'What accounts for the evolution of international policy towards Iraq 1990-2003?'

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Introduction.

For the permanent members of the United Nations Security Council (UNSC), Iraq's invasion of Kuwait in August 1990 came as a complete surprise.¹ However, the novelty of the situation, an unambiguous breach of the UN Charter at the onset of a post-cold war world, meant a consensus of opinion was quickly reached in New York. UNSC Resolution 660 condemning Iraq's aggression and demanding it withdraw was passed the day after Iraqi tanks entered Kuwait. UNSC Resolution 661, that demanded UN member states prevent all trade and financial transactions with Iraq, was passed within a week of the invasion.

In all of its history before 1990 the Security Council had only imposed sanctions to discipline errant states twice before. Indeed, the example used for the drafting of Resolution 661 were the sanctions imposed on Rhodesia in December 1966 after it had declared independence from Britain.² This lack of historical precedence for applying such punitive sanctions to a country with overwhelming backing from the permanent members on the Security Council meant policy was developed in an empirical vacuum. No one knew what the short or long term effects of this new policy might be.³ Instead, those drafting resolutions in New York deployed a set of assumptions that gave both the theory and practise of sanctions their coherence. It was assumed that a state, when faced with an on-going economic embargo, will be forced to react in predictable ways. If the application of sanctions causes enough suffering within society then popular discontent will eventually force the ruling elite to change their policy and work to lift sanctions.⁴ Ultimately, the state cannot escape public opinion; it cannot ignore a population whose economic well-being has been seriously damaged by the application of sanctions.

In 1990-91 the economic and political assumptions underpinning sanctions practice appeared to make Iraq an ideal candidate for their application. 95 percent of Iraq's foreign exchange earnings came directly from the export of oil.⁵ Oil was transported to international markets mainly through pipelines running across the territory of two of America's key allies in the region, Saudi Arabia and Turkey. In addition, the economy was dependent upon food imports that cost \$3 billion annually.⁶ However, these assumptions along with the normative vision that gave sanctions their ideological coherence were proven wrong.

The sanctions regime.

The application of sanctions on Iraq from 1990 until 2003 can be divided into two periods; the first runs from August 1990 to April 1991 and the second from 1991 to 2003. Until April 1991, sanctions were used as the opening gambit in an escalating exercise of coercive diplomacy designed to force Iraqi troops from Kuwait. When sanctions failed the United States quickly resorted to war, building a multinational coalition with UN backing to eject the Iraqi army. However, in the aftermath of the cease-fire in February 2001, the initial sanctions regime was kept in place but the desired goals were dramatically changed. From 1991 onwards, sanctions were deployed in an attempt to transform the Iraqi government, to dramatically change the way it ruled over its population and interacted with the wider world.

The basis to this ambitious attempt at coercive diplomacy had been put in place in the week immediately after Iraq's invasion. UNSC Resolution 660 demanded that Iraq withdraw from Kuwait immediately and was unanimously passed by the Security Council at six o'clock on the morning after the invasion. The US then went on to get UNSCR 661 passed a few days later. This froze Iraq's worldwide assets and banned all imports and exports. The embargo was subsequently tightened by UNSC resolutions 665 and 670, which authorized a naval blockade and banned flights and other transportation into and out of Iraq.⁷

The US led military campaign against Iraq was seen as a text book victory. After forty days of intense aerial bombardment, the ground war lasted a little over a hundred hours, after which George Bush Senior announced an end to hostilities on 27th February, 1991 when it was clear that the Iraqi army had been routed and was fleeing. The initial cease-fire was signed the next day. Having won such a seemingly unambiguous military victory, the civilian heads of the United States and their military advisors were in complete agreement about not using military force to oust Saddam Hussein from power. George Bush, seeking to place the United Nations at the centre of his 'new world order', thought marching on to Baghdad would "shatter our coalition, turning the whole of the Arab world against us". "It would have taken us way beyond the imprimatur of international law bestowed by the resolutions of the Security Council."⁸ Colin Powell, as the Head of the Joint Chiefs of Staff, had striven throughout the conflict to keep the military objectives to a minimum. Both Richard Cheney Secretary of Defence and George Bush foresaw the complexities of any US military intervention in Iraq leading to a political and military quagmire.⁹

Having removed all out warfare as a potential tool to reform a rogue state, Iraq was now positioned within a grid of intrusive surveillance and coercive diplomacy. The grand ambition associated with this scheme, placing a rogue state in a hitherto unheard of regime of surveillance and coercion has its origins in the sense of opportunity and confidence born of the end of the Cold War. This was exacerbated by the "excessive confidence" generated by military victory against Iraq. The economic power of sanctions when applied to the population of Iraq, through their suffering, would force the Iraqi regime to comply with UN demands now at the forefront of a new world order.¹⁰ This understanding of the cause and effect of sanctions, led decision makers in the Oval Office and Security Council to assume that Iraq's ruling elite would be unable to resist the demands made of them.¹¹ The result of these confident assumptions was Resolution 687, passed by the Security Council on 3^{rd} April 1991.

The resolution stated that the UN would only formalise the cease-fire signed on 27th February if Iraq agreed to all of its demands. The resolution was "highly intrusive" and "precedent-making".¹² It demanded that Iraq reveal their entire chemical, biological and nuclear weapons cache along with ballistic missiles with a range of over 150 kilometres. However, the panoptical nature of the resolution was delivered in two ways. First, Iraq would have to submit to unconstrained inspections by a special commission set up by the Secretary-General. This commission would have unimpeded access to the whole of Iraq and "develop a plan for the future ongoing monitoring and verification of Iraq's compliance".¹³ Secondly, Resolution 687 renewed the provisions of earlier resolutions, which gave a committee established by the Security Council the role of approving or rejecting all non-food imports into the

country. Resolution 687 not only placed Iraq within a regime of inspections for weapons of mass destruction but also authorised the Security Council to examine every single Iraqi request to import non-food items into the country.

Finally, this surveillance regime would be reviewed by the Security Council every sixty days,

in the light of the policies and practices of the Government of Iraq, including the implementation of all relevant resolutions of the Security Council, for the purpose of determining whether to reduce or lift the prohibitions referred to therein.¹⁴

The startling ambitions of Resolution 687 are reflected in the expansive wording of this paragraph. The whole disciplinary structure Iraq was placed within by the resolution would be reviewed every sixty days not only on the basis of Iraq's compliance with the UN's specific demands to disarm but on the wider "policies and practices" of the government. Clearly the aims and objectives of the sanctions regime were much wider and more intrusive than merely the possession of weapons of mass destruction.

If there were any doubts about the extent of the change in behaviour required of the Iraqi government by the United Nations in 1991, these were dispelled by the passing of Resolution 688 three days later. In the aftermath of Iraq's military defeat and partly inspired by George Bush's call for "the Iraqi military and the Iraqi people to take matters into their own hands and force Saddam Hussein, the dictator, to step aside",¹⁵ uprisings broke out across the south and north of the country. The Iraqi regime, facing the very real possibility of its violent demise at the hands of its own population, suppressed these rebellions with an organised ferocity.¹⁶ In response, the Security Council passed Resolution 688. This condemned "the repression of the Iraqi civilian population in many parts of Iraq" and "Demands that Iraq … immediately end this repression and expresses the hope in the same context that an open dialogue will take place to ensure that the human and political rights of all Iraqi citizens are respected".¹⁷

Resolution 688 was not passed under Chapter VII of the UN Charter as a threat to international peace and security but referenced the damaging "trans-boundary effects" of repression. This was done to soothe Russian and Chinese fears about any precedence that may have been set. That said, Resolution 688 established a framework for action that the Security Council later used in Yugoslavia, Somalia, Haiti and Kosovo.¹⁸ Resolution 688 not only set a precedence, it was used repeatedly through the 1990s to further UN intervention in sovereign states. In combination with SCR 687, it placed Iraq within a panoptical grid of surveillance, which closely monitored government policy and practice and demanded far-reaching reform to the Ba'athist regime's rule over its population in return for lifting the harshest sanctions ever imposed on a state by the UN.

In 1990 the permanent members of the Security Council were united in their aim of ejecting Iraq from Kuwait. Sanctions were deployed in the first instance (Resolution 661) to signal a unity of purpose amongst the permanent members and a desire to inflict a high cost on Iraq for the abrogation of Kuwaiti sovereignty and international law. In the aftermath of the war, Britain and the United States pushed the idea that the formal cease-fire and the lifting of sanctions should be conditional on Iraq's

disarmament and the widest possible interpretation of its good behaviour. France, Russia and China quickly agreed to this use of sanctions as the major coercive tool for forcing Iraq to disarm. All permanent members of the Security Council were closely involved in the drafting of a series of resolutions and voted for their implementation throughout 1990 and 1991.¹⁹

The ambitious intentions of three Security Council members, the United States, United Kingdom and France, reached a peak with Resolution 688. Intriguingly, given the later divisions that were to end the Security Council consensus surrounding Iraq; France took the lead in drafting SCR 688. It previously pushed for a much tougher UN response to the suppression of the Kurdish revolt in northern Iraq. Two days before the passing of SCR 688, France had tabled a resolution explicitly committing the UN to protect Iraqi Kurds only to see it rejected by other permanent members. It then sponsored SCR 688, with its representative on the council the only diplomat to explicitly link the resolution to human rights violations. He argued in the council that, "violations of human rights such as those being observed become a matter of international interest when they take on such proportions that they assume the dimension of a crime against humanity."²⁰

Much has been made of the differing strategic goals sought by individual members of the Security Council when agreeing to continue sanctions on Iraq in 1991. The British representative on the Security Council, Sir David Hannay, clearly stated as Resolution 687 was passed that, "my Government believes that it will in fact prove impossible for Iraq to rejoin the community of civilized nations while Saddam Hussein remains in power."²¹ George Bush and the head of the CIA in 1991, Robert Gates, also repeatedly stated that sanctions would not be lifted until Saddam was removed.²² However, what united France, the UK and the US from 1991 to at least 1995 and probably as late as 1998, was the view that the behaviour of the Iraq's ruling elite could be changed by placing the state within a regime of surveillance and coercive diplomacy delivered by sanctions. The ideational coherence of this agreement came directly from the assumptions underpinning sanctions. The economic suffering caused by sanctions would place irresistible pressure on the ruling elite in Baghdad to reform.

The reaction of Iraq's ruling elite to sanctions.

In 1991 Iraq appeared to be the ideal laboratory for the first extended application of multilateral sanctions. Estimates put the proportion of the Iraqi gross domestic product that was dependent upon the export of oil at anything between 60 and 75 percent.²³ However, the effect of sanctions on an authoritarian regime produced a very different outcome. Faleh Jabar has categorised the Iraqi regime as "patrimonial-totalitarian" in type. Sanctions practitioners thought that societal suffering would put extended pressure on the target regime to change its policies, shifting its cost-benefit analysis to such a degree that former core priorities would become secondary, sacrificed in the face of sanctions. However, Jabar argues that by 1991, "the single party system hegemonized, destroyed and absorbed all nascent civil society structures and institutions, such as unions, professional associations, an independent press, chambers of commerce and industrial leagues."²⁴ The result did not match Security Council expectations. The extended use of sanctions saw a shift in "the balance between civil society and the state, weakening civil society and emphasizing state

power."²⁵ In effect, "given the regime's social structure, the sanctions main impact was to empower the already powerful and impoverish the victims and opponents of the regime."²⁶

There is no doubt that thirteen years of sanctions caused profound and widespread suffering amongst the Iraqi population. Iraqi imports fell dramatically in the immediate aftermath of the embargo; from \$10.3 billion in 1988 to just \$0.4 billion by 1991. This was accompanied by the real value of individual wages across the labour market falling by 90 percent in 1990-91 and then by another 40 percent between 1991 and 1996.²⁷ The Iraqi dinar fell from eight to the US dollar in 1991, to 2950 to the dollar at the end of 1995.²⁸ Iraqi social commentators in 1996 linked the murder and robbery rate in Baghdad directly to the fluctuating strength of the dinar, as people resorted to violence and criminality in order to eat.²⁹ This "macroeconomic shock of massive proportions" was estimated by UNICEF in 1997, to have driven child malnourishment up by 73 percent and was directly responsible for the deaths of between 5,000 to 6,000 children each month.³⁰

However, the way in which the regime reacted to the economic blockade did not conform to the underlying assumptions of those who continually advocated the application of sanctions. On the one hand the government did initially move to limit the damage that sanctions were causing the population. But it chose domestic policy solutions rather than foreign policy compromise. It quickly set up a rationing system that delivered basic food parcels to the population in government controlled territory. Every citizen had a ration card and food was distributed through a network of 45,864 government controlled shops.³¹ That said, with rapidly reduced resources, the state only managed to deliver food equivalent to one-third of pre-sanctions consumption.³² Beyond partially meeting the nutritional needs of the population, the rationing system became one of the most coherent institutions of state power under sanctions. In order to receive their meagre monthly basket of staples, households had to supply detailed information to the representative of the state in their neighbourhood. This allowed the state to compile a great deal of information in return for the food distributed. In addition, individuals could not claim their rations outside their designated area thus restricting population movement.³³ Overall, the rationing system tied an increasingly impoverished population to the state, exacerbating their dependence on the ruling elite that sanctions were meant to coerce and societal pressure reform.

One very noticeable effect of sanctions was the retreat from society of the official institutions of the state outside the rationing system. This was especially pronounced in the areas of welfare, health and education. Using the excuse of 'self-financing', state agencies from hospitals to schools were hollowed out, starved of funding and encouraged to extract what resources they could from the population.³⁴ Sanctions were, in effect, teaching the regime where it had to concentrate its resources in order to guarantee its survival. "The shadow state", a flexible network of patronage and control, became the major recipient of what resources the state could gain access to.³⁵ The shadow state was a diffuse set of structures, estimated to have kept roughly a million people insulated from the economic effects of the embargo.³⁶ It thus gave the regime a comparatively loyal and stable base within society, linking them directly to the ruling elite through personal chains of patronage that by-passed impoverished public institutions. In addition, smuggling and embargo running created "an emerging

class of nouveaux riche, an economic and social 'mafia''', who through their ties to the ruling elite managed to prosper by breaking sanctions.³⁷

The direct effect of sanctions on the ruling elite also had unintended consequences. In the aftermath of the Gulf war, as sanctions made themselves felt, the composition of the ruling elite narrowed. Saddam Hussein, when faced with an extended economic siege, switched his reliance from the people of knowledge, Ahl al-Kheber, the technocrats and party apparatchiks who had largely staffed the middle to higher ranks of the state, to the Ahl al-Thiaga, the people of trust, his family, clansmen and close associates.³⁸ In the first three months after the war, fourteen senior army commanders were removed. Saddam's long serving deputy and brother-in-law, Izzat Ibrahim al Duri, was given the job of Deputy Commander-in-Chief, while his paternal cousin, Ali Hassan al Majid was appointed Minister of Interior. His son-in-law and cousin, Hussein Kamil Hassan al Majid became Minister of Defence.³⁹ As the 1990s dragged on, his three half-brothers, Barzan, Wathban and Sib'awi all came to occupy key posts in the intelligence networks with his youngest son Qusai promoted to become the de facto president-in-waiting. Below immediate family, members of Saddam's clan, the Beijat and his tribal grouping the Albu Nasir came to occupy increasing numbers of senior military, intelligence and government posts.40

The application of thirteen years of sanctions to Iraq certainly achieved its primary goal; it caused great societal suffering and impoverished large sections of urban, middle class Iraq. However, the economic coercion that gives sanctions their causal logic did not take place. The acute suffering of the majority of the population did not "strengthen or encourage opposition constituencies" as hoped.⁴¹ In fact the opposite occurred; the regime's rationing system, in tying the population so firmly to the ruling elite, made them more vulnerable to the regime. Any potential dissent could be punished by resource denial in the first instance and state repression in the second. Neither did resource denial lead to major political fracturing of the ruling elite or the administrative capacity of the state. Under the pressure of sanctions the ruling elite shrank and became more coherent. The government withdrew any available resources from the formal institutions of the state but it redirected them through the shadow state, empowering a patronage network of up to one million loyalists scatted throughout the country, who, shielded from sanctions, could be relied upon to do the regime's bidding.

Sanctions forced the regime to concentrate its attention and resources on the bare minimum needed for its own survival. From 1991 onwards it experimented with removing resources from different areas of the state, judging where it had to channel money and what it could afford to neglect. Through the shadow state it decentred power into social networks and chosen notables, in effect delegating responsibility for the provision of order down to a highly local level in return for recognition and autonomy.⁴²

Conclusions.

The painful irony surrounding international policy during the 1990s was that Iraq had been effectively disarmed by 1998 at the very latest.⁴³ However, the much larger goals placed at the centre of the sanctions regime, reforming if not removing Saddam Hussein's regime from power, meant US and UK policy prevented sanctions from

being lifted even though they had achieved their primary and overt purpose. The embargo was instead used to contain the Ba'athist regime in the absence of any agreeable alternative policy. By the end of the decade the regime had successfully managed to "mitigate many of the effects of sanctions and undermine their international support. Iraq was within striking distance of a de facto end to the sanctions regime, both in terms of oil exports and the trade embargo, by the end of 1999."⁴⁴

The negative consequences of placing Iraq within a sanctions regime for thirteen years extend well beyond the horrendous costs borne by the Iraqi population. The first unintended consequence of sanctions was the transformation of Saddam Hussein's regime. Far from bringing the ruling elite to its knees or forcing it to conform to international norms, sanctions resulted in the increased efficiency and coherence of Baghdad's capacity to rule. The regime, through a process of trial and error, concentrated its scare resources in specific areas and on the people crucial to its survival. Secondly, the Iraqi regime did not prove to be the passive object of coercive diplomacy. Quickly and actively it struck back, using any available resources to undermine both the international consensus that surrounded the sanctions policy and the tools used to police them.⁴⁵ The regime's ability to corrupt areas of the United Nations' bureaucracy and break the efficiency of the blockade itself has done extended damage to the reputation of the UN and wider claims that sanctions are an efficient tool of liberal statecraft. Finally, the inability of sanctions to discipline Iraq, the personification of a post-cold war rogue state, led the US administration of George W. Bush to revert to warfare as its chosen tool for forwarding foreign policy aims in the new millennium.⁴⁶ The failure of sanctions to discipline Iraq led directly to the invasion and occupation of country by the US in 2003.⁴⁷

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