking back into history of what you didn't know at that time, but now we do know. Now we do know that we told Saddam, that he didn't have to worry about the Kuwaiti border, and why would he think that we were going to fight him about it, having just told him we wouldn't? I don't want to thresh that out, because that is yesterday's problem. That doesn't solve anything for today. But for today I am just irritated about the fact that we seem to be just drifting in ineptitude

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and inability to make diplomatic decisions, and we have a lot of alternatives out there that are pretty good ones, it seems to me.

As Mr. Sisisky pointed out, they are getting billions of dollars worth of oil that we are getting out of the oil, not that somebody gives us out of the ground, but we get it out with armed Kurds sitting there protecting it and armed Kuwaitis sitting there protecting it. It seems like a pretty good idea to me. I think if I were Saddam I would kind of worry about something like that. Any reason why this philosophy is not a good philosophy?

Ms. MYLROIE. If I may, I believe that if there is an indictment of Saddam Hussein on war crimes, the whole international atmosphere at the U.N. would change. Things that do not seem possible to get a coalition consensus on now would become possible. That is why I think an indictment on war crimes is so important.

Also, I think your point about arming the Kurdish people, but not only the Kurdish people and not within a Kurdish framework, because Turkey will get very nervous about that. However, there are 1,000 Iraqi-Arab officers in exile—mostly in Saudi camps—who are either participating in the uprising, or POWs who refused to return, 15,000 soldiers. You have the nucleus there of an Iraqi liberation army which can be brought quickly to the north and merged with the Kurdish militias. That I believe should be—I wrote an article to this effect, and General Haig called me up afterwards and said it was an example of very clear thinking. I cite him because he is a man of such experience.

These are very important to make sure that Saddam pulls no tricks on us now, that we are half-hearted and he is decisive, and we lose what we have. But I think you are absolutely right to say that once Washington starts to think in a problem solving mode, there are many options for the United States.

Mr. BENNETT. Thank you.

Mr. MURPHY. I don't think the votes are there, Congressman. I think we are the closest, in a proposition like that, to getting a Chinese veto within the Security Council than we have ever been. Now, it hasn't happened yet, but I think you are getting into an area where you just might see that veto.

Mr. BENNETT. Well, I am worried about the alternative. In other words, we always have to worry in politics about what the alternative is. It seems to me that an aggressive position, like the one I suggested—which could be souped up with other things that I haven't mentioned—is preferable to the drift, which runs down the United States, runs down the United Nations, makes the whole Desert Storm look like a disaster, rather than a success. A failure to know when you have to lead, and a failure to have the courage to lead in those circumstances, is almost as bad as losing a war of ammunition fired at each other. That is what worries me. It worries me, the fact that the alternative to doing something positive and promptly and substantial, the alternative seems to be a drift toward death, toward failure.

I think it would be preferable to have a courageous operation toward success. Even if it failed, it would be preferable to a drift toward failure.

Mr. MURPHY. Well, that is your perception that it is a drift toward failure, and that is something I think that the administration

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has got to talk to you about. I don't have any—we don't have any inside information about how well or badly the U.N. is doing in its current pressures to get its hands on the weapons systems and move ahead. There is a public perception of failure, which you have addressed, Congressman, and I hope it is wrong. But I think maybe that is something the administration——

The CHAIRMAN. Richard, how can you say this? You said it several times today. I think it is self-evident that Saddam is eroding the authority of the U.N.; that he is cheating and retreating, and, as Marlin Fitzwater says, with enormous skill and with a great deal of success. How can you say that we wanted to inspect the Agriculture Ministry, and then he chased everybody away so that he can take out whatever documents he had. What was it, 3 to 5 days to take out those documents?

Mr. MURPHY. Seventeen days.

The CHAIRMAN. Well, first of all, there was a showdown for 17 days. Then they finally caused such a commotion and lack of police protection against the mob that they pulled the forces out. God knows what they took out. Then, of course, they let everybody in and, lo and behold, there was nothing there. The whole war was fought over the issue of would they or would they not recognize the existence of Kuwait. They have boycotted the commission meetings. It seems to me to be self-evidently true that he has had an enormous success here. I am puzzled by why you say we have to find out whether the U.N. thinks that we are succeeding or not.

It seems to me that he is succeeding in ways that are——

Mr. MURPHY. He is alive. He is alive.

The CHAIRMAN. More than alive, more than alive, Richard.

Mr. MURPHY. I think he could be doing a heck of a lot better than he is doing—he has done some unusual things in getting the country back on its feet much more quickly than anyone predicted. But Iraq is not about to go on the war path against Kuwait or any other state in the region.

The CHAIRMAN. But that was true in April of 1991. I don't know whether Laurie is right. Those numbers—70 to 80 percent rebuilding—sound high to me. But it seems to me that there clearly has been some rebuilding of his capability. I mean I just think that it is self-evidently true that he has succeeded beyond all reasonable expectations since April of 1991. The resolution said that the U.N. inspectors can go anywhere any time. There isn't a little asterisk that says "except the Agriculture Ministry" or another little asterisk that says "except on the 8th anniversary of the war with Iran." You know, he is widdling away. He is chipping away at it, and he is succeeding.

Mr. MURPHY. Well, that is what we can't allow. He is chipping away at it. He is scoring one propaganda point after another for his own people, yes. I am alive, I am well and I am facing them all down. We don't have to believe that. We have got to find ways to surround him with continuing pressures. Whether it is drilling the Rumaila oil field or not, I don't know. If we can get support for that, fine. Let's go and see, let's push to find what support we can get, because I don't think we are going to do it unilaterally.

Mr. CLAWSON. May I suggest, it is not just what we believe, but it is also what people in the region believe, when they see the

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Iraqis repeatedly assert on Iraqi television programs that Kuwait is the 19th province of Iraq. This is not just a passing reference, but night after night after night on Iraqi television. I think the Kuwaitis draw certain lessons from that. The lesson that they draw is that Saddam is back, and that he may be down at the moment, but he has every intention of reasserting himself in the region.

The CHAIRMAN. It goes to the heart of the whole issue of the war. We may or may not argue whether the war was about getting rid of the nuclear weapons or whether the war was to protect oil, or whether the war was to get Saddam Hussein. But nobody doubts that, let me tell you, the war was to protect the existence of Kuwait. Here we are, 15 or 16 months later, and they have not admitted that Kuwait is not the 19th province.

Mr. MURPHY. But what is the reality? Are they going to take Kuwait? No.

Mr. CLAWSON. Not this week.

Mr. MURPHY. He is articulating what Faisal said in the 1930s and whatever Iraqi leaders have since. But the reality is, he is not going to take Kuwait. He lost the war. We decided not to go look for Baghdad. We decided not to go look for the bunker.

The CHAIRMAN. Correctly, I believe.

Mr. MURPHY. I believe correctly. But one result is you are up against survival of a master maneuver, a guy able to talk and to jerk us around. I say be careful that we don't share his perception that he is a winner. He is not a winner.

Ms. MYLROIE. I would like to venture a different perspective, and only with hesitation do I speculate on what goes on in Saddam's head. But it is my impression that his view of events over the past decade, essentially since he took power in Iraq, is he tried attacking Iran once, as I suggested, and as Saddam apparently confessed, to control the oil of the Persian Gulf. He failed, it went astray. But during the war he built up a very big military machine. Throughout the war he said the longer the war goes on, the stronger Iraq becomes. Indeed that was the case.

Now, I think in 1990 he tried again to take half the oil of the Persian Gulf on the Arab side. It went wrong, but the Phoenix will rise again from the ashes and he will try to realize that ambition again. If that is beyond his reach, I think he will certainly try to take revenge, and that is what the Kuwaitis and Saudis are so afraid of. What will Saddam's revenge be on them for having brought in the United States, the Great Satan, to attack Iraq and cut down its army?

I think the danger is that if this inspection regime cannot be maintained over the long term, then Saddam will emerge as a powerful military force, if only conventional military force. He can defeat Kuwait and Saudi Arabia, these little states, with his conventional military force alone. I think it is unrealistic to expect that the United States, with many concerns internationally, the U.N., are going to remain forever fixed on Iraq. The same arguments that were made why economic sanctions would operate too slowly to keep the coalition together I think can be made in this context, too.

It is inevitable that there will be problems elsewhere in the world which divert attention from Iraq. Nor can it reasonably be

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expected for Washington and the international community to remain so focused on Iraq, so much of their energy and attention diverted to it to maintain an international arms limitation regime in the face of a government resolvedly and determinedly aiming at undermining that regime. You need a more cooperative government in Baghdad in order for this regime to work.

Mr. BENNETT. Well, I am not going to ask any more questions. But left unsaid at the end of your answers to my question was why is this such a big deal if China did veto it? After all, our country went to war, we declared war. Congress declared war like the Constitution said. The chairman and I and others saw to it that we had that kind of a vote. We had that kind of a vote, so we are at war with Iraq. So being at war, why do we have to worry about China?

If we can threaten them, if we can threaten Saddam with being tried and being brought back to this country like Noriega and tried, and when we threaten the billions and billions of oil which they now possess and are not turning into reparations, and we can threaten them with regard to arming the Kurds, and I realize the asterisk you put on that, you have to be very careful how you do that, because of the fact you don't want to disturb our imperiled allies, but if you could do all those things, why do we have to worry about a Chinese veto?

I mean even if we don't carry it all out—suppose the U.N. says you can't do it, United States. Well, that is better than just letting it drift and failing by drifting, it seems to me; if nothing occurred. In other words, if the U.N. said don't do it. But I don't see how the U.N. can say don't do it.

Our country, the United States of America, the greatest country on earth, has declared war on them, and the U.N. doesn't control that. The U.N. does not tell the United States to declare war. He doesn't tell them to undeclare war. It is only by treaties between ourselves and other countries that wars are ended. It is only by the action of Congress itself do we actually go to war under the Constitution. We have done so in this particular instance. We did, in fact, declare war.

Mr. MURPHY. I don't want us to fail by drift. I don't want us to fail by bluff, either. You are up against a leader who is exceptionally capable at sniffing out bluffing.

Mr. BENNETT. If you fail bluff, how are you badly hurt if you show your macho strength on something that is righteous and you fail to succeed? It seems to me you are worse off if you are not able to stand up and do what you were supposed to be doing, because we have sold the world on the idea we were protecting Kuwait as an independent country. That is a little difficult to do in view of the statements that were made earlier on in the war about protecting our national interests and jobs and oil, which was the thing that people said until that was not very widely appreciated in the United States, and then we visited the thing about protecting Kuwait—the borders. But we are at war with Iraq, and we have not ended that war, and therefore, we have a right to do something about it.

It would seem like to me we could arm the Kurds on their boundaries and arm the Kuwaitis and take the oil in those boundary

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areas by our own oil-producing people. I mean that is something we could do without anybody stopping us. So why don't we do it, particularly if it is done for international objectives for paying reparations and things like that? Why isn't that doable?

Mr. MURPHY. That is physically doable.

Mr. BENNETT. Well, I am inclined to think it is the thing to do.

The CHAIRMAN. Mr. Browder.

Mr. BROWDER. Mr. Chairman, I would like to yield my position to Mrs. Byron.

The CHAIRMAN. Mrs. Byron.

Mrs. BYRON. Thank you, Mr. Browder. I appreciate that. I have a 4 o'clock meeting in my office, but I do have some questions that I think need to be defined a little bit better. The panel has been extremely helpful so far.

As to the U.N. objective that this Congress voted to support 19 months ago: Do you feel it currently is being met? I know there are some people, surprisingly, who have made the statement that the inspection teams are witch hunts. I cannot agree with them at all.

I would like the opinion of the other two whether they think we should have gone to Baghdad. I agree with Mr. Murphy and the chairman that I do not think we should have, but I think for the record I would like the opinion of the other two, whether they feel we should have gone to Baghdad.

The other issue is I think we looked over so many years to that part of the world for so many problems. This Nation got—I won't say bogged down in Lebanon—but deeply, deeply involved in Lebanon for a short period of time. I probably would have to say that we took our losses and we cut and ran. Lebanon today is not much more stable than it was at that time. The only difference is that we are not as deeply involved as we were 10 years ago. What would it take to get into that same type of a situation in Iraq? Is that an objective that we could foresee in the future, of a so-called same type of situation?

Dick, you said that the Turkish will accept their Kurds. If that is the case what happens then to the remaining Kurdish population? Then looking at Turkey, which has lived for so many centuries with Iraq and the Soviet on its and Iran's borders, what is their position going to be when a nation such as ours from many miles away is calling the shots, when their borders are going to be the same ones that have been there for centuries and will be there for centuries in the future?

Mr. CLAWSON. On the question about whether or not we should have gone to Baghdad—at the time I said on the record—I thought it was a difficult call, and that we had to decide either we would live with Saddam Hussein, or we should proceed to Baghdad. I still think that those were the basic choices. Especially after April 1991, we said that we wanted to get rid of Saddam. Frankly, it was too late to have taken that position.

We should either have gone on to Baghdad if we wanted to get rid of Saddam or decide to live with him on a sustained basis, contain him within his own borders and his own authoritarian regime and keep him over the long term. The policy we opted for, it seems to me, combines the worst of both worlds. That policy is we say we want to get rid of him, yet on the other hand we did not use the

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force that was available at that time to accomplish that means. The quandary we find ourselves in now is because when we had the opportunity to get rid of Saddam, in March 1991, we said that that is not our aim. Yet, once it no longer became possible for us to exercise force to accomplish that aim, we then suddenly in April 1991 proclaimed that indeed we had changed our mind and our aim was to get rid of Saddam.

Ms. MYLROIE. There were many other options other than going to Baghdad. It reminds me of what Margaret Thatcher said on the news yesterday, that she had never heard Valkay sending U.S. troops to Bosnia, except from the U.S. administration. There are all sorts of parallels.

Mrs. BYRON. That is why I go back to Lebanon, because I see similar parallels.

Ms. MYLROIE. I think Lebanon is a different case. I would urge you to consider the parallels between Iraq and Yugoslavia, how in both cases the administration was committed, or not committed, but associated with an authority which had grown illegitimate, I mean, this relationship with Saddam Hussein.

Mrs. BYRON. Iraq had a commodity, oil, that played another part in that equation.

Ms. MYLROIE. I beg to urge on you, to see the similarity, because Melosevic had good ties with Secretary Eagleburger. There was this inclination to support the existing authority in Yugoslavia, although now this existing authority looks like a latter day Saddam Hussein. So I think it was the administration's orientation to accommodate these authorities, even though their legitimacy collapsed with the worldwide collapse of authoritarianism and then give sanction to the use of that authority in the name of a country's territorial integrity, even though one might question whether that country could or should be kept together.

In any event, I will also suggest that rather than operate in a problem solving mode, as Mrs. Thatcher urged the United States to do regarding Bosnia yesterday, there is a tendency to avoid that by saying, we won't do the most extreme version of problem-solving, i.e., send ground troops to Bosnia, send ground troops to Baghdad.

The issue was not simply going to Baghdad. There were many options that existed for the United States at the end of the war. One was simply to make Saddam Hussein surrender, as a term of the negotiated cessation of hostilities.

A second was to make a move toward Baghdad, without announcing you are going to Baghdad and without even going there, to make a move as if you were about to do so, and see what happened, whether that would precipitate a revolt in Baghdad. Instead, General Schwarzkopf said we are not going to Baghdad, which was of some help to Saddam Hussein.

A third option was to ban all Iraqi military aircraft from flying. Instead, General Schwarzkopf explicitly allowed helicopters to fly almost without condition.

A fourth option was to support, in some way or another, the Iraqi uprising that the President called upon the population to make. One could have done that minimally, by shooting down a few helicopters, which would have had a chilling effect on the rest of the

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helicopters. One could have done that by more, a bigger engagement. But there were many, many options to explore the possibility of getting rid of Saddam Hussein without actually committing yourself to it that could have been pursued at the time without going to Baghdad.

Mrs. BYRON. I assume then your answer is we should not have gone to Baghdad?

Ms. MYLROIE. My answer is we should have done more to get rid of Saddam Hussein. I believe the reason that was not done was because of reporting by U.S. intelligence agencies that there would be a coup. The idea was we don't have to do more because the generals will take care of Saddam himself.

Mrs. BYRON. OK. Dick, do you want to talk about——

Mr. MURPHY. Well, there were two other reasons. One was the reported reluctance of our coalition partners, particularly in the region, to see us—a western power—go to Baghdad and occupy a major Arab capital. The other was, as the President said, the mandate was to get him out of Kuwait. So there was a certain line that he had adopted from the beginning.

In the Arab world we are always being challenged, we are always being asked, how can we trust you? You cut and ran from Lebanon. Look how you abandoned the Shah, how can we trust you? You have no staying power. We have got remarkable staying power, and maybe it is crass to talk about oil, but we have remarkable staying power in the Gulf, and as long as oil remains as important to us and the world economy as it has been for the past several decades, we are not going to cut and run.

There was a very calmly stated policy in the 1980s that we did not want to see any single power dominate the Gulf. I thought that was a very sensible and nonprovocative policy. I haven't heard it in the last few years, but I think that is still the basic policy. We don't want to see any one power dominate. That applied to Iran, that applied, obviously, to Iraq. We are going to stay around to see that that doesn't happen. But I am apprehensive about getting too deeply into the Iraqi situation, too deeply into the internal politics.

You touched on the question of the Kurds and the Turks. Actually, I think the Turks had started changing, if you will, making an easier policy vis-a-vis the Kurds in Turkey before Desert Storm. This has evolved over the years. The Kurds in northern Iraq certainly deserve support. I mean by anything we stand for, the fact that they did manage an election, and have legitimacy within their own people. Of course, in no small part, those elections were designed to impress the outside world, but they could be relied upon as a democratic alternative as part of the opposition.

There isn't an easy answer, though, about how to handle the Kurdish situation. If I understand correctly, they are still themselves debating the issue of independence, preferring to stay within a united Iraq, now with much better conditions than they have had under previous regimes.

Actually, in his early days Saddam was a little more generous with them than his predecessors had been in terms of local rights. But they want something more, and I think that should be achievable, and without really torquing the Turks around if it stays com-

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mitted to the Iraqi national state, but with more rights, autonomy, self-determination, self-government.

Mrs. BYRON. Which, in the real world is probably not achievable.

Mr. MURPHY. It doesn't hurt to talk about it.

Mrs. BYRON. Thank you, Mr. Chairman. Thank you, Mr. Browder.

Mr. BROWDER. Mr. Chairman, I have two questions for Ms. Mylroie.

Ms. Mylroie, I have this question for you because you share my concern about the efficacy of the U.N. inspections. Specifically, you said that we should closely monitor the commission. How can we closely monitor the activities of the commission? What do we look for? What do we do?

The second question is beyond the current standoff between the United Nations and Iraq. Is the U.N. inspection of any real significance, considering that Iraq did not use the chemical and biological weapons, considering that the U.N. commission may be missing whatever is over there. Is the U.N. inspection of any real significance for the more general threat of chemical and biological weapons in that region of the world?

Ms. MYLROIE. Yes. I think they are both good questions, and I will do my best to answer them.

By monitoring the commission, I am not sure that I was prescribing any specific means to do so, but it seemed to me that the progress of events was raising serious questions about whether the commission was really carrying out its mandate.

In the international agencies—because they are not a sovereign state—there is an inclination to reach a compromise with the authority of a sovereign state in order to get, facilitate as much of your work as you can. The U.N. may be prone to such habits. Particularly, since the confrontation at the Agricultural Ministry, we have been told that the next set of inspections, which are going on right now, are aimed at showing that no precedents were set by the compromise that avoided a military confrontation, that offered both sides a way to back down at the Agricultural Ministry.

Therefore, it is disturbing to find that though the Iraqis have objected specifically to teams headed by Americans, whether by David Kay or Major Janson——

Mr. BROWDER. Excuse me. If I could redirect you back to the point, is there any reason for us to rely on whatever they find, whatever they report?

Ms. MYLROIE. Well, I wonder how much the inspectors really can achieve. Some stuff looks permanently elusive. One of the things that looks permanently elusive is the hundreds of Scud missiles that are unaccounted for. Another is, and I am quoting from CIA Director Gates, that much of the hard-to-get chemical weapons production equipment was removed and hidden. I remember no accounts of the inspectors coming across that stuff, and that was testimony that Mr. Gates gave the 15th of January 1992. On top of which, the biological weapons program, nothing has been uncovered about it. So there are major areas in which a year and a half after the inspections began, we have very little information.

Furthermore, according to the CIA's own estimate, all this stuff can be rebuilt. Even the nuclear program—because the Iraqis have

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the expertise, according to Gates—could be rebuilt in a few, rather than many years.

So I ask, what is the purpose of all of this? Even if we were successful, which we don't seem to be, what is the meaning of that success? Are we not deluding ourselves in substituting a formal process for a substantive goal, if all this can be rebuilt in a relatively short time?

Mr. BROWDER. Then, I will pursue my second question a little further.

If the purpose of the inspections is to find and destroy, their capabilities for chemical and biological weapons if it is true, what you are saying, then, the chemical and biological weapons capabilities are still there. What are we to learn about their future use either by Iraq or the capabilities being developed by other countries? Should other countries then say, "Well, we can do the same thing and we will never get caught?"

Ms. MYLROIE. I think what you are suggesting is right, that Iraq will be able to develop this stuff, and other countries will learn a lesson.

I will give you an anecdote related to this. I was in the Middle East in the summer, flying from, I don't know, Turkey to Europe. There were some Iraqis sitting in front of me. We all started talking about Iraq. Who is this fellow? He is a student studying biology; he is going to a German technical institute. I can tell you that when he graduates from that German technical institute the Iraqi Government will take him, what did you learn in Germany? If there is any utility in what he is learning from the study of biology at this German technical institute in terms of Iraq's weapons program, that is where he is going and he has no say in what he is going to do. I thought, my God, hasn't anything changed?

Mr. BROWDER. Thank you, Mr. Chairman.

I will just close by noting we should be very careful in devising our response to the crisis. We should be careful and monitor the inspections of the United Nations Commission. They were sent there for a purpose, and I don't know whether they are achieving that purpose. I just don't know how much use they will be to us in deciding what course of action we take.

Thank you very much.

The CHAIRMAN. Mr. Lancaster.

Mr. LANCASTER. Thank you, Mr. Chairman.

Two quick questions. One is along the same lines that Mr. Browder was pursuing, if any of you have an answer for it. It deals with chemical weapons.

By the end of this month, we anticipate that a chemical weapons convention will probably be signed. That convention will have a verification regime much less intrusive than what has been at least theoretically possible in Iraq. It also will have sanctions in place or provided for for proliferators.

Have we learned lessons in Iraq that perhaps we have not made adequate accounting for in the CWC? Are we going to experience problems in executing, implementing and ultimately keeping a chemical weapons convention viable in light of the problems we have seen here in Iraq—inspections that are very intrusive by the-

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ory and sanctions that are very onerous, if in fact they were lived up to?

Mr. MURPHY. If I could have a crack at it, Congressman.

The IAEA procedures were found to be inadequate. But I don't see the point of pitting us against the U.N. We are the U.N. We are part of it. We are responsible for devising methods, which are going to be strong enough and effective enough to do the job that needs doing.

For years, we did accept that the IAEA—on its atomic inspections—was getting the necessary answers, and Iraq was a classic case study that it wasn't. I am not saying the U.N. succeeded and that the job is over, but it is in progress. If they haven't found the chemical, if they haven't found the biological, they are going to stay there until they find it, and we are going to find ways to keep them there until they find it.

But you are right—I don't know the shape of the convention, but if this chemical weapons convention is inadequate, then it is going to have to be strengthened, it is going to have to be constantly under review and demand for amendments.

The fact that a university graduate in chemistry can become a specialist in chemical warfare is a given. You are not going to be able to forbid Iraqis to study chemistry, obviously. But you have to keep after Rambo regimes like Saddam Hussein's constantly. You can't—I absolutely agree with both the Congressmen—you cannot just rely on the fact that it has a U.N. seal of good housekeeping.

But let's not phrase it in terms of the weak U.N. and the strong U.S. We are part of the problem, if there is a U.N. problem.

Mr. CLAWSON. The magazine which I edit, *Orbis*, recently had some articles that argued that the aim of eliminating chemical and biological weapons would best be achieved not through a convention to ban these kinds of weapons for precisely the reasons that you are asking about; namely, how intrusive an inspection regime would be required in order to achieve this, and also how similar these weapons systems are to so many ordinary civilian purposes, such as pesticide programs which inherently produce things that kill. Instead, we could probably achieve that goal that we all hold of eliminating the threat of chemical and biological warfare better by a vigorous program of retaliation against those who use such weapons. We are not talking about weapons that are like nuclear weapons where the one use of it is such a horror that we have to make sure that these weapons aren't in the hands of rogue states.

Furthermore, we aren't talking about weapons like nuclear weapons, where a massive infrastructure is required to produce them which cannot be used for any other civilian purposes. So, frankly, I am skeptical that the inspection regime that will be acquired to make chemical and biological weapons ban work is worth the effort.

I wonder if there aren't better ways to achieve the goal that we all hold of eliminating the threat of chemical and biological warfare.

Mr. LANCASTER. Did you care to comment, madam?

Ms. MYLROIE. No, thank you.

Mr. LANCASTER. OK. That leads me to my concluding question. I think we will all stipulate that what has happened since the war has been less successful than what happened during the prosecu-

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tion of the war. The question then becomes, does the problem lie with Resolutions 687 and 688, and the terms thereof, the regimes that were set up as the basis for these inspections, or is there some problem with the execution of these resolutions? Has the commission been ineffective itself in carrying out its duties? Or, third, is this simply the nature of Saddam Hussein? No matter how good the resolutions were, no matter how tight the terms of the resolutions, and no matter how effective the execution of those resolutions by the commission, would we still be in the same situation we are because Saddam Hussein is who he is?

Ms. MYLROIE. Well, I think my position would be the latter. I mean, Saddam Hussein has a defiant character. He aspires to some kind of glory. He is ambitious. He is just not going to abide by the U.N. resolutions and it is almost impossible to make him do so. We can threaten the use of force, but you cannot use threats every day.

He is single-minded and we have many issues. So it is the nature of Saddam Hussein. I also think there is another issue behind this problem, a little theoretical, but that has to do with whether there is any authority that is illegitimate or not. Is the United States, the administration, prepared to say that some thugs who have managed to seize some palaces in some capital cities are beyond the pale?

I guess the problem that I have had with this administration in its policies since the war's end is it has not been willing to say that. I mean, the President led the country into war. he did a brilliant job and he did so by using, in part, the moral authority that came by labeling Saddam Hussein as Hitler. I think it was absolutely justified, because Saddam Hussein was a modern day Hitler.

But the speed with which it was dropped was astonishing. I think it set a very bad precedent. So I really think the issue, on an abstract level is illegitimate. It won't obey the rules—the minimal rules of international order, and the appropriate action in my view is in very egregious cases like Saddam Hussein and perhaps in Serbia as well. You declare it illegitimate and establish a forum for its indictment under war crimes, and you put it beyond the pale.

Mr. LANCASTER. Does anyone else care to comment on whether we got a bad deal in the resolutions, or whether it is the way they have been carried out, or whether it is simply Saddam Hussein, and no matter how good a deal we got, we would still be in this same boat?

Mr. CLAWSON. I would generally agree with Ms. Mylroie that the problem is not the resolutions; although there were imperfections of the resolutions, some rather peculiar features.

I don't understand, for instance, why we said we wanted to eliminate his ballistic missiles, why we stuck in the word "ballistic," so we allowed him to keep his cruise missiles, which he does have, and including some which can strike Israel. That is not the major problem.

I think the major problem is that there are some leaders who, frankly, we just cannot tolerate. I would be tempted to put Pol Pot and Saddam Hussein in that category. I don't think the problem is just one individual. The problem is, as Ms. Mylroie said, that there

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are some leaders that the international community has to be prepared to declare to be beyond the pale.

Mr. LANCASTER. Of course, Ambassador Murphy indicated that that was beyond the charter that we went into this operation.

Mr. CLAWSON. True.

Mr. LANCASTER. That our charter was to remove him from Kuwait, which we did. Perhaps then, our mistake was in the charter in which we undertook this action. Perhaps our first mistake was at that level, not at the level at the conclusion.

Would it have been illegitimate, on our part, to have allowed General Schwarzkopf the additional time that he needed to do the job militarily that would have guaranteed Saddam's fall, even if he were not himself taken or eliminated?

Mr. MURPHY. Well, it is. I think the three of us agree that there is a real problem with Saddam Hussein. Could we have gotten a resolution that called for his removal from power, his indictment as a war criminal, removal from power after we got him out of Kuwait? I don't know, honestly, Congressman. If we had that chance and muffed it, I doubt if we had it, but it is a fair question. The fact of his survival suggests that we have to be more careful about pre-war rhetoric, because Hitler wasn't supposed to survive the bunker, and we weren't ready to go after him. My understanding was at that time, February of last year, that he had kept for the defense of Baghdad some 130,000, 150,000 of Iraq's best forces not committed to the south. More equipment could have been taken, more prisoners could have been taken in the south, and that might have kept them from moving against the Shia and the Kurds. But to get them out of Baghdad, it would have been quite a fight.

Mr. LANCASTER. Could that not have been supported under international law?

Mr. MURPHY. I don't know, Congressman.

Ms. MYLROIE. If I may comment.

As you rightly say, we helped shape the mandate; it wasn't something imposed on us. Second, it is a matter of the historical record that in April 1991, the European Community—after Saddam had launched this terrible offensive against the Kurds—voted for a war crimes trial. It was the American Government that waylaid that call.

So it is not that there was Washington cheerleading the cause of removing Saddam Hussein. It was standing in the way of efforts which might have been more effective in isolating his regime and removing him.

Mr. LANCASTER. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Let me ask one followup question that goes to this issue of the breakup of Iraq itself. One of the reasons why we did not go on to Baghdad, was that we were, as I understand it, concerned about what would happen to the integrity of Iraq, the country. As I understand it, we were aided and abetted in that concern by our Saudi allies, who also did not want to worry about a Shia alliance in the southern part of Iraq, the Shia alliance with Iran. Also our allies, our Turkish allies, who were concerned about a breakup of Iraq in an independent Kurdistan.

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My question is, in retrospect, are we having second thoughts about that, and are our allies having second thoughts about that?

There was an article in the *New York Times* that implied that the continued intransigence about Iraq looking on Kuwait as the 19th province showed that this is not just Saddam Hussein, this is the whole country of Iraq, or at least the Sunni population in Iraq that still thinks this way. Therefore, this is a problem that goes beyond Saddam Hussein; it goes to the whole being of Iraq. Maybe we ought to think again about whether we are worried about the breakup of Iraq into a Kurdish north and a Shia south and maybe something in the middle—which is Sunni. Are our allies in the region beginning to look more favorably upon the breakup of Iraq? Second, should the United States look more favorably on the notion of a breakup of Iraq?

Ms. MYLROIE. Well, I don't think that we necessarily have to favor the so-called breakup of Iraq. But at the same time, I think the kind of dedicated commitment to Iraq's territorial integrity may not be warranted, particularly with regard to keeping northern Iraq as part of Iraq. Let me explain.

I think one can say, with more authority now than a year ago, that Saddam Hussein is a threat to Iraq's territorial integrity. You cannot restore Baghdad's authority over the north without endorsing a Kurdish genocide, which we are not prepared to do. So the longer Saddam is in power, the more you have this problem of, whether we call it a problem or not, but the more there is a developing Kurdish authority in the north.

You have a guerrilla war in the south backed to some extent by Iran, which the Iraqi Government is incapable of ending anyhow, and then meanwhile, in order to suppress that revolt, is carrying on a fearsome campaign aimed at depopulating the areas that the guerrillas use. So I think the first point is Saddam himself is the greatest threat to Iraq's territorial integrity.

On the question of Turkey, that was always a very complicated position. You know that the Turkish President, and Prime Minister at the time, Turgut Ozal, was the figure principally responsible for quickly bringing Turkey to support the United States after the invasion of Kuwait. His defense minister and his foreign minister resigned on him. However, he made that decision. He had what we would call a rather enlightened attitude toward the Kurds, both within Turkey and in Iraq. Not without some element of guile there, but I understand that he saw the possibility that northern Iraq would not be able to return to Baghdad's authority, that it might fall under a Turkish sphere of influence.

As I understand, that so alarmed the administration, that it sort of—at least I know bureaucrats who looked suddenly to the defense and foreign ministry, and the Turkish general staff against Ozal, when before it had been Ozal's authority that had prevailed when the pressure was to go to war.

So there is in Turkey two lines of thought. One is, we don't want the Iraqi Kurds, and they must remain a part of Baghdad, no matter what. The other is the situation is problematic. Perhaps one way to address it, and in some aspects to Turkey's advantage, because the Kurdish area is a fertile area with oil, that somehow that area should fall under Turkey's sphere of influence. There are two

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opinions in Turkey, and there have always been, and it was not entirely accurate to portray Turkey under Turgut Ozal as apprehending during the war the breakup of Iraq.

To the extent that Saudi Arabia did, it was my impression as well, that the Saudis were very concerned about the so-called breakup of Iraq. But there is some ambiguity about it. The head of Saudi intelligence urged the United States to support the Iraqis. The United States did not, partly because of the fear of getting sucked into a quagmire.

There were at least two opinions in Saudi Arabia. Certainly by now, with the expectation that Iraq would be weak, that Saddam would be gone, all of that dissipated, because Saddam isn't doing what it was only a year and a half ago, he is not doing what people thought would happen. Certainly, it is the case that there is more concern about his survival among our allies, and I think in Washington, than before. However, the allies have two responses. One, the Saudis are more concerned, at least for the moment. The other, the elements within Turkey say, we are going to have to learn to live with Saddam, so let's begin to make our peace with him.

Mr. MURPHY. Mr. Chairman, I don't know any government in the area that is interested in the breakup of Iraq. I suggest it is because their own history, their own borders are equally open to challenge. Plus, some of the doctrines that have sunk in on the Arab side over the years of nationalism at the identification of that flag, that state. Maybe they weren't comfortable with it in the 1920s and the 1930s, and they have gotten increasingly comfortable with certain political lines on the map over the last generation. So I don't, I don't see it is in our interest to favor a breakup, it just seems illogical if a region is against it, why should we be intruding to say this is the way it should go? Just basically driven to get rid of one man, or maybe one party, the Baath regime.

Mr. CLAWSON. I think it is a sad commentary on our current policies that we are driven to the point where we, in fact, have to consider this question about the breakup of Iraq. Ms. Mylroie put it very well when she said that Saddam Hussein's continued rule is the biggest threat to the territorial integrity of Iraq, that this is a man who is so bitterly hated by the great majority of the population, by nearly everyone in the two ethnic groups that make up the bulk of the population, that we have to say that he is indeed a threat to this country's continued existence.

The CHAIRMAN. Last question. What is your read on the opposition groups? Serious? Possible? Not very serious? Not possible? Let's start with Mr. Clawson and go the other way this time.

Mr. CLAWSON. The Kurdish opposition groups are clearly very serious, and have great legitimacy in the Kurdish areas. The Shia opposition groups have generally done a bad job. With the death 2 days ago of Ayatollah Khoi, there really is no respected figure in the Shia community that can draw that community together.

I think the chances of the opposition being successful are decreasing as time goes on.

In the Sunni areas, there is nobody who has demonstrated that they have a basis of support whatsoever.

The CHAIRMAN. Dick Murphy.

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Mr. MURPHY. All that said, and I don't disagree with it, there are things that they have done that deserve our support. I think it is important to be honest with them. We have not been known for that in dealing with some of these elements in past years. It has been to our discredit.

They shouldn't assume too much of us. I don't believe—that is where I started in my own statement—that we have a consensus in this country, be it with you in the Congress, between you and the administration—to go all out and make an opposition viable that has not been viable on its own. Many of the leaders are men who had to leave the country, pushed out, exiled under serious threat as long ago as 20 years. Some of them have gotten caught as clients of other powers, which doesn't help their reputation back home. Yet they deserve our support. As long as we are honest with them as to how much we are ready to give, fair enough. I think we can be of some help, and particularly I think counseling our friends in the region to be helpful.

Ms. MYLROIE. It strikes me as a question that people raise about the Iraqi opposition, but it was not raised with the PLO. I mean, I never heard people coming and saying, the Palestinians are too divided and they lack a leadership, and the other Arab countries play in their politics, so don't deal with them. When the U.S. Government decided it wanted to deal with Palestinians, the Secretary of State went to Jerusalem, the West Bank, and said, I like you, and I like you.

Hanan Ashrawi who is a wonderfully articulate woman and I have a great deal of admiration for her, but tell me how a Christian woman in that society represents a constituency. Fine. The Secretary of State likes to talk to her, fine; I endorse it. Well, it seems to me that there is a lot more scepticism toward dealing with these Iraqis than there is in other issues when we decide here is a problem and how can we address it. I personally doubt that the United States is going to succeed in a coup that will both oust Saddam and remove the thugs from that regime. I doubt it very much. I think that we need the opposition as the best way to get rid of Saddam.

Furthermore, having begun on this policy by meeting with the INC, promising continuing contacts and to explore ways of support, as well as the specific promise made by General Scowcroft to Massoud Barzani, we won't let you down. The Kurdish involvement with the INC is provocative to Saddam. One of the reasons why Massoud Barzani, in particular, hesitated was his memory of what happened in 1975 when the U.S. Government, in fact, let the Kurds down.

Now, I think it is necessary to ask what did Scowcroft mean, we won't let you down. What are we going to do if Saddam—worst case scenario—if Saddam responds to that forcefully? I don't think that half-measures are appropriate—we will support you to here and not to there, because Saddam will respond with full measures.

My last point, I think an Afghan strategy is entirely appropriate for the situation in Iraq; it worked in Afghanistan. I believe it would be even more successful in Iraq for two reasons: One, because the error was made in Afghanistan to let Pakistan have control over everything and Pakistan President Zia's view toward the

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Afghans was to keep them divided so they would never pose a threat to Pakistan.

They probably didn't need his help in being divided and we have this lack of coherence within Afghanistan today; although they did get rid of the Soviets and Najibullah, and one can approach this issue with a political component as well as a military component. The second reason, I believe they would be successful. I will share with you the opinion that Massoud Barzani gave me—and he is a man whose opinions one should consider; he is a thoughtful man. That if the INC were to establish an administration in the north which was recognized and supported by the international community, if the Iraqi opposition, including Kurdish militias, were adequately armed, his assessment was that morale inside Iraq would be so low that you would have a flood of defectors to the north, and that it was quite reasonable to expect that it would simply collapse from within, that that alone would be sufficient to cause the collapse of Saddam Hussein's regime.

Now, that is the optimistic scenario. But even if that didn't happen and all they did was establish a functioning Iraqi administration in the north, that would still be a significant blow to Saddam. That area could be extended southward by Iraqis themselves doing the fighting at the time of their choosing when circumstances are to their advantage.

The idea is not to replace one group with another; you can't do that. What is being proposed is a replacement of one group by a system, set of principles and institution, a constitutional system.

The CHAIRMAN. Thank you all for being here. You have been very generous with your time, and we appreciate it. Very helpful. Thank you.

[Whereupon, at 5:20 p.m., the panel was recessed.]

[The following material was submitted for the record:]

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SUNDAY, JUNE 28, 1992 The Washington Post EDITORIALS/COLUMNISTS C1

Iraq's Real Coup

Did Saddam Snooker Schwarzkopf?

By Laurie Mylroie

WHEN SADDAM Hussein's helicopters strafed rebels into submission after the Persian Gulf War last year, superior U.S. forces did nothing despite President Bush's appeal to Iraqis to overthrow "the dictator."

U.S. commander Norman Schwarzkopf claimed Iraqi ceasefire negotiators "suckered" him, winning his permission for transport flights, then using gunships against Iraqi and Kurdish civilians. But new evidence shows Schwarzkopf himself set no helicopter limits. Other information raises questions about whether he acted in the mistaken belief that the helicopter forces would lead an anti-Saddam coup—and whether such a fatal miscalculation was planted in the minds of the U.S. high command by Iraqi agents.

See IRAQ, C4, Col. 1

Laurie Mylroie is an associate of the Washington Institute for Near East Policy and author of the monograph, "The Future of Iraq," published last year.

Iraq's Real Coup

IRAQ, From C1

The new evidence begins with the cease-fire talks' transcript, recently declassified by the Pentagon. Information has also come from veteran Iraqi watchers deeply experienced in Saddam's devious ways. Although further investigation is needed, known facts and informed conjecture suggest that deeper reasons exist than so far known about how the war left Saddam in power despite his defeat.

The starting point is the declassified transcript of the March 3, 1991, meeting in Safwan between Schwarzkopf, leader of coalition forces, and Iraqis led by Gen. Sultan Hashim Ahmad. The crucial exchanges began when Ahmad told Schwarzkopf: "Helicopter flights sometimes are needed to carry some of the officials, government officials or any members . . . needed to be transported from one place to another because the roads and bridges are out."

Schwarzkopf then told Ahmad how to mark helicopters to avoid being shot at.

Ahmad: This has nothing to do with the front line. This is inside Iraq.

Schwarzkopf: As long as it is not over the part we are in, that is absolutely no problem. So we will let the helicopters, *and that is a very important point, and I want to make sure that's recorded, that military helicopters can fly over Iraq.* [Author's italics.] Not fighters, not bombers.

Ahmad: So, you mean even the helicopters . . . armed in the Iraqi skies can fly, but not the fighters? Because the helicopters are the same, they transfer somebody. . . .

Schwarzkopf: Yeah. I will instruct our Air Force not to shoot at any helicopters that are flying over the territory of Iraq where we are not located. If they must fly over the area we are located in, I prefer that they not be gunships, armed helos, and I would prefer that they have an orange tag on the side as an extra safety measure.

Ahmad: Not to have any confusion, these will not come to this territory.

Schwarzkopf: Good.

But in a televised interview with David Frost on March 27, 1991, with the transcript of the Safwan talks still secret and unavailable to the American public, Schwarzkopf recounted the exchange very differently. He said he had been ordered "to dictate . . . rather strong terms . . . So when [the Iraqis] said to me, you know, 'We would like to fly helicopters,' I said not over our forces. 'Oh, no, no, definitely not over your forces, just over Iraq, because for the transportation of government officials.' That seemed like a reasonable request."

But the declassified Safwan transcript shows that as the ceasefire meeting ended, Schwarzkopf emphasized the points he wanted the Iraqis to remember, beginning: "From our side, we will not attack any helicopters inside Iraq."

Although the transcript and the interchanges with Frost make clear Schwarzkopf was intent upon the terms of Iraqi helicopter operations, White House spokesman Marlin Fitzwater in a press briefing put a very different character on the exchange. He described it as "a side, oral discussion, nothing in writing." When a reporter sought some clarification, Fitzwater responded inaccurately.

Reporter: Schwarzkopf says, okay, you can use [helicopters] for transportation, but that's it?

Fitzwater: Right.

Was this a White House attempt to mischaracterize the Safwan talks because Schwarzkopf had been pursuing a secret agenda that failed?

Analysis of the Safwan talks raises these questions:

- When Schwarzkopf said he preferred that gunships not fly over allied positions, he was also saying that they could fly anywhere else. Why did he make that concession?
- Why did Schwarzkopf only "prefer" that gunships not fly over coalition positions? Why not forbid them to do so to ensure that allied troops were protected, as Schwarzkopf claimed on the Frost show to have done?
- When Ahmad asked if even armed helicopters could fly, why didn't Schwarzkopf say no?

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Schwarzkopf would have been informed and might have taken steps in the cease-fire talks to make sure that the coup plotters' helicopters were free to assault Baghdad. But the coup never came, and the helipcopters were instead used to crush the revolt.

Saddam doesn't appear to have doubted Hakam's loyalty. Twice decorated since the U.S. victory, Hakam still heads the helicopter forces. And although Saddam usually severely punishes families of opponents, none of Salah's relatives are known to have been harmed. So if Hakam remains a Saddam man, it is possible that rumors that reached the Saudis suggesting that he was ready to mount a coup was misinformation—or disinformation.

Iraqis who know him describe helicopter leader Hakam as a womanizer and informer for Saddam. Said one source: "If the West is depending on people like Hakam, we will have Saddam for the next 1,000 years."

But there is a hypothesis that makes sense of these anomalies. If Schwarzkopf expected a coup from the helo forces, this could explain why he inserted into the discussion the notion that gunships could fly inside Iraq, why he waffled on whether Iraqi choppers could overfly allied positions and why he readily agreed that even armed helicopters could fly. A possible explanation may lie in the tangled web of intrigue that surrounds Saddam's regime.

Iraqi opposition sources told me before Desert Storm began, in January 1991, that Salah Omar Takriti, a London-based Iraqi close to the Saudi leadership, claimed to have a list of Iraqi military officers willing to plot a coup. Among them was Salah's cousin, Hakam Takriti, head of Iraqi Army Aviation—the helicopter squadrons, which include about 120 gunships among the estimated 350 helicopters, according to the International Institute for Strategic Studies' annual world military survey.

Salah, hence a super-zealous Iraqi patriot, first broke with Saddam—or seemed to—in the 1970s, and over the next two decades periodically reconciled and broke again with Saddam, who like Salah, comes from the town of Takrit, Saddam's political base. In 1982, Salah served as Iraq's U.N. ambassador, going into opposition when Iraq began to lose the war with Iran.

He remained in America about five years before reconciling with Saddam again and taking over the London-based international freight division of Iraqi Airways—subsequently identified by the U.S. Treasury Department as an Iraqi front company. When Saddam invaded Kuwait in August 1990, Salah resigned and rejoined the opposition, claiming that as a Sunni, a Ba'athist and a Takriti, he could overthrow Saddam while keeping the regime's structure intact and averting chaos in Iraq.

Riyadh embraced and promoted him as the Saudis' main candidate among the Iraqi opposition. They tried to impose him on the established opposition, threatening that if he were not taken as an equal partner, the Iraqi opposition would get no support from the Saudis or Americans.

Saudi intelligence, which cooperates closely with U.S. agencies, could have passed to the Americans Salah's reports of a possible coup attempt. If the Americans took such reports seriously,

As the rebellion in Iraq swelled, U.S. policy toward Saddam's helicopters went through curious changes. After Iraqi gunships attacked the rebels, but not Saddam, the administration eventually tried to restrain them. A U.S. warning was issued on March 17, 1991, that the use of Iraqi helicopters in offensive operations posed a threat to allied forces—formal justification for shooting them down. But by then, other considerations influenced U.S. policy, including the military's apprehension about getting "sucked into" an open-ended involvement in a possible civil war. No explicit U.S. threat was made against the helicopters. The Iraqis continued to fly, although with no certainty that they would not be shot down.

Then U.S. policy shifted: on March 26, the White House announced that Iraqi helicopters would *not* be shot down. Within 48 hours, this had precipitated panicked flight over the Turkish border by thousands of rebellious Iraqi Kurds.

According to Iraqis who were with him in Saudi Arabia during the immediate post-war period, Salah was the first to make the argument at this time that Saddam should be allowed to suppress the rebellion because the revolt was causing the Iraqi army to rally behind Saddam and thus delay his downfall. There is some evidence that the Bush administration subscribed to this line at least temporarily.

On March 29, 1991, the Washington Post quoted a senior official as saying that "Bush believes 'Saddam will crush the rebellions and, after the dust settles, the Ba'ath military . . . will install a new leadership.' But this official expressed his own doubts. 'There might not be a coup . . . and all these thousands and thousands will be dead while we looked on.'"

Saddam may be a lousy military strategist, but he is well-practiced in the art of conspiracy. If all this speculation seems far-fetched, remember, the previous U.S. administration signed on to something that sounded equally implausible—selling arms in order to "moderate" radical Iranian mullahs, a policy promoted and endorsed by the Israeli government. The cautionary is inescapable: Smart people sometimes do dumb things.

While Congress is investigating events leading up to the U.S. war with Iraq, it might also look into events at the war's end. There are big questions still to be answered.

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Planning Saddam's Ouster

By Laurie Mylroie

Whether or not this weekend's Iraq crisis is past, the Bush administration still underestimates Saddam Hussein. It threatens military action against Iraq "to force compliance with the U.N.," as one White House spokesman declared. But the White House might as well try to make pigs fly. It is impossible to enforce U.N. resolutions with Saddam in power.

Iraq's United Nations ambassador said Sunday that the issue that triggered the most recent crisis – Iraq's refusal to allow U.N. inspectors into Baghdad's agricultural ministry – was "over." But the agricultural ministry problem is one of countless infractions by Iraq of U.N. resolutions. For example, April, 1991's Resolution 687—the resolution at issue in the case of the agricultural ministry – required Iraq declare all items related to its medium-range missiles and weapons of mass destruction. Nearly 500 days later, critical items remain unaccounted for. These include hundreds of SCUD missiles. Baghdad has even reconstructed its capacity to manufacture fixed SCUD launchers.

Another resolution, 688, demands that Iraq end the repression of its population and provides the basis for the U.N. humanitarian presence in Iraq. Baghdad does no better by 688 than it does by 687. Among its more outrageous violations are repeated assaults on U.N. personnel and the attempted bombing of Mrs. Mitterrand's motorcade in Northern Iraq. In the south, Baghdad is conducting a genocidal attack, similar to its notorious *Anfal* campaign in Kurdistan. Baghdad aims to depopulate the marshes, where some 100,000 Shi'ites took refuge after last year's uprising and whence guerrillas are fighting Baghdad.

Key Pre-War Mistakes

Before the agricultural ministry confrontation became acute, Washington said little about Baghdad's flouting of 688. Consistent with its impulse to deal with any tyrant in power, Washington focuses on getting Iraq to honor its international treaty obligations as embodied in 687.

Yet this policy continues key mistakes of pre-war policy. The administration was always concerned about Iraq's drive to acquire weapons of mass destruction. But as a 1989 State Department memo noted about guidelines regulating the U.S. export of dual-use commodities, "the problem is not that we lack a policy on Iraq; we have a policy. . . .However the policy has proven very hard to implement." Indeed, many such exports ended up in Iraq's military programs.

Resolution 687 "has proven very hard to implement." Air strikes against suspected weapons sites may be salutary in the short run, but are unlikely to produce enduring change. Even though Saddam may appear to be backing down this time, he remains in gross violation of U.N. resolutions. A strategic policy revision is necessary, aimed at reversing the many misjudgments since the Gulf War's end that have allowed Saddam to survive.

If the Bush administration hesitates, Saddam will exploit that. He likely aspires to do to George Bush what Ayatollah Khomenei did to Jimmy Carter.

The only way to enforce the U.N. resolutions is to increase the pressure on Saddam's regime with the ultimate goal of ousting him. Striking targets which allow him to continue in power – such as his special security forces' barracks—is more useful than attacking targets linked to Iraqi violations of 687. Iraqi violations of 688 give a legal basis for attacking Saddam's lieutenants because they are personalities involved in the regime's flagrant violations of the resolution. That would help strengthen Saddam's foes.

But the main thing is for the U.S. to set the agenda here. This weekend, Saddam moved, and the U.S. and U.N. responded. Whether the U.S. chooses a military option now or not, that decision should be on the basis of our assessment of what a military strike can achieve, and at what cost. If the judgment is that the results would not be worth the risks, so be it. Other options exist, including diplomatic options. But we must declare that the ultimate goal is Saddam's ouster.

Let's look at the diplomatic options for a moment. These options could stand alone or complement military actions. For example, the European Community called for war crimes trials last year. Washington turned that call aside, believing trials would interfere with an anticipated coup. It is time to make public evidence of Saddam's war crimes, as well as the Iraqi intelligence files now in Washington. These documents provide the basis for charges against Saddam under the U.N. convention on genocide.

But the greatest challenge to Saddam's rule lies in recent developments among Iraqis themselves. Combined U.N. and allied work created a safe haven zone for Kurds in northern Iraq. On that and other territory, the Kurds held elections in May, consolidating their administration of a territory the size of Belgium. There now exist two Iraqi administrations – one in Baghdad, the other in the north. The Kurds' administration is, by any standard, more legitimate than Baghdad's. The former is democratically elected and enjoys the population's confidence. The latter is a criminal regime, hated by those it rules.

Northern Iraq could provide the territorial base for an opposition government. Last month, a broad-based Iraqi national congress, including the Kurds, met in Vienna. There the group voted on a democratic, pluralistic platform for Iraq. A delegation is set to meet with Secretary of State James Baker this week. Such an Iraqi government could become the sovereign authority in Northern Iraq. An Iraqi liberation army could be made up of Kurdish forces and Iraqi Arabs in exile (this group includes some 1,000 former officers and 15,000 soldiers).

The Kurds have accomplished already what Mr. Bush wanted, but failed to achieve, elsewhere in Iraq. But they are vulnerable. Saddam has two-thirds of his army concentrated in the North. With a determined effort Baghdad might now be able to overrun Kurdish forces, despite the allied air umbrella that keeps Iraqi aircraft south of the 36th parallel. The lightly-armed Kurds need anti-tank and anti-aircraft weapons now. What will Washington do if Baghdad responds to a punitive air strike aimed at enforcing 687 with a thrust against the Kurds?

The return of Baghdad's authority to northern Iraq means a renewal of Kurdish genocide. As Hussein Kamil, Saddam's son-in-law, threatened the Kurds last year, "How long will the U.S. stay? One year? Two years? Five years? They'll go and then we'll know how to take care of you."

Congress's Job

Turkish-Iraqi relations will not return to status quo ante bellum, when the two co-operated against Kurdish insurgents. In fact, it is probably easier for Turkey to reach an understanding on controlling the terrorist PKK Kurds in Turkey with the existing Kurdish authorities than for it to reach one with Saddam Hussein.

When a policy is decided, Mr. Bush sticks fixedly to it. This served him brilliantly in leading a reluctant nation into a necessary war. But that same stubbornness may now portend disaster, particularly if the administration's rigidity leads to a situation in which Saddam is allowed to return to Northern Iraq.

Congress for its part must become more involved in present policy toward Iraq. So too must Europe. Strong Kurdish lobbies exist in Germany, France, and Britain. They must pressure their governments now to help ensure Saddam is never allowed to return to the north.

The U.S. administration likely feels that campaign season is no time for any major new initiative, particularly one that could underscore its failure to finish the job last year. But if the administration hesitates, Saddam will exploit that. He likely aspires to do to George Bush what Ayatollah Khomenei did to Jimmy Carter. The only way for the administration to pre-empt the potentially humiliating months ahead is to seize the initiative and set its Iraq policy right.

Ms. Mylroie is an associate of the Washington Institute for Near East Policy, where she wrote a monograph, "The Future of Iraq." She recently returned from a visit to Iraqi Kurdistan.

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MILITARY OPTIONS FOR DEALING WITH IRAQ

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
DEFENSE POLICY PANEL,
Washington, DC, Tuesday, August 11, 1992.

The panel met, pursuant to call, at 10:12 a.m., in room 2118, Rayburn House Office Building, Hon. Les Aspin (chairman of the panel) presiding.

STATEMENT OF HON. LES ASPIN, A REPRESENTATIVE FROM WISCONSIN, CHAIRMAN, DEFENSE POLICY PANEL

The CHAIRMAN. The meeting will come to order.

This morning, the Defense Policy Panel continues hearings on the options the United States might pursue to bring Iraq into compliance with U.N. resolutions on weapons of mass destruction and treatment of minority groups. Saddam Hussein's resistance has been met with an administration policy of "threat and forget" which has done little to end his intransigence.

Today's hearings will focus on the military options open to us. These might include renewed air strikes against various targets, air strikes against Iraqi aircraft to prevent their use against the Kurds and several other measures.

We will also ask whether any of the options could effectively force Saddam Hussein from power and whether the advantages of such action would outweigh the risks. We welcome our panel of witnesses this morning: Lt. Gen. Bernard Trainor, Director of the National Security Program and Adjutant Lecturer at the Kennedy School of Government; Dr. Thomas McNaugher, Senior Fellow at the Brookings Institution; and Dr. Geoffrey Kemp, Senior Associate at the Carnegie Endowment for International Peace.

Before we begin, let me recognize the Ranking Republican, Mr. Spence, to see if he has any comments.

STATEMENT OF HON. FLOYD SPENCE, A REPRESENTATIVE FROM SOUTH CAROLINA

Mr. SPENCE. Thank you, Mr. Chairman. The question of what to do about Iraq and Saddam Hussein unites Americans of all political stripes and persuasions. The admiristration policy before the invasion of Kuwait has come under increasingly partisan attack.

The American response to the invasion, the conduct of Operation Desert Storm and United States post-war policy has escaped most of the usual political posturing.

Mr. Chairman, this panel deserves a large part of the credit for keeping the debate over Iraq above the routine political bickering that haunts this Congress. The hearings we conducted in December

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of 1990, the ensuing debate over the "use of force" resolution, and the lessons-learned exercise all marked high points for the Congress in its treatment of National security policy.

With this in mind, it is my hope that these hearings and any further panel activity in this area will continue to uphold this standard of comity and bipartisanship that has served us so well. For as Ambassador Murphy stated before the panel yesterday, the only party that stands to gain from politicizing this delicate issue resides in Baghdad.

I look forward to the testimony of our witnesses and to today's discussion.

The CHAIRMAN. Thank you, Mr. Spence.

Let me turn the floor over to our witnesses.

We will let each of them tell us anything that they think is important for us to consider and then we'll have some questions for all of them.

Why don't we go in the order of introduction? General Trainor, then Tom McNaugher, and Geoff Kemp.

Mick, go ahead.

STATEMENT OF LT. GEN. BERNARD TRAINOR, USMC (RETIRED), DIRECTOR, NATIONAL SECURITY PROGRAM, AND ADJUTANT LECTURER OF THE KENNEDY SCHOOL OF GOVERNMENT

General TRAINOR. Thank you, Mr. Chairman. It is nice to get down from Boston to Washington and get accustomed to your humidity again, and to talk on this interesting subject.

I don't have a statement. However, in looking at the Iraqi situation 2 years later, I think it would be well for us to look 5 years hence and perhaps even 10 years hence.

What is it that we want Iraq to look like 5 to 10 years from now? If you do that, the answer is obvious, but the means of getting there are not quite as obvious.

If we continue to follow the route that we are currently on—and when I say "we," I am talking about the international community—I think we see a Saddam Hussein still in power with, once again, a mighty war machine and quite possibly with weapons of mass destruction. He has been following a policy of "cheat and retreat," and he has been reasonably successful at it as near as I can tell. He has made tremendous strides in reconstituting his economy and his production capabilities, notwithstanding the embargo, primarily because the Iraqis are talented people. Second, the embargo is leaking like a sieve, primarily through Jordan.

So we face the potential 5 years hence of an Iraq very similar to the one that existed at this time 2 years ago.

So, what is to be done? Well, if we do not want that situation to exist, something certainly has to be done. There appears to be very little appetite for coalition action against this man and his regime.

From a reading of the European press, it appears that they are satisfied that we did our job 2 years ago and that this fellow is defanged and is really no threat and we are keeping a close watch on him, so let's not reignite the fire. Besides, we here in Europe

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are far more concerned with wringing our hands over the terrible situation that exists in the Balkans.

As for the Arabs, they have always been uncomfortable with the Western world getting involved in the conflict. I think they feel that the Iraqis have suffered enough and they are willing enough to allow Saddam Hussein to continue in power (with perhaps the exception of the Gulf States, the "have states"); and they would see any forceful action against the Iraqis as being, again, the Crusaders coming down to destroy the Arab world.

In the United States, there seems to be a sentiment that Saddam Hussein is still a villain, and if we could take him out with a clever air strike that would certainly be acceptable to the American people.

This fellow has, as I say, followed a policy of "cheat and retreat." He is continuing to do that. He pushes. When he comes up against resistance, he backs off.

But the last time around, he succeeded. He caused us to negotiate on that which was not negotiable; and in so doing, I think he automatically is going to be encouraged to do it again. When he looks around at that growing Arab sentiment, when he looks around at the disposition of the Europeans toward the Balkan crisis and when he looks at the United States with a major political campaign underway, and when he sees that the U.N. caved once, he will test the waters to see if it will cave again.

We already see evidence of that with the Foreign Ministry saying that no government ministries are open to the inspection of the U.N. team, in clear violation of the U.N. Resolution 687. So this will come to a head again and we either back down or stand fast. But if we stand fast, I suspect we will be standing fast alone as opposed to being part of a coalition.

We may be able to cobble some sort of support. But, Mr. Chairman, ladies and gentlemen, I think if anything is done militarily in the future, I think we are going to be doing it by ourselves and in the process come under an enormous amount of criticism.

But what to do? Clearly, I think there is no appetite nor do I believe there is a reason for using ground military forces. So the military option tends toward using air forces. There are some dangers here other than the obvious ones of pilots being shot down and becoming hostage to the regime and being marched through the streets of Baghdad; There is also the danger of air attacks not succeeding.

One of the interesting things that I reflected on from the Gulf War is the theory of victory through air power which was first advanced, as you all know, by an Italian by the name of Douhet and picked up on by De Severski, Billy Mitchell and various others with variations on the theme.

In large measure, I think we can say the Gulf War was victory through air power in a military sense. The air power did a job on the Iraqis, both in terms of their command and control and in terms of their field forces and paved the way for a relatively easy ground victory. But while it served a military purpose, it did not serve a political purpose. If you make the assumption that warfare is an extension of politics and all warfare has some sort of political mission, then air power did not succeed.

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In other words, it did not overturn the regime. So it failed to achieve a political end, although it did achieve a military end.

The same, of course, cannot be said of ground forces. If ground forces had gone into Baghdad, certainly there would have been a change in the political scene also. I think we have to keep this in mind when we talk about using air power against Saddam Hussein, particularly on the basis of the experience that we have had in the past.

Now air power, nonetheless, appears to be, if we are looking to a military option, the way to break his opposition to complete compliance with the U.N. resolutions. Then you have to say what are the options for air power? One option, of course, is what I would call the Tripoli alternative where you go in selectively and carry out strikes against specific targets as a warning to Saddam Hussein and to show him if he does not comply, that it will be painful for him.

The other option is to conduct a comprehensive campaign to significantly damage the war-making potential and the political command and control apparatus of the Iraqis. Both have advantages and disadvantages; and perhaps during the Q&A, we can discuss those. But in general, I would say that the so-called Tripoli option, the surgical sort of strike, will be of little value.

Saddam Hussein withstood tremendous bombardment during the war. As I say, he is still in power. We tried this sort of surgical approach during the early days of the Vietnamese war. The North Vietnamese laughed at us and upped the ante. I think in this instance Saddam Hussein would probably laugh at us too. It would probably serve his purposes because it would show the impotence of the coalition and, more than that, probably tend to split the coalition. It would have no real effect on Saddam Hussein's regime but probably would get the Arab world riled at us.

It would probably also get the Europeans completely upset and might even cause some dissension here in the United States, all of which would serve his purpose without any concurrent benefit to us.

On the other hand, a major air strike or series of strikes, a major air campaign, which would not take weeks but probably a matter of days would put him back to where he was in March of 1991. We would still have the problem of Arab opposition and probably the problem of a European reaction. Indeed, possible problems in our own country; but the results would be significant.

A major air campaign would take out his Republican Guards; take out his air defenses again so that we could, without any problem, freely fly all over the skies; take out what was left of his air force; take out his electric grid and his command and control process. So, once again, the Iraqis, after 2 years of reconstruction, would be back where they were in the spring of 1992.

Now that is going to get a message across not only to Saddam Hussein, but more importantly, to the Iraqi people and more important still, to those in Baghdad who can exercise leverage over the decisionmaking process and the very existence of Saddam Hussein.

So while there are downsides to both options, I would say that if the challenge to the United States and to the United Nations is

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such that the decision is made that military force should be used, then it should be used properly. The force should be air, and it should be—I hate to use the term massive, but in the context of which I described it, I think you will understand what I am getting at. We should go after legitimate military targets, but do it extensively so that we once again cripple him and put him back to where he was 2 years ago. That certainly will have an influence on his behavior and possibly even his survival.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mick.

Tom McNaugher.

STATEMENT OF DR. THOMAS L. McNAUGHER, SENIOR FELLOW, BROOKINGS INSTITUTION

Dr. MCNAUGHER. It is a honor to be here. I would like to say it is a pleasure to be here, but it has long since ceased to be a pleasure to talk about this subject. I doubt I am alone in feeling that way.

I would like to have a statement inserted in the record. I finished it last night.

The CHAIRMAN. Without objection, any statement by any of the witnesses this morning will be inserted in the record.

PREPARED STATEMENT OF DR. THOMAS L. MCNAUGHER

DEALING WITH IRAQ: THE HARD PART OF DESERT STORM

There seems to be broad agreement that the most recent confrontation with Saddam Hussein, this one over the right of U.N. inspectors to enter Iraq's agricultural ministry to search for evidence of Iraq's weapons programs, was won handily by the Iraqi president. The strong feeling is that the time for action has arrived; Saddam's next misstep will provoke the use of force by whatever remains of the original coalition that defeated Saddam's forces so handily over a year ago.

So we return to the hard part of Desert Storm—the continuing effort to "enhance the prospects for stability in the region," the murkiest of the goals set for coalition forces nearly 2 years ago. By comparison, the liberation of Kuwait was easy; political and military goals were the same, and achieving them required of conventional forces precisely what they are designed to do—seize and hold territory. Having liberated Kuwait, partially disarming Iraq in the process, we find ourselves still confronting the prospect of instability. This is partly because Iraq is believed to retain large forces and stockpiles of destructive weapons, but also because Saddam himself seems as volatile, devious, and unrepentant as ever.

It is no easier now than it was when the coalition deployed half a million troops around the Gulf to agree on practical political objectives that "enhance stability" in the region, or to relate military objectives to whatever political objectives one prefers. The latter task is made more difficult still by the absence of most of the forces available to the coalition a year and a half ago; at this point the only conceivable military objectives are those that can be achieved with air power. If force is used in some upcoming confrontation with Saddam, it will be in fundamentally different ways than it was when Kuwait was liberated.

This is not to say that force should not be used in this case. It should and very likely will be used, perhaps in the near future. But we ought to go into this with limited expectations, and with a heightened understanding of the long-term undertaking in which we and our allies are engaged.

Objectives

Amidst the substantial uncertainties that always surround the decision to use force, those facing such a decision should at least be certain of what they want to achieve. Objectives may change, but the only way to do this sensibly is to start with a clear idea of original goals. In this case, and in sharp contrast to the situation that existed as the coalition went to war in January 1991, there is no clear agreement on goals. This makes a difference in choosing military objectives, as well as in knowing when we have succeeded.

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Disarming Saddam

Technically, we are trying to ensure Iraq's compliance with U.N. resolutions, especially Resolution 687, the formal cease-fire resolution, which calls for identifying and destroying Iraq's weapons of mass destruction and SCUD missiles, and the means to produce such things. Although U.N. Resolution 687 calls for the elimination of all such items, its legalisms can only be pushed so far. The intrusive inspection regime that Resolution 687 established reflected the coalition's strength in the immediate aftermath of Iraq's defeat. Yet the resolution calls for goals that could only have been fully achieved by invading and occupying Iraq, things no one among the coalition was willing to do. Thus, in reality Resolution 687 set up a negotiation in which the coalition, under cover of the U.N., seeks to achieve goals it hadn't the stomach to take when it could, while Iraq seeks to limit intrusions it hadn't the strength to resist when the resolutions were first negotiated. At best, this negotiation will produce the partial disarming of Iraq.

Seen from this perspective, it is hardly surprising that we come back, again and again, to the possible use of force. It's not just that Saddam only understands force; while this is true enough, it is difficult to imagine any Iraqi leader accepting the intrusiveness of Resolution 687 (and other post-Desert Storm U.N. resolutions) with equanimity. Rather, the whole basis for the resolution was force, pure and simple. The balance of forces has changed dramatically since March of 1991. Not only have most of the coalition's forces left the Gulf region, but the action has moved from Kuwait and the world stage into Iraq, where Saddam is better able to set the rules.

Under these circumstances, what is surprising, perhaps, is the extent to which UNSCOM has been able to do its job. The commission has discovered and destroyed parts of Iraq's weapons programs that were not known to exist before it began its inspections. It has also destroyed at least some items that the coalition incorrectly thought it had destroyed during Desert Storm. Even if UNSCOM were to disband tomorrow, Iraq would be less well-armed than it was at the end of Desert Storm.

Two problems remain. First, important elements of Iraq's weapons programs—missiles, nuclear production capabilities, and so forth—may still exist, carefully hidden from UNSCOM inspectors. Rolf Ekeus, UNSCOM's chairman, disagrees, arguing recently that his inspection teams have now accounted for all but "a minor part" of Iraq's weapons programs. Yet strong suspicions remain that Saddam has hidden key components and production tools and, with U.N. inspectors operating on his own turf, has been adept at screening what remains from U.N. personnel. There is no way to know who is right, but I for one side with the skeptics, and thus find good reasons to continue pressuring Iraq to comply with Resolution 687.

Second, it is becoming increasingly clear that disarming Iraq is not a road to stability in the Gulf, at least in the near term. Iraq will always be in a position to seize Kuwait; population disparities alone make this fact incontrovertible. Saddam himself is completely unrepentant; in particular (but not surprisingly) he has vehemently rejected the newly drawn border between Iraq and Kuwait.

Short of going after Saddam himself—about which more in a moment—the situation calls for a twofold strategy. On the one hand, U.S. and coalition policy should continue to support UNSCOM, using force if necessary both to destroy weapons sites Iraq refuses to destroy and, more importantly, to coerce Iraq into granting U.N. inspectors short-notice access to all of Iraq. The goal here is to maximize the prospect that, over the long haul, U.N. inspectors will stumble over information that leads them to as yet undisclosed portions of Iraq's weapons programs.

On the other hand, the coalition needs a longer-term strategy to contain Iraq. The Arab-Israeli peace process is surely part of that strategy, as are closer security ties to the Gulf Arab states. It may be that as Iran rearms and reasserts itself in the Gulf, Saddam will be forced to moderate his behavior toward his Arab neighbors; this is essentially what happened during the Iran-Iraq war. But that day lies a some distance into the future, if it arrives at all.

Toppling Saddam

To the extent that the stability problem appears to have less to do with Iraq's arms than with Iraq's leadership, many Americans have concluded that stability can only be achieved by toppling Saddam. President Bush led this charge from the moment he compared the Iraqi leader to Hitler (forgetting, perhaps, that it took the invasion of Germany to finally eliminate Hitler). In the months since Desert Storm it has become an explicit goal of U.S. policy.

Even if the logic of this policy were impeccable, however, the goal of toppling Saddam faces the practical problem, with which by this time we are all familiar, that Saddam is a survivor of the first order. Setting unachievable goals is of questionable wisdom even when the goals are desirable. At the very least we might have pursued this goal quietly rather than explicitly.

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But in this case it is not clear that toppling Saddam will bring us closer to the "enhanced stability" we seek. There is some likelihood that, if Saddam falls, it will be to a coup that brings another of his ilk to power. Having seen his predecessor die for the sin of invading Kuwait, this fellow may be more disposed than Saddam to moderating his foreign policy goals. Still, his political base may be considerably weaker than Saddam's; who knows whether this will encourage foreign policy excess or compliance with U.N. resolutions. No Iraqi leader, for example, is likely to accept the U.N.'s newly demarcated border between Iraq and Kuwait. Saddam's successor may be no better than Saddam himself. The danger is that, with Saddam gone, political support for continued pressure on Iraq will quickly evaporate.

It is also possible that toppling Saddam may produce no regime at all, but rather civil war and chaos. President Bush asked for, and almost got, precisely this outcome in the weeks immediately after Desert Storm. Confronted with the prospect, he refused to support Iraq's dissident factions. Evidently any regime in Baghdad—even Saddam's—was preferable to chaos or a fractured Iraq.

Not everyone agrees with Bush on this; hard-line conservatives seem willing to accept almost anything to eliminate Saddam. But to seek Saddam's end at any cost is senseless. A balkanized Iraq is a formula for enhanced Iranian power in the Gulf—hardly in Saudi Arabia's interest—while neither Turkey nor the Gulf sheikhdoms are likely to be happy with Kurdish and Shiite "rump" states in what was once Iraq. In my view, a whole and reasonably stable Iraq is a fundamental prerequisite for stability in the Gulf.

This leaves me in an uncomfortable position. I think it was a mistake to set up the explicit goal of toppling Saddam, not simply because it's hard to do and could produce unwanted chaos, but also because it makes us responsible for whatever comes next. That said, however, I recognize that at this point there is little sense in seeking to reverse a firmly stated goal of U.S. policy. Moreover, like many Americans I am slowly reaching the conclusion that in this case the devil we don't know may truly be preferable to the one we do know.

I would be at least slightly more comfortable if I thought it were widely understood that toppling Saddam changes, but hardly eliminates, the challenge that Iraq poses to U.S. and coalition interests. U.N. resolutions provide crude tools for dealing with Iraq after Saddam falls, should that occur. By imposing on Iraq constraints on sovereignty far beyond those any "normal" state would accept, these resolutions create the means to pressure Iraq until coalition members get behavior they can accept if, of course, there is a regime around to pressure, and even then only so long as the coalition retains the will to play the game.

Those are big "ifs." As for the first, the administration has begun to work with an assemblage of Iraqi dissidents, the beginnings, presumably, of a government in exile. I'm not sure how successful this approach will be, but I see no point in calling for Saddam's fall without at least trying to acquire some leverage over the aftermath.

The second—the issue of political will—is more directly amenable to political control. We simply have to insert in the debate that currently swirls around these issues the uncomfortable truth that getting Saddam may not solve much, may even make things worse, but at the very least is not the end of ours and the coalition's engagement with Iraq. Desert Storm set up the conditions for, and provided special tools for, an extended coalition engagement in Iraqi politics. Over the long-haul the real question is whether coalition policy makers and publics have the will to continue playing the game.

Supporting the United Nations

The international approach that has been used to pressure Iraq thus far is important enough to constitute a goal in its own right. To his credit, President Bush has taken pains to preserve this approach to Iraq, both before and after Desert Storm. Yet there remains a debate about whether U.N. approval is needed for certain kinds of military operations. This is less the case with Resolution 687, where the use of force is clearly permitted by existing U.N. resolutions, than with regard to human rights and the security of repressed ethnic and religious groups. The latter issues are treated by U.N. Resolution 688, and there is some debate as to whether the enforcement clauses of the original cease-fire apply to this case. Given that the security and rights of ethnic and religious minorities are extremely controversial issues, obtaining security council approval for the use of force will be difficult. Some wonder if we should bother even to try.

I think we should. This is not America's "unipolar moment." We do not cooperate with other nations because it appeals to our liberal instincts. We cooperate because it is in our interest to do so. In the case of Desert Storm, it is doubtful that the Saudis could have accepted U.S. forces on their territory without strong signals of

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Arab League and U.N. support. As for UNSCOM's mission, I cannot imagine much that would be worse than trying to deal unilaterally with Iraq in the aftermath of Saddam's fall, should it occur. More broadly, I suspect that a world confronted with U.S. military power undisciplined by international constraints would surely find the means to resist.

UNSCOM's activities form part of a broader post-cold war exploration of the U.N.'s potential to handle conflict resolution collectively. Even as we discuss Iraq today the United Nation's is discussing resolutions to handle the situation in Yugoslavia that borrow on the concepts and language found in resolutions 687 and 688. This gives the United States and the U.N. a significant stake in ensuring UNSCOM's success.

In my view the Security Council is already perilously close to looking like a post-imperialist club—the UK, France, and the United States, plus a Russia (itself a former imperial power) too desperate for financial aid to say no and a China that is increasingly uncomfortable with Security Council actions but generally does not want to be isolated. This problem, among others, has become a source of tension between the Secretary General and the Security Council. In the long-run this means changing the membership to reflect the distribution of world power. At the moment it means seeking Security Council approval—a broad consensus—for coalition actions.

Coalition Capabilities

Insofar as the objectives outlined in post-Desert Storm U.N. resolutions reflect the attempt to obtain the benefits of occupying Iraq without actually doing so, most would be best pursued with ground forces. Needless to say, this will not happen; the coalition is not up to the kinds of casualties and commitments associated with using ground forces, and few coalition ground forces remain in the region anyway. (An exception may be special operations forces.) So the coalition will rely mainly on air power. Although the diverse array of Air Force and U.S. Navy aircraft available in the region may not be enough to handle the "sustained air campaign" U.S. officials spoke of during the recent showdown with Iraq, the Saudi support base is undoubtedly able to take in more if need be.

Using aircraft would seem to make imminent sense, given the powerful role air power played in Desert Storm. Although I agree in general with this proposition, I think it is important to note that if we finally use force against Iraq in some future confrontation, we will be using air power in a fundamentally different and less satisfactory way than we did in Desert Storm. During the war itself, air power hit Iraq's infrastructure to detach Iraq's forces from the country's leadership. Bombers interdicted roads to cut Iraqi forces off from their supplies. Of course they directly attacked Iraq's tanks, gun emplacements, and entrenched soldiers to reduce the defense of Kuwait. In short, air power was related directly and physically to the act of liberating Kuwait.

For the most part that direct connection will be missing from upcoming engagements, should they occur. Instead, air power will be used to punish, to compel compliance, to encourage coup plotters, and so on. Our experience with compellance is mixed. The North Vietnamese leadership seemed to have more tolerance for the pain inflicted by U.S. bombers than the American people had for administering the strikes. There seems to be broad agreement that bombing Libya in 1986 produced at least a temporary drop in Qaddafi's support for terrorism, although I remain skeptical on that point. Iraq may be different; Saddam certainly seems to fear a renewal of coalition air strikes. But we should remember that the effect of the air strikes is not directly within our power to achieve. The potential for frustration should be obvious.

One of the few hard rules in the murky realm of compellance is that the compellers ought to be very clear about what the compellee must do to bring an end to compellance. Given that we can hardly ask Saddam to eliminate himself, the obvious objective is to achieve compliance with U.N. resolutions. This must be made clear not simply to tell Saddam what must be done, but to tell coalition members, some of whom wish to see Saddam fall, when to stop.

Possible Targets

We can imagine four kinds of targets amenable to air strike. Each has advantages and liabilities, whatever the goals of military operations. I assess them here in terms of the issues already raised.

UNSCOM Targets

IREA officials stated recently that Saddam has resisted destroying other buildings identified for destruction. Presumably intelligence on the location and contents of such buildings (as well as other fixed targets) is considerably better than anything

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available before Desert Storm, enhancing the coalition's ability to destroy such targets from the air. Given that confrontations between Iraq and UNSCOM inspection teams will probably be the basis for using force, such targets no doubt should be hit. Besides marginally disarming Iraq, however, these do little more than make the point that the coalition is still willing to use force. That point needs to be made, and making it may have a substantial motivating effect on Saddam. Because it is a "minimalist" target set, however, he could take it as evidence of waning coalition will.

Saddam's Protection

Key Iraqi forces protect Saddam himself; reportedly he just created a "presidential Guard" unit, for example. U.S. officials have also referred to special police targets relevant to Saddam's protection. Unquestionably these are the best targets, both for motivating Saddam's compliance or for toppling him. Saddam knows this, however, and it is my understanding that most of these forces are carefully dispersed, deployed to populated suburbs of Baghdad, and otherwise protected from air strike. It's not clear what targets remain in this category. But those that do should be top priority.

Military Targets

Two general distinctions are worth making here. The first is between what I call "one-time" targets (ammo dumps, air defense sites, etc.) and "process" targets (roads, bridges and other targets usually associated with interdiction). The latter usually have to be hit repeatedly to sustain the desired effect. Concern with commitments and casualties would seem to favor fixed, one-time targets, at least marginally—these can be hit by cruise missiles, and once hit they can't be rebuilt or replaced.

The second and more important distinction is a geographical one, between targets associated with Iraq's general military power and those specifically engaged in the north and south. Within limits, strikes on general military targets represent a cost to Saddam, and may also encourage the military to try, yet again, to overthrow him. But such strikes could also strengthen Saddam, at least in Baghdad, if they support dissidents and thus imply to citizens of Baghdad that the coalition has chosen (again) to encourage civil war. Insofar as the military is likely to help hold Iraq together should Saddam actually fall, at some point weakening it increases the chances of chaos and balkanization. Although we are a good ways from damaging Iraq's military sufficiently to induce civil war, to be on the safe side the coalition should strike forces around Baghdad before it goes after forces chasing down Shiites in the south. It could also attack sophisticated weaponry that has little to do with Iraqi cohesion—air defenses, for example.

I realize that what I'm saying here runs against the current thrust of U.N. concern with the security of Shiites in southern Iraq. Humanitarian considerations alone make it necessary to consider possible military action against Iraqi forces now squeezing the Shiite community. If force is to be used in this case, however, the operation ought to have full Security Council approval. The use of force should be part of a broader political effort to tie the Shiites, and the Kurds as well, into a different, but nonetheless whole, Iraq.

Infrastructure

Many of Iraq's bridges, railheads, roads, generators, refineries, and so forth, were hit during Desert Storm. Many have been rebuilt. All are vulnerable. Nonetheless, I think these targets should be off limits. I question whether the coalition needed to hit as many of these as it did during Desert Storm, but at least then such strikes were arguably part of a broad campaign to "decapitate" and cut off forces in Kuwait. Hitting such targets now would hurt innocent Iraqis, which is not our purpose, and is something Saddam would no doubt turn to his advantage.

Conclusions

Although I think force should and probably will be used against Iraq, it should be clear that I am not entirely comfortable with the prospect. Coalition goals are complicated, and in some cases internally contradictory. The forces available are not entirely appropriate, and will be used in different and probably less decisive ways than was the case during the liberation of Kuwait. Targets are few and difficult to hit. All of these factors make me considerably less optimistic about the use of force in an upcoming confrontation than I was about Desert Storm itself.

At the very least the Nation's political leadership could do a better job of explaining the strategic context in which military operations will occur. We are engaged in a long-term effort to fit Iraq peacefully into its place in the Gulf. U.N. resolutions provide tools for doing this, but they are blunt instruments at best and virtually

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every one of them has the potential to backfire. The effort may never topple Saddam, but more importantly it won't end—and may even become more difficult—if he suddenly falls.

All of this is bad news, especially in the aftermath of a quick, decisive, and almost painless victory. So the administration tends to handle the engagement a day at a time, implicitly sustaining the emotionally satisfying notion that Saddam is the villain, and Saddam's fall is the solution. The danger is that by doing so it risks the collapse of public support for U.S. and U.N. efforts in Iraq just when it may be needed most.

Dr. MCNAUGHER. I brought it in on a floppy only to discover none of my computers at Brookings would read it. The lesson, I presume, is that high-tech worked for Desert Storm but it still doesn't work for me. I will get it in tomorrow and would like to have it in the record.

I entitled my statement "Desert Storm II: The Hard Part." It seems to me that we tend to see what is going on now as separate and distinct from the war we had a year-and-a-half ago.

Yet, I think it is simply the tough, murky hard part of an undertaking we set in motion with that war. The easy part of Desert Storm was liberating Kuwait. Political and military objectives were coincident, and achieving them asked conventional forces to do what they are supposed to do, namely seize and hold territory. There was never any question we could retake Kuwait.

The hard part of Desert Storm fell out of that other goal the President set, that of enhancing the prospects for stability in the Middle East.

It seems to me that defeating Iraq, destroying part of its military, helped enhance the prospects for stability, but was simply a necessary rather than a sufficient condition for ensuring stability. Iraq still seems to be reasonably well-armed, while Saddam is as unrepentant as ever and rejects any formal settlement, not to mention any formal demarkation of the border with Kuwait.

So we are returning, once again, to Desert Storm when we talk about using force. But it is a hard part of Desert Storm because there is no direct physical connection between strategic objectives and the use of force. To make matters worse, the forces that I think would be appropriate for doing what we really need to do aren't even in the region any more.

I am not saying we shouldn't use force. I will talk about how to use it in a moment. But I do think we ought to work harder to set the political context here, and to make clear to the American people that this is a long-term engagement with Iraq. Using force once or twice doesn't change the problem, and might make it worse. So there is going to be a requirement for long-term support for what is going on here.

Let me talk a little about objectives. It seems to me that when you get into the question of using force, inevitably everything is uncertain. War has a logic all its own once you set it in motion. You never know where it will go.

My sense, from studying military history, is that the one thing you ought to be sure of is what you are trying to do. We had a consensus on a clear objective in Desert Storm the first time around: liberate Kuwait. Not surprisingly, when you talk about enhancing stability it is harder to get a set of objectives that are clear and unambiguously good.

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We seem to be pursuing two different kinds of objectives; nobody separates them very much. The first and very modest objective is to disarm Saddam. It seems to me this is what Rolf Ekeus is seeking.

At best, we can partially disarm Saddam. Resolution 678 calls for the complete disarmament in terms of his weapons of mass destruction, but you can only get so far with legalities. In the end, it seems to me, 687 reflects the strength of the coalition in the immediate aftermath of the war but also its weakness. It specifies objectives you can only get if you are willing to go in and occupy the country the way we occupied Japan after World War II. Nobody had the stomach for that.

What we have in 687 is the basis for negotiation where the coalition tries to get things that it didn't have the stomach to take when it could have and Saddam tries to resist a set of intrusions he couldn't resist in the immediate aftermath of Desert Storm. It is not surprising that we keep coming back to the use of force. The whole thing was born out of a balance of force which has changed since then.

As controversial as Mr. Ekeus has become, we ought to have a few cheers for the Special Commission. Despite the radical change in the balance of force—the removal of most of the coalition's power from the region—Iraq is less well-armed today than it was on March 1, 1991.

Two problems remain. Although we don't know what we don't know, I remain fairly skeptical of the notion that we have discovered all but a minor part of Iraq's capabilities. My own sense is that Saddam may very well have snookered the Special Commission, successfully screening it out of important parts of his arsenal.

The second problem is that even if the UNSCOM mission continues, Iraq will still be a threat, especially to Kuwait. Take away the special weapons and there still is a problem there, built into the demographic disparities of the region.

If our objective is to disarm Saddam, we ought to use force in limited ways that make the point that the coalition is still there. But we shouldn't disrupt the elaborate inspection regime Ekeus has created over the last year.

The broader strategy ought to be that of containing Iraq, and that means more visible security ties with Saudi Arabia and Kuwait. Maybe, over the long term, a reemerging Iran will give Iraq enough of a problem to its east that it will behave more moderately toward its major Arab neighbors. I think that is what happened during the Iran-Iraq war, and it may happen again. But that is a long way off.

The other goal that people are pursuing, of course, is Saddam's fall. That is Mr. Bush's policy, has been for quite sometime, and so it is a U.S. goal. I think the world would no doubt be a better place without Saddam.

Still, I see two problems. One is that it is very hard to get him. Frankly, even if you wanted to get him I wondered why we had to set this goal so explicitly. It makes no sense to set explicit, unachievable goals. We could have done it quietly, but that wasn't the way the President chose.

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The other problem is there is no obvious relation between Saddam's fall and enhanced prospects for stability. In fact, when President Bush called for a civil war to overthrow Saddam in the immediate aftermath of Desert Storm, he got what he asked for, and he backed away from it. Evidently there is something worse than having Saddam in Baghdad.

Frankly, I agree with that. But many disagree. In an op-ed piece a couple of weeks ago Jeanne Kirkpatrick suggested getting Saddam was worth almost any cost. I couldn't disagree more. I think we want a whole and stable Iraq.

A Balkanized Iraq is, at the very least, a formula for a much stronger Iran than we would like to have in the Gulf. It is certainly a formula for long-term problems that Turkey will have with the Kurds and the Saudis will have with Shiites. I think a balance of power between Iran and Iraq is still the only way to organize Gulf security if we can get it.

The issue is partly military. I personally do not think we should go back after targets that encourage civil war. This has to do with the geographic location of targets. A lot of people say, start bombing on the extremes, with the forces up around the Kurds and Shiites, and work in toward Baghdad. I tend to think we ought to go the other way—we ought to go right into Baghdad after Saddam and leave the forces in the countryside relatively unscathed.

The bigger issue here, though, is one of political leadership. I don't think anybody has stood up and told the American people that getting Saddam is not the end all and be all, that it may make the problem worse. It may change the nature of the problem.

But it certainly doesn't create a situation that we can walk away from. I worry that on the off chance that Saddam falls, we are going to wash our hands and come home when dealing with the aftermath will really need political support. So there is a contextual issue that requires political leadership, and I don't see much in evidence.

A final objective, and this one has to do with means, namely supporting the United Nations and the international approach to conflict resolution. I would like to make three points.

First, this isn't our unipolar moment. I don't think we cooperate with others because it feels good. We cooperate because it is in our interests. In particular, I don't think we can project forces to the Gulf without a lot of international support. I don't think the Saudis could have accepted American forces without Arab League support. The last thing I want is to be dealing with Iraq in the aftermath of Saddam's fall alone. I can't imagine an outcome worse than that.

The second point. While the Special Commission is unique to Resolution 687 and to Iraq, it is part of a broader fabric of U.N. attempts to deal with conflict resolution, not all of them successful. But the stakes here go well beyond Iraq.

The third point, in my view, and General Trainor alluded to this, the Security Council already looks a bit too much like a post-imperialist club: Britain, France, the United States, Russia, also an imperialist power, but in this case too weak to say no, and China which has increasing misgivings about what is going on but doesn't want to be isolated on the Security Council.

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What this means is that on the margins where there is a debate about whether we should go ahead and do something unilaterally or wait for some kind of U.N. authorization, I think we have to take the latter option.

This has less to do with Resolution 687 where I think the language is pretty clear, than with Resolution 688, which opens up a whole different venue of approaches to Iraq—human rights, ethnic minorities, and so forth. The relationship of this resolution to the cease-fire resolution and its relationship to the authority to use force are not clear.

I think we need a U.N. resolution to support the use of force under those particular incidents.

A note on capabilities. My feeling is that, insofar as we are trying to get things that really can only be gotten by invading and occupying, ground forces are the appropriate force to achieve these objectives. But they are gone, they are not going to go back. Nobody wants that kind of commitment or casualties.

We will use air power. That sounds well and good because it did so well in Desert Storm. Still, I would raise two qualifications.

First, my own personal feeling is that we are beginning to discover that air power wasn't quite so effective as we thought, especially in the close air support role. I was in Desert Storm as a mobilized reservist. I was in the Army. We thought the air force was just taking out the Republican Guards day after day. The more I hear, the more people I interview, the more I talk to people involved, the less I think that is true.

Part of the reason, is that the Republican Guards were dug in and defended by guns. We have always had trouble with guns. You can't spoof them. You can't blank them out. What that forced us to do was lift the offense up to 10,000 feet, not what I call close air support, and use B–52s which were never good for taking out dug-in armored units. We ought not get too carried away with air power.

The more important point is this: In Desert Storm, in January and February of 1991, we used air power to physically effect the achievement of our goals. We decapitated Iraq's force posture, destroyed Saddam's forces, cut logistics off, physical things that allowed us to take Iraq and take Kuwait back.

Except for a very few targets, what we are using air power for here is compellance. We are going to hurt somebody until they do what we want them to do. It is a fundamentally different game and one with which we have had fairly mixed results. From bombing during the Vietnam War we learned that we had less tolerance for inflicting pain than North Vietnam's leadership had for absorbing it.

I'm not sure that is true of Iraq. Given the way Saddam backed down over the last several months, I think air strikes probably will be effective. But we ought to recognize that we aren't physically going in and taking anything. The gap between what we will do and what we want to do could lead to failure, a lot of public frustration. Nobody has made this point.

As for targets, I would list four kinds. I am not real comfortable with General Trainor's notion of a comprehensive campaign. On

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the other hand, I understand his discomfort with sort of picking and choosing targets.

Let me list the targets and talk about how to put it together.

The first targets are those directly associated with the UNSCOM mission. IAEA officials have been quoted as saying that there are several targets identified for destruction that haven't yet been destroyed. If you get rid of those, you make the point that they are what is provoking us at the moment. You also make the point you will use force. I cannot see not going after those. The problem is that taking those out alone doesn't change the situation at all.

My second and actually top priority targets are the forces that directly protect Saddam or that can be related to his personal security. There are special military units. He created a Presidential Guards unit a few weeks ago. There are also police units and police-related targets that can be hit. Hitting these targets imposes a direct cost on Saddam. Either they motivate him to cooperate with the Special Commission or maybe they weaken him and lead to his fall. They don't penalize Iraqi society.

The problem is, of course, that Saddam knows this, too. Those forces are fairly well dispersed. They are deployed to suburbs where collateral damage is likely to be high. These are hard targets to get. Still, I think they are very much worth going after.

The third priority is military targets. I already suggested I don't think we should go after targets that weaken Iraq's cohesion. I would rather start with Baghdad and work out.

Let me be clear, I don't think we are anywhere close to weakening Iraq to the point of civil war. I think the military has reassembled itself. We are not dealing with the immediate aftermath of Desert Storm and a fragmented military.

There is plenty of bombing that can be done on Iraq's conventional forces that can raise the pain in Baghdad and create incentives on all sides. I think, though, that at some point if you go after forces that are related to holding Iraq together, you risk chaos. You also risk strengthening Saddam's hand in Baghdad. That is what I think happened in March and April of 1991. I would start in Bagdad and work out.

Fourth, infrastructure. Here I think General Trainor and I probably do have a disagreement. I was uncomfortable with the extent to which we destroyed Iraq's infrastructure in Desert Storm. President Bush made the statement all along that he wasn't at war with the Iraqi people, but was at war with Saddam. When you looked at Baghdad after Desert Storm it sure looked like we were mad at everybody.

You can justify hitting infrastructure in the name of decapitating the military of Iraq. But that is not an issue now. I think infrastructure—bridges, roads, electric facilities—ought to be off-limits. That is not what we are about. I think in the end if we do a comprehensive campaign that includes those targets, it would strengthen rather than weaken Saddam. At this point I don't think the Iraqis are going to blame Saddam for their problems; I think they are going to blame us.

In conclusion, it ought to be clear I am pretty uncomfortable with using force in this situation. That is all right. I am never com-

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fortable with using force. This is more murky than the original Desert Storm. I think it probably has to be done.

What I am trying to say is we need more political context here. The one thing Mr. Bush has steered clear of—and I don't fault Mr. Bush much in his leadership—the one thing he never wanted to face is what happens when Saddam falls. What happens if you can't get him? What do we do in those difficult cases?

He has to talk to the American people about a long-term engagement in which the use of force is a small part but one that requires political support in this country for some years to come. Nobody is doing that. The danger is that we use force, we get lucky, Saddam falls, and then we back away when the problem gets really serious.

Thank you.

The CHAIRMAN. Thank you.

Geoff Kemp.

STATEMENT OF DR. GEOFFREY KEMP, SENIOR ASSOCIATE, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Dr. KEMP. Mr. Chairman, I have a very short, prepared statement that avoids geopolitics. It focuses very specifically on questions related to the use of force.

I believe that the behavior of Saddam Hussein makes it imperative that the United States prepare for the use of force to punish Iraq for not complying with the U.N. Security Council resolutions. If we fail to act decisively in the face of systematic Iraqi violations of the U.N. agreements, and unequivocal evidence of genocide that is probably far worse than that reported in Bosnia, the credibility of the United States and the United Nations in the Middle East and elsewhere will be weakened. Unless Saddam Hussein's defiance is swiftly challenged, the much-heralded "New World Order" is in severe jeopardy. This, in my judgment, Mr. Chairman, is the political message the United States and its allies have got to stress in this confrontation.

The United States must be very careful in preparing for contingencies against Iraq. Three conditions are absolutely necessary, in my judgment, before the use of force should be undertaken.

First, the United States must act with the specific authority of the U.N. Whether we have that authority at present with the existing resolutions against Iraq is a legal matter. It would be preferable if a new U.N. Security Council vote could be obtained authorizing further punitive action.

The second condition is that in conducting military operations against Iraq, the United States should be joined by at least one European and at least one Arab ally. Preferably, this would be the United Kingdom or France from Europe and Saudi Arabia from the Arab states. Saudi participation is especially important since our most effective military assets would best be deployed in Saudi Arabia. Saudi Arabia is a better platform for a new air war against Iraq than aircraft carriers.

The third condition is the preparation of a highly circumscribed set of military targets coupled with a willingness to use air power repeatedly over a period of weeks to achieve a specified objective. That military objective should be the systematic destruction and weakening of Saddam Hussein's security apparatus, particularly

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those elements of the apparatus that are clearly identified with his personal power structure.

For instance, it would be preferable to target those elements of the Republican Guards and the elite security forces who guard Saddam Hussein rather than those elements of the army who are, at best, passive supporters of the regime and who might, under the right circumstances, be encouraged to join in a coup d'etat or a counterrevolution.

Every effort should be made to destroy the remaining Iraqi air assets, though destroying Iraqi helicopters may be difficult. It would be unwise, in my judgment, to bomb Iraqi supply routes in and out of Jordan and Turkey since foreign civilians might be killed.

Every effort should be made to avoid targeting civilians or any installations that have predominantly civilian applications, such as the electrical grid system. The exception would be Iraqi television. We do not want Saddam's face grinning on TV the day, or the week, after new attacks.

There is no guarantee that a sustained and accurate bombing campaign will dislodge Saddam Hussein from power. Other downsides of military operations are well known. We might take casualties and/or kill innocent civilians. There would be a high cost to the war, both politically and financially.

Important allies such as Turkey and Egypt might oppose us. Saddam might be tempted to launch some of his remaining Scud missiles at Israel. On the last point, I think he will think twice since I believe this time Israel would probably intervene. Israeli forces could do a very devastating job against Iraq's western areas without much reaction from the Arab world at this point in time.

There can be little doubt that the systematic destruction of Saddam's military infrastructure will eventually weaken him, perhaps decisively. Furthermore, this will make it much more difficult for him to mount operations in both the south against the Shiites and in the north against the Kurds. This, in turn, will strengthen the abilities of both these groups to resist the Iraqi regime.

If President Bush does send ground forces, the political objectives of this proposed strategy should be Iraq's complete and total acceptance of all U.N. resolutions, the opening up of all facilities to U.N. inspectors, including American inspectors, and the expropriation of seized Iraqi assets to be provided to the Iraqi National Congress.

But most important, the United States public would need to be told what the objectives are and that limited air interdiction of the type I have suggested does not precede the use of ground forces. While a ground invasion of Iraq is the only assured way to rid the country of Saddam Hussein and be certain he has no weapons of mass destruction, such an operation runs huge risks and could well become a quagmire.

Finally, I believe that the removal of Saddam Hussein would make a huge difference to the future of the region and would be a very positive one. I am not too worried about the future stability of the region once Saddam is gone.

There are political dynamics now at work throughout the region that, while we can clearly focus on the downsides, I would take a

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more optimistic view. I believe that to the extent that Saddam Hussein is analogous to Adolph Hitler, the sooner he is removed the better. We will worry about post-Saddam when the time comes. An Iraq without Saddam cannot be worse than the current situation.

Thank you.

The CHAIRMAN. Thank you, Geoff. Thanks to all of you.

Let me begin by asking a question to follow up on something Tom McNaugher said.

I would define the question on the use of force here slightly differently than you did, Tom. One use of force is toward enforcement. If you are being blocked from getting into the Agricultural Ministry, you push your way into the Agricultural Ministry. That is fraught with lots of dangers, et cetera.

The other is the attempt to be a little more distanced from what you called compellants, or what I would call punishment. That is where you go hit here with the objective of forcing an action over there.

I guess I am asking the panel to think about that for a little. That is essentially what we are talking about. Is there a way to use military force to hit a set of targets which will, as a punishment for not complying with, or a compellance toward enforcing, U.N. resolutions 678 and 688?

How does it work in this case? How does it work in other cases? It seems to me that this is the kind of thing we are talking about in the "New World Order." Can you tell me examples in history where it has worked, where it has not worked?

To draw other parallels, we are looking at the same thing in the Serbia-Bosnia case. Is there a list of targets you can hit in Serbia that would force them to stop supporting this action in Bosnia?

Is there a set of targets that you could hit in Iraq that will force the government to abide by 688? Was a similar case the set of targets we hit in Libya to force the Libyan Government to desist from conducting its terrorist operations?

In other words, you are hitting a set of targets over here to force some action in a different arena, if you see what I mean. Talk about that whole concept.

Of course, each of these things will be different because Saddam Hussein, of course, is pretty well isolated from his people. Thus, you can pound the Iraqi people pretty badly and it will not affect Saddam Hussein's decisionmaking process. That may not be true of Mr. Milosevic in Serbia. Talk about this concept. At the core it seems that is what we are dealing with here.

General TRAINOR. Well, I think the closest parallel we have is the one that you mentioned with Libya, where we were dealing with terrorism. By hitting some targets in Libya, we appeared to have put the damper on not only Libyan terrorism but terrorism out of Syria and Iran.

Generally speaking, though, when the United States uses military force, it is not that sophisticated in its use. We usually use military force for direct reasons, but they sometimes have indirect results, such as you allude to. Another one, in the context of this sort of philosophy, would be what we did in Grenada. That was

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only partially aimed at Grenada. It had a wide influence on other places in the Caribbean like Surinam and most of all on Cuba.

There are some kind of weak parallels but I don't know that there are any historical examples in the American experience that directly relate to your question. In terms of the experience of other nations, there may be some but I can't put my finger on them. Maybe some of my colleagues could point to those.

Dr. KEMP. I quite agree with General Trainor, that the Libyan analogy is worth pursuing a little because I think that that operation did have a very sobering impact, not just on Libya but on other radical countries in the region.

Saddam Hussein is beyond the capacity to be influenced by a single strike on one set of targets. It would take, as I suggested in my testimony, days, if not weeks, of bombing to have the same effect.

One comparable historical situation is the classical gun boat diplomacy, where the gun boat was used to threaten one or two key installations that are of particular value to the leadership. After all, what is at stake here for Saddam Hussein is his life. One of the reasons I believe he was probably deterred from using chemical weapons during the war, other than possible technical reasons—we now know he could never use them—was that during Desert Storm there were two events that could have cost him his life. One was to use chemical weapons against allied forces in the desert, in which case we would almost certainly have gone to Baghdad. Second, would have been to use chemical weapons against Israel, where I think under those circumstances the Israelis might have used nuclear weapons.

The strategy has to threaten those targets which are most likely to make Saddam believe he is going to be killed or those immediately close to him are going to be killed. In other words, a decapitating strategy. That is why I think very selective targeting around his own entourage is the preferable approach.

The second, broader message of military force has to reach the Iraqi people and those Iraqis who still are part of the regime but are wavering. The signal should be that they can expect nothing but pain and suffering as long as Saddam is around, but that if he is removed and a new regime comes to power, there are extraordinarily positive prospects for their future. Iraq is a very rich country and there is no reason it could not bounce back in a matter of years if Iran had a different regime. Those are some of my initial ideas.

Dr. MCNAUGHER. Let me return to the issue. It is an important issue.

It seemed to me as I was thinking this through, the number of enforcement targets—and that is a good way to say it—that are accessible to air power, is very, very limited. Those are the things that really have to be, you have to invade, occupy and take them.

Yes, you can send a special forces team in to destroy anything. Getting them out—Colin Powell usually likes to have an armored corps to handle that, and, frankly, I am with him on this. I don't think that is on. So the number of enforcement targets is limited. They ought to be hit, probably can be hit, with Tomahawks.

Punishment is a tough one. I am more skeptical of the Libyan case, I guess, than my colleagues here. I thought that when we fi-

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nally found the two Lockerbie bombing suspects in Libya, we were saying, in effect, that bombing Libya in 1986 really didn't deter it from terrorism. It simply went down another couple of layers.

I have a friend who follows the IRA fairly closely, and to the extent that he could find out what their funding from Libya was, it went up, not down, after 1986. It just went through other channels. So I have never felt that that history has been fully written.

But it did seem to me that the 1986 bombing did a lot less compelling than we thought. Vietnam, I thought, was a failure, except in the December 1972 case, which was a specific case. Maybe that makes one point. You know, you don't compel without a very explicit set of directions as to what the compelled party, the object of this attack, ought to do to get out from under it.

Geoff Kemp really said it right. What we want is specific compliance. We may want to topple Saddam, but specifically, we want compliance with U.N. resolutions. So you make that clear.

I think you have to have a better understanding of the domestic politics of the country involved than we have of Iraq. I am overwhelmed by our uncertainties about how this country works. In the case of Melosevic, I think to the extent one can understand, one can put together a theory, a little more pressure on Serbia could change his political base enough to get him out of supporting the Serbs in Bosnia.

I don't know how to get leverage over the Serbs in Bosnia, and I don't think anybody can say what we want Bosnia to look like when all is done. But, again, my understanding of the politics of Melosevic, says compellance might work.

Geoff is right, we want to maximize the pain and the threat to Saddam. I would argue we want to minimize the pain and threat to the Iraqi people. Sanctions are making them miserable enough. The unfortunate fact is sanctions punish the innocent until they work. So we have done enough to the Iraqis. I think we should aim right at Saddam to the extent that we can.

Mr. SKELTON. Mr. Chairman.

The CHAIRMAN. Yes.

Mr. SKELTON. I think, Mr. Chairman, your question is an excellent one. Finally, as we came forth with the Hanoi bombing of December 1972, which brought the Hanoi Government back to the bargaining table, the glaring example of enforcement targets escapes everyone, but it worked. Two targets, Hiroshima and Nagasaki. It saved the United States of America from having to forcibly invade Japan. It worked. It worked there in a very massive way but it worked.

I think we need to find out what is an enforcement target and give it some thought.

The CHAIRMAN. Floyd.

Mr. SPENCE. Thank you, Mr. Chairman, and thank you gentlemen. It is always amazing to me to see experts disagree. It makes me feel a little more comfortable.

But the big question I think we must consider here is not whether something should be done; I think we all agree something should be done. The big question we have not really resolved is whether we should do it under a new U.N. resolution, as Mr. Kemp sug-

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gests, or go it alone, without coalition involvement. That is the big question.

We have talked a lot about air strikes, what kind of targets and all the repercussions that might result, and whether we can be successful in doing that or not. But the big question right now that we have to resolve is whether we go ahead and, as some people suggest, have the President go ahead and authorize an air strike on his own without coalition involvement or not. That is the big question.

I believe Mr. Kemp thinks we should go get a new resolution. I would like to hear the others thinking on this.

General TRAINOR. Well, I agree that if we could get a new resolution that would be the ideal. But, I think we have to be careful not to ask a question if we are going to be unhappy with the answer we get. I think we may be in that gray area right now.

Mr. SPENCE. That is right.

Dr. MCNAUGHER. I am comfortable with that idea. I didn't say anything about that. It didn't occur to me, and yet it should be clear that a lot of what I said does suggest one wants to.

There is an enormous U.N. stake here, and there is a U.S. stake that is going to go up demonstrably if we lose the international context. My sense is that there is a bit more coalition support out there than General Trainor thinks. He may be following this more closely than I, but my sense is that there is peninsula area support because the Arabs don't want to have to live with Saddam for the rest of their days. There is Security Council support for using force with 687; where the language is clear that we don't need a new U.N. resolution.

The problem is Turkey. It is a specific problem related to the Kurds. A U.N. resolution might help us deal with that, although I think there is adequate air power and infra-structure and so forth in Saudi Arabia to run this out of the south rather than from both directions, if we need to.

As for 688, I think very definitely one wants a U.N. consensus on human rights. The Shiites, further dealings with the Kurds; I really think one wants to internationalize that. These are controversial issues, especially for China, which has ethnic and religious minorities.

I think, we can use force to enforce Resolution 687 without an international resolution, but, in general, I like the idea.

Mr. SPENCE. Did you say you think we should have a new resolution or not?

Dr. MCNAUGHER. Me? For enforcing 687, I don't think we need it. If we can get it, it would be nice to have.

Mr. SPENCE. But you think we can go ahead on our own.

Dr. MCNAUGHER. On the weapons of mass destruction there is enough language there, yes. I would like to hear Geoff's reaction to that.

Dr. KEMP. There is probably a loop hole we can use to legally enforce the resolution, although I prefer a lawyer's opinion. Politically, I do not think that is a good idea.

We do have the power and the clout, as we demonstrated recently with the new U.N. resolution on Bosnia, to persuade our colleagues at the U.N. that this is an issue which they all have a

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stake in, which the U.N. particularly has a stake in. It is important to get the support of Boutros Boutros-Ghali, primarily because of his influence in the Arab world and in Africa.

I think a new U.N. resolution would make it much easier, as Tom suggested, for Turkey to support allied or U.S. action. It would be easier for the Egyptians. I quite agree the Saudis don't need any pretext. They want to get rid of Saddam Hussein. So for a host of reasons, I think we should pass a new resolution, and I think we have the clout to do it.

The CHAIRMAN. Norm Sisisky.

Mr. SISISKY. Thank you, Mr. Chairman.

General Trainor, when you talked about victory through air power and, of course, we would probably have some losses. One thing you didn't mention is our missile capability, such as the Tomahawk missile. I think they were successful in about 70 percent of the strikes. Of course, it is picking out targets that can weaken his military, knock out his command and control. He may have gotten smarter by doing something different now.

Someone mentioned that knocking out his TV capabilities would not bring too much pain to the Iraqi public.

But I am sure there are other types of things. Someone mentioned that by knocking out Iraqi's ability to ship oil through Jordan, you would kill a lot of innocent foreign nationals on that road. but of course you could declare that area free in certain times and use our missile capabilities. Is that a possibility from a military standpoint?

General TRAINOR. On your first point, I subsumed weapons like Tomahawk and cruise missiles in talking about air power.

With regard to the border, we do have the parallel with what we did in Haiphong. In Haiphong, we put some mines in there and it shut them down in North Vietnam. Something that we probably should have done much earlier in the Vietnamese war, but we were reluctant to do it.

You could do the same thing on land along the Jordanian border. You could seed the border with mines on the Iraqi side, along the route that goes to Baghdad and keep it seeded. People who violated the embargo would be at risk if they tried to go through a mine field.

That is an option, but I really think that is kind of nibbling on the edges. It is going to be something that you would have to continue to go back and make sure that your seeding is updated. But it is one of the options that could be considered.

Mr. SISISKY. Do you think that if we attacked from the air that this would provoke Saddam Hussein to use Scud missiles against Saudi Arabia, Kuwait, Israel, and other targets in the area?

General TRAINOR. There is no telling what goes on in Saddam Hussein's mind. He has befuddled us many times in the past by not acting with Western logic, so I wouldn't presume to answer how he would react to it.

But applying Western logic, I would say that is probably the last thing that he would want to do, because then he surely would know that the reaction to that clearly would sweep him from power. But, again, the man does some strange things.

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Mr. SISISKY. I would agree with you that sanctions punish the innocent. But there is something that would not punish the innocent and that requires military protection. That is taking oil out of the Rumallah oil fields in southern Iraq. It was estimated we could drill 10 billion dollars' worth of oil a year. Now, that would not hurt the population of Iraq.

It would seem to me that it would hurt Saddam Hussein. But, more important, it could be used to help the world, as far as hunger in Somalia and other African countries. There is hunger in Bosnia. The money could be used in these areas and, of course to pay for our military presence.

But 10 billion dollars' worth of oil is a lot of oil. I think that would send a stronger message, the more I think about it, than anything we could possibly do. I would like to hear your comments on that.

General TRAINOR. Well, drilling to siphon oil from Iraq is certainly doable and the Kuwaitis have a pretty good track record on how to do it. So I think one could do that, and certainly the moneys that you achieve from that could be put to good use. But I don't know that it affects the core problem we are trying to deal with in terms of modifying his behavior.

Also, I wonder if that isn't something that could be perceived as being an expression of the impotence of the coalition, that they had to resort to this sort of Sneaky Pete-type of operation to get back at Saddam Hussein. This could potentially be viewed as being beneath the dignity of the International Community.

I don't know how my colleagues feel about that.

Mr. SISISKY. Wouldn't bother me any.

Dr. KEMP. I think it is an insightful idea for all the reasons you suggested, Congressman. I think there is one problem. Putting an extra 10 billion dollars' worth of oil onto the market at this point in time is not going to be well received in the oil producing countries of the world, particularly Iran and the major Arab producers. Also, I would need much more information before supporting this idea, such as the circumstances under which this could be done, who would manage the money, and how it would affect the oil market. The Iranian situation is very, very delicate right now. Iran is trying to rebuild from its awful war with Iraq. It is relying on oil sales to rebuild.

When we depress the oil market, we put a lot of burdens on some countries we want to put burdens on, but we also put burdens on countries that we need to support. It is a very difficult question, and I am not quite sure of the immediate payoff.

Mr. SISISKY. Well, of course, you know Iraq could be drilling that oil too and putting it out into the world market. They are not and it seems to me that argument would not hold up.

We could do it through the United Nations. I am just looking for something, if you really want to tweak his nose, that would tweak it. I really believe that.

Dr. MCNAUGHER. Like a lot of good ideas, that one is more complicated than it sounds at first, but I am intrigued by it.

It doesn't have to be $10 billion. Geoff is right. It is a problem if the Iraqis finally agree to drill the oil we have been trying to get

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them to drill. The market is such that it will depress the price. So in some sense that is a blessing in disguise.

But to take a limited amount of oil as kind of a U.N. support fund would tend to think that the message to Saddam is, hey, this is settling in for the long haul, and the whole question whether he drills 1.6 billion dollars' worth of oil or not is academic. The U.N. has the funding to stay there and sit on Iraq and run the inspection regime, or whatever, and funding is no longer the problem it has been. You would want to internationalize the decisionmaking on that. I think 10 billion is too high, but it is an idea worth pursuing.

Let me go back to a couple of the earlier issues you raised, if the sanctions could be administered directly, they would not hurt the innocent. All the food and medical care you want would get through on the roads from Turkey and Jordan, and they would be distributed fairly in Iraq. Stopping the traffic along the road to Jordan gets back, in my mind, to hurting the innocent as well as the guilty.

On the other hand, one could impose—again, with U.N. support—a much more stringent inspection regime either at Aqaba or along the Jordan Iraq border, to let through those things that ought to go through, food and medicine and to keep the weapons technology and so forth out. One can do that, but on the ground. Not with air strikes, mines or whatever.

One has to do that selectively or you get to a point where you are just sticking it to the Iraqis as a people. I am not sure what that does to Saddam's fate.

Last point. On cruise missiles, at a thousand pounds, that warhead is not a huge bang. It is good against fixed targets, and we have a lot more intelligence on those. I assume the Special Commission is not diddling away its time. We have a lot more intelligence on the fixed targets set. But then there are those mobile targets where you will have to go in with aircraft.

There will be gun systems that make it tough to live below 4,000 feet, and you will have to accept casualties. So the Tomahawks are going to be part of a much bigger air campaign and there is no way to avoid taking risks with piloted aircraft.

Mr. SISISKY. One of the sanctions we don't have the liberty of doing is taking Iraq's funds in banks around the world. Obviously, we could take that money away. The problem is that that money is collateral for loans and the banks would have to be the big losers. That is why he is not pumping the oil, as I understand it. This is one way to make him do it, I think.

Thank you, Mr. Chairman.

The CHAIRMAN. Martin Lancaster.

Mr. LANCASTER. Thank you, Mr. Chairman, and thank you gentlemen for your testimony.

Dr. McNaugher, in your statement you concluded by saying it is going to have to be done. I wonder, first of all, if all of you believe that military action is inevitable; and, if it is inevitable, to what end? Is it simply to gain access to particular buildings that we want to inspect? Is it to remove Saddam? Is it to punish Saddam? What is the goal if that military action is inevitable?

Dr. MCNAUGHER. I guess I will start.

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Well, I have felt since the summer of 1991, when the Special Commission first started having these confrontations with Saddam, that it was just a matter of time. The comments from General Trainor, who mentioned Western logic, the last time I applied Western logic to Saddam was July 1990 when I confidently predicted nobody could be stupid enough to invade Kuwait.

I think I was right, but nonetheless, I stopped using Western logic. I think he will, as he did all through the crisis, over play his hand at some point. At the moment, the question is, how does he read the July standoff? My reading is that it was an accident when the Special Commission sort of broke the rules that it had established with the Iraqis, and Rolph Ekeus found himself crosswise with the coalition. Saddam understood that, realized that we were constrained from using force, and exploited the situation and won. But it left us more anxious to use force now than ever before.

If I were Saddam, I would lie low for a while. Take the gift and lie low for a while. My sense, listening to Hammadi and so forth is, no, he sees July as just another sign of the West caving in. If that is the case, we will see the need to use force sooner rather than later.

Mr. LANCASTER. But to what end?

Dr. MCNAUGHER. In my testimony, I talked about what we are trying to do. We are trying to achieve compliance with the U.N. resolutions. At the least, we are trying to do that. The way to do that in a compellant fashion is to hurt Saddam while trying not to hurt the Iraqis as a whole. So we want to go after Saddam, Saddam's power base, as best we can. Not easy to pick a set of targets, by any means.

In the end, we shouldn't be surprised that we have to use force. U.N. Resolution 687 was a result of the balance of forces. It is a legal document but it has its basis in a balance of force which has changed. To the extent we want to enforce 687, one has to remind Saddam of the existing balance of forces and the force potential. Rooted in this negotiation that we are carrying on with Iraq is the implicit and explicit threat of force. Sooner or later one has to—I suspect—we will have to use it.

Dr. KEMP. I think there are three very specific goals we are looking for.

Mr. LANCASTER. Do you think it is inevitable.

Dr. KEMP. Do I think it is inevitable? Yes, as long as Saddam is in Baghdad. I think the three goals are: First, compliance with the Special Commission; second, compliance with the other U.N. resolutions he is also violating; and, third, of course, to weaken his power base.

I might add that one of the problems with U.N. Resolution 687 in retrospect is that it only deals with weapons of mass destruction. It does not deal with Iraq's massive conventional forces, which are the instruments Saddam is using now to maintain his power.

If 687 were being written today, we would want to put more stipulations into that resolution, more analogous to the terms of the Versailles Treaty against the Germans after World War I.

Mr. LANCASTER. General.

General TRAINOR. If he continues with his cheat and retreat technique, and forces us to the threshold of open defiance, I think we

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are put in the position, given what we have said and the actions that have been taken previously, to use force against him.

You really took the cloth off the issue and made it bare. So what is the objective? Which gets back to the chairman's question of enforcement versus punishment.

Ostensibly, it is going to be force, to make sure he complies with the U.N. resolutions, particularly 687. But, in fact, I think we all know that underneath—we are hoping in the process of this sort of punishment that—we change the political situation in Iraq and that, in realistic terms, is the practical objective of the exercise.

Mr. LANCASTER. Obviously, we have not succeeded in pursuing after the fighting ended the goals that were set out in those resolutions. Is the problem the resolutions themselves? You have indicated, Mr. Kemp, that perhaps they were not what they should have been. Is the problem the way in which the commission has executed the resolutions; or is the problem simply Saddam? No matter how air tight the resolutions could have been drawn, no matter how well the commission could have been run, would we still be in the same situation simply because of the personality and ego of Saddam? You can start, Mr. Kemp.

Dr. KEMP. Well, I think it all stems from Saddam, but I also think that no matter how well phrased the resolutions were and how well meaning the inspectors are, we would have had trouble. We are dealing with a defeated country and a people that are very proud. While I am certain in their heart of hearts, the Iraqi people realize the tragedy that Saddam has brought to Iraq, they nevertheless violently object to the sort of intrusion into their sovereignty that is going on right now.

Again, the case of Germany after World War I instructive, where even more draconian measures were enforced. Not just the German army rebelled against the terms of the Versailles Peace Treaty and did everything they could to get around those clauses. The industrialists and the elite rebelled, and over a period of 10 years, Germany managed to build up a secret army and air force and retain its military industry, directly defying the League of Nations.

A similar atmosphere and mood exists today in a lot of the Iraqi elite. Therefore they are consistently going to try to circumvent U.N. resolutions no matter how well they are phrased and how well they are enforced.

General TRAINOR. I think I would agree with that. I think Saddam Hussein looks at this compliance as irrelevant; that George Bush is out to get him. George Bush, who was Ambassador to China and learned the exquisite Chinese torture of death by 1,000 cuts is, in effect, using that torture on him; constantly pushing and violating his sovereignty, as he perceives it.

Saddam Hussein knows that regardless of what he does, Bush will never let up on him. Therefore, Saddam Hussein has adopted a tactic of cheat and retreat. If it looks like he cannot hold a position, he will fall off it, only to take up a second line of defense, and, hopefully, weaken his enemy. Maybe not George Bush and the Americans, but, hopefully, the rest of the coalition.

Dr. MCNAUGHER. I think we make a big mistake when we keep referring to Saddam Hussein. U.N. resolutions create an incredibly intrusive setup. No regime in Iraq, no defensible national leader,

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will accept such intrusion willingly. You accept it when you lose a war, but the minute the balance of force changes, you stop accepting it to the extent that you can. Nothing Saddam is doing should surprise us.

If Saddam were overthrown tomorrow and we had another Iraqi leader, do we think he would accept U.N. resolutions? I think it is far more likely that the West will lose interest in the game just when they need to press hard. I can't see any Iraqi leader willingly accepting the kind of intrusion 687 and 688 permit, or accepting the new border with Kuwait. Nobody in Iraq is ever going to accept the new border, as far as I am concerned.

Mr. LANCASTER. If military action is inevitable, however, as you all seem to think it is, that military action will end in some fashion. It may end with another set of resolutions passed. If so, what lessons did we learn? What should be in those resolutions? Is anything, short of a U.N. occupation of Iraq, going to be effective in guaranteeing compliance with those resolutions?

Dr. MCNAUGHER. I think it is a mistake to think of these resolutions as problems or having problems in them. Resolution 687 is an attempt to get what you really don't want to take when you have the chance. I think it was right not to go in and take it. Invading and occupying Iraq would have been a terrible mistake. But 687 asks for the goals you could only have really gotten by doing that.

So what 687 really did, was set up a negotiation that is proceeding in a perfectly predictable and expectable way. If Saddam falls, the negotiations may change, but if there is a coherent Iraq after Saddam falls, I don't expect them to willingly let the Special Commission come in and do the things they are doing. There will always be a negotiation and that is not a problem. That is just the way things are going.

Frankly, the world is a better place. We have, first of all, discovered parts of the Iraq special weapons program we didn't know existed, and we have destroyed some of those. So 687 is a net plus, and one simply has to keep this up.

I think a broader view of the U.N. post-Dessert Storm resolutions is this: By creating this intrusive regime, they give the coalition a set of tools—very crude tools, by the way—for dealing with Iraq over the long haul, until we get a regime that wants to live peacefully with its neighbors.

It is not just Saddam but a long-term intrusion into Iraq to bring pressure to bear on whoever is there until we get a regime we can live with, or until we lose the will to play the game, and I don't know which comes first.

Mr. LANCASTER. Anyone else care to comment?

Dr. KEMP. The real question is, and this has been raised several times before this morning, what sort of regime will replace Saddam Hussein? That, in turn, will determine how important it will be to have ironclad guaranties about very specific U.N. resolutions. If a miracle happened and Saddam was replaced by a more representative regime that we could do business with, that was not violating Iraqi human rights, that was, by standards of the region, democratic, we could be a lot more flexible and we would have much less to worry about.

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If alternatively, Saddam is replaced by a military junta that continues the same type of behavior, then we have not really resolved anything.

I personally believe that the latter alternative is unlikely. I think there is enough anger and furry now in Iraq that once Saddam is gone and the immediate power entourage around him is broken, the country will be more ripe for a more representative government; I may be wrong on this.

Mr. LANCASTER. Now, I believe it was Dr. McNaugher who indicated that on reassessment, the air power we thought was such a great success in the war was not as successful as we had thought. Are there other reassessments taking place about other elements of the battle that we should be cognizant of, especially if future military action is required? Were there parts that were more successful than we thought or less successful. If we go back in, do we use those lessons to our advantage?

Anyone. General.

General TRAINOR. Let me say I don't fully agree with Tom on the air power issue. I think air power delivered pretty much what it said it would deliver. I think there may be an interpretation. The Air Force's approach was to go for the center of gravity, work inside and then out. They felt that the Iraqi field forces were the last on the priority list, and that the command and control and the leadership's capability to exercise command and control was the target. They did that and then they effectively reduced the field forces.

The goal was 50 percent of the field forces. They did not achieve that, but it wasn't because of missing targets. The B–52s were not really used against the tanks that were dug in. The Air Force tried that and it didn't work. They used the B–52s on area targets, e.g., logistics bases. The Air Force used a very effective system of tank plinking not with B–52s but with agile attack bombers.

The problem was in getting bomb damage assessment. Two reasons: The bad weather frequently obscured targets that had been hit. Second, the cycle between hitting the target, getting the results of the target in time to target for the next cycle, was out of sync. These are fixable things. They are technical fixes.

But I think the lesson that comes out of the war with regard to air power, was that air power was very, very effective given the conditions and circumstances of the Gulf War. We had a lot of time to build it up, a lot of time to get intelligence for the targeteers, and a lot of time to deliver the ordnance. So I think the air campaign was a plus.

In terms of other lessons—there are lots of lessons, but I think the general conclusion that emerged at the end of the war was the perception that intelligence is enormously important and it can be improved. Not only strategic intelligence but operational intelligence. As for timely intelligence distribution—I think that needs much improvement.

It was a high-tech war. What we achieved was largely due to the effectiveness of our information systems which allowed us, even with certain shortcomings, to know what he was doing, where he was doing it, and when he was doing it. We knew what we needed to know in almost real time and reacted to it. We also denied him

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the ability to do that to us. I think these are very, very significant things that the Nation should be proud that its military forces were able to accomplish.

Dr. KEMP. Can I make one comment on this? It is an additive point and it is something I said in my statement that I think is worth mentioning again. I think one of the most important lessons of that particular operation which we have to think through for the next time is the importance of Saudi Arabia and the land bases. The air campaign that has been discussed was predominantly conducted from land bases. I don't believe that our maritime assets could do the same job. It is much more difficult and they don't have the same type of aircraft. Therefore, Saudi Arabia's cooperation is a sine qua non of the type of military operation all of us agree might be necessary. That is to say a fairly prolonged one, using air power.

So the politics of Saudi Arabia and our relations with Saudi Arabia become almost as critical as the United Nations in thinking through the next round.

Mr. LANCASTER. Thank you.

The CHAIRMAN. Larry Hopkins.

Mr. HOPKINS. Thank you, Mr. Chairman.

Gentlemen, I appreciate your being here today and I view this as being an intellectual exchange on a problem that we seem to have in this world today. I would like to explore your thinking on just a few things, if I may.

We have all just been handed Resolution 687. In the south, I am from Kentucky, young men are cutting tobacco today. What they are afraid of is that they might have to lay down the tobacco knife and pick up a bayonet and go somewhere in the world. Nobody wants to do that.

What I hear from the conversation today is that we don't want to harm the country of Iraq or the Iraqi people, but the problem seems to be Saddam Hussein.

Now, Mr. Lancaster, in his question asked you what the goals are. Dr. McNaugher said, to paraphrase, hurt Saddam; Mr. Kemp, weaken his power base and comply with U.N. resolution; General Trainor said change the political system in Iraq. Saddam Hussein uses the tools that we provide against us in the world. Resolutions, war powers acts, rules of engagement, and he uses these things to his advantage.

It seems to me that, to bring this conversation down, and this is an open meeting, I understand that. But let me put the gem down on the lower shelf where the little guy can get to it, where the little man understands what we are really talking about here, as I interpret what you are saying today. What you are saying is that we might have to kill Saddam Hussein. Now that is not a bad word even in our society. We kill Americans on a regular basis who have been condemned by our courts and this man is being condemned by our worldwide U.N. court, if you will.

How do we best do that and bring in all of the things that we have been talking about here today? Is it beyond the thought of Clint Eastwood? If that should become the case, are we afraid that in today's vernacular that America might become the unforgiven? Is that where we are? Or do we want to risk the boys cutting to-

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bacco in Kentucky? Where are we in this sane world today? I would like to hear you all respond to that, if you would.

General TRAINOR. Saddam Hussein, during the war, was a legitimate target. He was part of the command and control infrastructure. If we could have gotten him, I think we would have been very happy to have done so. On one occasion, nearly did.

The reason he was not targeted specifically, as I understand it, was not because Saddam Hussein was off limits as a target, because under the rules of war he was a legitimate target, but to locate him and get him would take an enormous effort with a low likelihood of success. The man is a survivor. You don't want to waste your assets on a mission of low probability.

His status is a legitimate target now would probably require an international lawyer, unless some of my colleagues already have a reading on it. I don't know whether he would be a legitimate target if we resumed the air war. I would imagine he would be. We would be resuming the war because he violated the terms of the cease-fire and its subsequent U.N. resolutions. If we went after him, I think it would be legitimate.

On the other hand, if we sent in a Clint Eastwood to deliberately assassinate the man, I think because we are not actively engaged in war with him, that that is against the law.

In short if he is killed during active military operations, he is a legitimate target. I would ask my colleagues, perhaps, to develop the other aspect of that.

Mr. HOPKINS. Dr. Kemp you said earlier that in your view, Saddam Hussein seemed to react only when his own life was threatened. So how would you feel about this?

Dr. KEMP. I don't think there is anything illegal about us providing assistance to resistance groups made up of Iraqis and other countries conducting covert operations against Saddam Hussein. That, I think, clearly would be the preferred route. I don't think either Clint Eastwood or Ross Perot would get very far in Baghdad these days. So the nature of covert operations would by definition, I think, fudge the legal issues that surround us.

But as General Trainor said, the problem is we don't have a tag on Saddam. No one knows where he is. So, short of bombing every villa he is known to reside in until you have real time intelligence, it seems to me, this is wishful thinking.

If he happens to be killed in an air strike, I see no problem with that at all. But specifically targeting—I don't know enough about real time intelligence to give you an answer to that.

Dr. MCNAUGHER. I do appreciate your use of the word "kill." One tires of "neutralize," "overthrow," "topple," "remove," all of those surgically precise words. If Saddam is going to go, he is going to die. I don't imagine he will land in Cuba and take up residence there.

We are not going to do it, not because we are not trying, although maybe we are not, but you could lose a lot of Clint Eastwoods trying. Our strategy is to make the people of Iraq miserable enough that they will do it for us. I don't think that relieves us of the responsibility for the aftermath, but it will be Iraqi blood spilled in trying to get this guy. We will take casualties in any kind of military action, whether it is aimed at Saddam or not. But I

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think our strategy is primarily to pressure Iraq until somebody gets rid of him.

You mentioned the little man. What I worry about is not that the little man thinks we have to kill Saddam, but that the little man thinks that once you killed Saddam the problem is gone, and it's time to come home and worry about deficits, infrastructure and investment. That is not the case, in my view.

Going back to August 2, 1990. I was always uncomfortable with vilifying Saddam and I wonder what the world would be like if we had been explicit about the difficulties of getting Saddam, accepting responsibility for what comes next. I would have preferred to vilify the invasion of Kuwait but not Saddam. I wonder if the world would be different now?

But that is an academic point. The United States is firmly committed to toppling this guy. Fine. The world will be a better place if it happens, but the problems of Iraq will not go away.

Mr. HOPKINS. Thank you.

The CHAIRMAN. Mrs. Byron.

Mrs. BYRON. Thank you, Mr. Chairman.

Once again, it is interesting to compare today's panel with yesterday's panel. One issue that we spent a lot of time on yesterday was the World Court and looking at indictments against Saddam Hussein. No one has even touched or been close to that aspect today; how different the views are.

I would like each of you to give me your assessment. Should we have gone to Baghdad or should we have stopped when we did? Let me do that first, if you will? Mr. Chairman, that could be a yes or no answer.

Dr. MCNAUGHER. There are two questions there. Should we have gone to Baghdad? Absolutely not. If you think there is a problem with Resolution 687, you would love the occupation of Iraq.

I guess when people say should we have stopped when we did? I ask, did Mr. Bush stop the war before he completed the destruction of enough of Iraq's Republican Guards? When I came back from the war, I thought the decision to stop when we did was right because I assumed that air power had taken the Republican Guards down at least by half, if not more.

Mrs. BYRON. Did your views change when you took the uniform off or did they stay consistent?

Dr. MCNAUGHER. No, my views have been fairly consistent across here. But I did think that air power had really decimated the Republican Guards. Today I'm no longer sure that that is true, and if it isn't we may have stopped the war too soon. Not in terms of going to Baghdad, but in terms of closing the pocket, as Schwarzkopf said way back in March.

General TRAINOR. First, on the World Court. While we have not discussed it here, there is no question this fellow is guilty of war crimes and if we wanted to make an issue of it, we certainly could make a strong case that he should be brought to trial. I don't think there is any question about that. Why didn't we do it? I don't know the answer.

Should we have gone to Baghdad? We went to Baghdad. We went to Baghdad on the opening night of the war and continued to go

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to Baghdad until the end of the war. We just did it with air power. That is the point I tried to make at the outset.

Victory through air power. You can get a military victory through air power, which we did. But if your military operation has political goals, air power has yet to achieve them. Air attacks did not change the political system in Iraq. If we had gone to Baghdad with ground forces, it most certainly would have.

Should we have? That is an open question. Could we? The answer to that is yes. There is absolutely no question we could have moved into Baghdad very, very quickly and, in fact, there were units that planned to do so even though they were not tasked to do it. Obviously, a good commander is going to think of tasks that he is apt to get and plan for them even though they are not in his specific mission. That is why some of the units did planning on how they would go to Baghdad if they were ordered to do so.

It would have been a simple process at low cost. There was nothing to stop them. The Iraqis were through. The ground forces could have changed the political situation.

The question then becomes, what happens next? Because we did not go to Baghdad on the ground the question becomes a hypothetical and I am smart enough to avoid hypotheticals.

Dr. KEMP. Should we have gone to Baghdad with ground forces? No. Should we have continued the war for another 48 hours? Probably, in retrospect, yes. But I support and understand the reasons the President ended it when he did.

Mrs. BYRON. The second question covers the coalition we spent a lot of time talking about. Which countries do you feel would likely heed a new call to arms? Do you feel any Arab countries would come forward again?

Dr. MCNAUGHER. Well, I think Geoff Kemp named some of these earlier. The U.K. and France, if I am not mistaken, still have air power in Incirlik in Turkey. I don't know whether they have any in the Gulf per se, but it could be moved there. I think that those are the only possible coalition members available to actually exercise military force.

Among Arabs, I think it would be very difficult to get the Egyptians on board. Maybe Dr. Kemp's U.N. resolution would change that a little bit. I think the Saudis, on the other hand, might be willing to take part. Certainly, they are taking part in it. If this attack comes, it will come out of Saudi Arabia, so they are participating in it simply by allowing us to use their bases. But they could fly in it, too.

The political base is getting rather narrow, and if a U.N. resolution would help broaden that base, I am inclined to think it is a good idea.

General TRAINOR. I think it would be difficult to get the same sort of unanimity we had in the past. It would take a lot of work to do it and probably a lot of incentive for some of the states like Syria and Turkey. It would take time to do it. If we made that a policy objective and worked out a strategy, we probably could do it, but we would be expending a lot of political coin, and possibly others would be expending a lot of real coin in the process.

Dr. KEMP. I think that it depends on what you mean by putting the coalition together again. I think if you mean the type of active,

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forceful, supportive participation that countries like Egypt and, to a lesser extent, Syria demonstrated during Dessert Storm, no, I don't think you will get that again.

What I think you could get, under the right circumstances, i.e., a new U.N. resolution and commitment by the key Europeans in the GCC, is the neutrality of the other key Arab players and Turkey. What we want is for them not to put obstructions in the way. Rhetoric. They may complain, but they are not going to do anything against us, and that is important.

Mrs. BYRON. As we saw in the Libyan raid where France refused to let us fly over?

Dr. KEMP. Sorry.

Mrs. BRYON. Obstructions as we saw when the French refused to let us fly over their territory on the way to Libya?

Dr. KEMP. Oh, that is right, yes.

Mrs. BYRON. Mr. Chairman, I have one more question and that is under 688. We talk about humanitarian assistance in the area. Yesterday, the discussion was what if the American population saw, on the nightly television, the horror stories of Bosnia-Herzegovina? My thought process yesterday was no one is mentioning what is happening in Somalia.

Today is a different question, though. Today, according to the *Post*'s front page, there are horrible humanitarian problems. I don't think that the current problems that we perceive and humanitarian problems in Iraq, as we saw with the Kurdish refugee problem a year ago, are there to make that kind of a commitment, and I think the thrust today is looking at the Serbian problem and looking at the Somalian problem. I hate to say it, but I think the humanitarian issue in Iraq today is not on the front burner.

Dr. KEMP. Yes, I think that is true. I think it is tragic, though. I personally think that the humanitarian issues in Iraq are so horrendous and we have not even begun to explore them.

Most of the issues are still buried under the ground. If the stories that have come out from Amnesty International and other groups that have been out there are true, systematic genocide was conducted in the Kurdish areas during Saddam's rule when he controlled that area. We are still only beginning to calculate the numbers. I think it is far worse than the situation in Yugoslavia.

But I quite agree with you that television is what seems to determine what areas we are interested in or not. The irony is that one can go round to dozens of other corners of the world to—other parts of Africa, Asia and Latin America—if you had a video camera, you could come out with horror stories. But does this mean we will intervene everywhere when something awful appears on television?

That is why, in my judgment, the important case to make with Iraq—what is at stake here—is the United Nations' ability to intervene in all these horror stories that are going on. We cannot do it on our own and we have to have some umbrella, international umbrella, to deal with the New World order. Otherwise there is no New World order.

General TRAINOR. I would agree with that. Right now with regard to the Shiites and the Kurds, we are invoking the doctrine of "limited tears." You cannot cry for everybody, so we invoke it when dealing with the plight of the Shiites and the Kurds in Iraq as we

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do in Somalia and Nigeria. Even today in Afghanistan where a thousand innocent people——

Mrs. BYRON. I was going to bring up the African refugee camps and the comparison with the refugee camps we saw in the early 1980s with Ethiopia versus the ones we saw in Pakistan, which had an infrastructure. There was no question that they were quite different.

General TRAINOR. They were, and we would just as soon not see the misery in those places that we are seeing in Bosnia-Herzegovina. We appear to be far more capable of ignoring those areas because we don't see little white, fair-haired, blue-eyed babies being killed. Bosnia is seen in a European context, and the Europeans are upset about this sort of thing. There are Eurocentric overtones brought about by television coverage of those things taking place in Sarajevo.

Dr. MCNAUGHER. I would note the article that Mr. Hamilton had in the *Post* or the *Times* about a week ago. He suggested that it is time we seriously take up the rather explosive notion that the international community can intervene inside the state. I think it is time we think about that, even though there are enormous legal and practical difficulties associated with that.

If that is the game we are playing here, then the U.N. Special Commission is on the point of that inquiry. It is more intrusively engaged in Iraq than any other U.N. or regional agency I can think of. The stake here is not just Saddam's arms or stability in the Gulf, it is the stake of an organization that is taking up new modes of conflict resolution at a time when they cry out for resolution because of the pictures you are talking about.

So I return to Geoff Kemp's point and a point I made as well, which is that there is a big stake here for the United Nations and maybe that is the hook we hang public support on since we don't control Saddam's TV, he is certainly controlling the photographs out of southern Iraq, for example.

General TRAINOR. I would like to return to that point because we are setting a tremendous precedent here. We are—and have already done so—reinterpreting the classical Westphalian definition of sovereignty. We are saying a prince is not sovereign within the borders of his state. He has limited sovereignty when it comes not only to interfering with his neighbors, but also in oppressing his own people. The international community has a right to intervene in both cases.

We did that militarily when we went into northern Kurdistan, and we are doing it now under the terms of the U.N. resolution governing the teams that are there. But this is setting a precedent that is going to play throughout the 21st Century—the role of the International Community and its right and perhaps, its obligation, to intervene in an otherwise sovereign state for a larger purpose.

Mrs. BYRON. Do you think there is enough will to back that precedent up?

General TRAINOR. I think it is a maturing process. I don't think we are there yet, and it will probably come in fits and starts. But certainly the trend line seems to be in that direction when you see the direction we are going with U.N. peacekeeping forces.

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There is a provision under article 7 of the U.N. Charter, chapter 7, article 43, for international peace enforcement forces. When that was written it was primarily designed to deal with nations violating transborder peace. But that seems to be changing—becoming peace enforcement within a sovereign state. Actually going into a nation that is not disturbing his neighbor but disturbing the domestic tranquility by human rights within his borders.

Mrs. BRYON. Thank you, Mr. Chairman.

The CHAIRMAN. Charles Bennett.

Mr. BENNETT. It seems all three of you feel that there is the possibility for further military action. But I am not really quite sure that any of you briefed the law on whether or not we are still at war or what that means.

The question I really want to ask is, do you feel there are things we could do—like Mr. Sisisky suggested about pumping out oil, or try Saddam under international law, or possibly giving humanitarian and military assistance to people that would protect the oil fields which would be exploited as a process of the agreement that is arrived at?

Are these things and other things—that can be put together, with or without the help of the U.N.—feasible things to do in 1992? They don't lead us directly to war, certainly don't lead our troops into a ground war, and don't even involve, dropping bombs on anybody?

Why aren't these things we should be doing? Why shouldn't we be doing these things?

Dr. KEMP. I think there are undoubtedly—we have not discussed this morning, you are quite correct—a lot of nonmilitary options that are open. But I think one has to be very careful to weigh how effective we think those other options are going to be. How, in the last resort, they would influence our ability to use force.

I think that if it could be demonstrated that they would, that these other options, the oil, the trial, the arming of the insurgents, would not interfere with our ability to use force, I would be in favor of them. But I do think a lot of the options that have been mentioned raise enormously complicated problems, particularly in our relations with our Arab allies, who are very nervous about things like oil, war trials and arming of insurgent groups.

As I tried to suggest, I certainly think that getting the key Gulf Arab states on our side in any military operation is so essential we should not do anything to jeopardize that.

General TRAINOR. There is a lot more that can be done besides the embargo. The embargo leaks like a sieve through Jordan. There are also, I suspect, nations who cheered the coalition's effort against Saddam Hussein whose businessmen are secretly ensuring through cutouts, that they provide the materiel wherewithal to Saddam Hussein at a profit.

I can't prove that, but it's just my sensing. If there is a buck to be made, somebody will make a buck. Particularly if you have the pourous borders going into Iraq, along the Iranian border, the mountains bordering Turkey; traditional smuggling routes, and, of course, through Jordan. Jordan has a majority Palestinian population and a king who is very unsteady with that population. He

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is certainly turning a blind eye toward a great deal of material going into Iraq.

The administration seems happy that the Jordanian border is being tightened up, but we have heard that before. If we were looking to alternatives to military means to put the screws to Saddam Hussein, a major effort should be made to tighten up on the flow of materials to Iraq, both geographically and at their source of supply. I think that would probably serve the purpose you suggest.

Dr. MCNAUGHER. I wonder how many nonmilitary options in fact rely on the implied threat to use force? Anything inside Iraq certainly does. We could impose an inspection of convoy traffic coming across the border from Jordan. We could declare a safe haven in southern Iraq or expand the one in northern Iraq. In the end, you are violating Iraq's sovereignty, at least in terms of the Westphalian definition of sovereignty. The only way to do that is either by using or implying that you are willing to use force. So there is going to be force behind that.

Turning that around, any use of force that is divorced from a broader political strategy, working with the Kurds, trying to feel out the Shiites in southern Iraq for their political leanings and so forth, is not going to be workable either. So these have to go hand-in-hand.

But if you want to take an oil well and drill, who is going to protect it. Either it is protected by the implied willingness to use force or it is going to have to be forcibly taken and protected. So an awful lot of what looks like nonmilitary action is going to have this threat behind it.

Mr. BENNETT. I was thinking perhaps the people on those borders, the Kurds, the people on the Kuwaiti border would be the people that you would arm and also sustain in a well-fed community. They would have everything to gain by it and it certainly would imperil Saddam. So I am just wondering why that is not a procedure that is available?

Dr. MCNAUGHER. You mean arming the Kurds and Shiites?

Mr. BENNETT. Yes.

Dr. MCNAUGHER. We had that chance once and passed it by. My own sense is that strengthening the Kurds and Shiites in the absence of an over-arching political strategy that reassures the Sunnis of central Iraq probably strengthens Saddam, it doesn't weaken him. My sense is that when Iraq is being encouraged to fly apart, that is precisely when Bagdad will take hold of whoever is there and in charge and give their loyalty to that individual.

Mr. BENNETT. It has been decades since I practiced law, so I am not sure what the law situation is. But it seems to me that several things that have been said or implied run counter to my own feeling about law and about the law of wars.

One thing that seems to be different in my mind than in the minds—as I have gathered—of the witnesses is that we are not at war now. What ended the war? We have a cease-fire, but that never ended the war, as I understand it.

The other thing is, I thought I had the implication in the mentioning of covert operations that somehow or the other they were more legal than the Clint Eastwood operations. I don't think so. I

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think covert operations usually are illegal, against international law.

There is nothing that says that a covert operation that does something that is against the law basically is forgiven because it is covert that I know of. Therefore, while you all are from very fine institutions and you are great scholars, I would not expect you, off the tops of your heads, to come forth with views at this point about these legal questions. But it seems to me a covert operation is a hidden operation and usually is illegal. That has to be looked at for what it is.

The other thing is if we were ever at war in Iraq, it seems to me that we are still at war in Iraq. I don't know what ended it. We did have a declaration of war by Congress by the passage of a formal resolution. After they passed the resolution saying Congress should take action on it, they did take action on it in another resolution within minutes afterwards. They went to war.

Who stopped this war? When did it end?

Dr. KEMP. I wish we had a lawyer here.

Mr. Chairman, the U.N. resolutions under which the House and Senate voted and then we committed forces was to expel Iraq from Kuwait. It seems to me when we met the terms of that resolution, Iraq was expelled from Kuwait and there was nothing in the resolution that talked about toppling Saddam Hussein or removing the regime from Bagdad.

I think legally that is the fine line. I am not a lawyer. I will comment no further.

Mr. BENNETT. I don't think the resolution—I may be wrong—which was a declaration of war on the floor, which we debated, was restricted to those resolutions. In other words, I think it was a resolution by the U.S. Congress that we were at war.

Well, anyway, it is no use to speculate about something that no great study has been made about. But I am often irritated when I hear people talk about covert operations as somehow or the other that makes an illegal act legal. The fact that it is secret does not make it legal. I talked to several Presidents about this. They didn't have lawyers when we were talking about it to contradict what I said.

Well, I don't want to trespass further on your time. It has been kind of you to come. You have added a lot to the knowledge of the Congress and this panel and our country. These are very perilous and difficult times. We are all approaching this to see what we can do to get the right result with the least bloodshed, and with the least hurt we can accomplish.

It doesn't look very optimistic in view of the testimony we have had as to an easy out. I hope that we can get some payoff of reparations. They are owed under the cease-fire arrangement. There is where I think the money ought to go from the oil.

It ought to be something to bind up the wounds of that war. It would be nice if we had that money to give benevolently somewhere else. But I am not really quite sure that is reparations when you do that, when you think of another cause to give money to. It seems there are enough causes to give money to that heal up those wounds.

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If any of you want to comment, fine. I am just complimenting you on the fact you have come here. I hope we can find answers.

The CHAIRMAN. Thank you. We have to vote and we should go. I do want to let Glen Browder ask a question if he has an opportunity.

Mr. BROWDER. Mr. Chairman, in light of the fact that we have 10 minutes to get over there for a vote, would it be in order for me to articulate a couple of general questions and ask the panelists to give us a response in writing as expeditiously as possible because of the nature of the inquiry?

First, gentlemen, I would like to ask you to help us refine our basic question, which is: Is 687 worth enforcing militarily? Our chairman has written in today's paper that we allow the current situation to continue at our peril.

Well, obviously it is in our interests to convince this rogue, this outlaw, Saddam Hussein, that he has to live by the conventions of a civilized country in the community of nations in the New World order. That is very important. I would like for you to comment on how much a peril are the chemical and biological weapons that the inspectors are supposed to be finding and destroying?

I would like for you to comment on the relative importance of that peril, not just enforcing international standards of the community of nations. Second, if the chemical and biological weapons are a major threat that needs to be addressed, have we passed the decisive point of no return? Have we crossed the Rubicon?

What I mean by that is, is there any reason to continue to pursue the United Nations inspections under the present circumstances? Some of us are pretty cynical about what they are actually accomplishing. If the threat of chemical-biological warfare and capabilities is significant, is there any reason to continue that?

Another part of that second question is whether there is any reason to continue any inspections under new arrangements? For example, if Iraq—Saddam Hussein came back and offered to abide by the U.N. resolution, have we passed the opportunity to find and destroy the chemical and biological weapons and capabilities?

So I think both of those relate to the question of why is 687 worth enforcing militarily. I think the answer to the second question will give us some direction about where we go in terms of the inspections.

I will not ask you to comment now. These are both pretty important to us as we anticipate what may be happening in the world today or tomorrow or expeditiously.

So I would appreciate a response from you on that.

[The following information was received for the record:]

GEOFFREY KEMP'S WRITTEN ANSWER FOR THE RECORD

The United States has a major interest in pursuing successful arms control and non-proliferation policies in the global arena. For this reason alone, the U.N. Security Council resolutions calling for the dismantling of Iraqi weapons of mass destruction must be enforced rigorously with no equivocation or uncertainty. The Iraqi case serves as an example to many would-be despots and proliferators. If the United States and the international community fail to complete the inspections and weapons destruction, other irresponsible countries will assume that the proliferation of nuclear, chemical, and biological weapons does not have the highest priority of the U.N. The Iraqi case serves as a precedent. The military option may be necessary to demonstrate that the United States and our allies are serious about both disarm-

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ing Iraq and deterring the growth of nuclear and chemical weapons programs around the world. Saddam is only one part of the threat. However, the best way to assure compliance with non-proliferation regimes is an iron-clad enforcement mechanism. That was clearly absent in the period leading up to Desert Storm.

Mr. BROWDER. I want to thank the chairman for allowing me to get those questions in.

In light of the chairman having left, and I guess having left authority with me to continue this on into the night, I will, on behalf of the chairman, declare this hearing adjourned.

[Whereupon, at 12:15 p.m., the panel was adjourned, subject to the call of the Chair.]

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SECOND SESSION

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