

The U.N. Trap?

President Bush's resounding victory in last week's midterm elections was, among other things, a remarkable expression of national support for the course the president has steered in the war on terrorism. And, of course, that includes the president's Iraq policy. Time and again as he toured the nation providing invaluable support to Republican candidates, President Bush made clear to voters that he intended to take action against Saddam Hussein. If it is true, as we believe, that Bush's stature as commander in chief helped put Republicans over the top, it is also true that the president's commitment to Saddam's ouster is part of what has defined his execution of his duties as commander in chief. One might add that the most significant legislative action during this election campaign came when Congress gave the president authorization to use force to remove Saddam.

So now the president has cleared all the hurdles. He has won congressional authorization. He has received as much of a mandate for the use of force as any president could expect in a midterm election. All that remains is to go through the motions of U.N. inspections before the president orders military action to remove the world's most dangerous dictator. Right?

Probably right.

Of the president's intentions we have every confidence. For months he has consistently declared that Saddam Hussein is a dangerous menace who must be removed. No one can doubt that the president means what he says. He has had plenty of opportunity to back away from his tough rhetoric. He has braved criticism not only from much of the rest of the world, and not only from his political opponents in the United States, but also, as one thinks back to last August, from members of his own party, and from those who served his father.

Fortunately, the congressional vote of a few weeks ago and last week's elections pretty much doused whatever fire the critics of August, with the quiet support of some senior State Department officials, had tried to start. Unfortunately, the battle over the president's poli-

cy is still not over, and the attempt to derail the president's policy toward Iraq has not completely failed, at least not yet.

We can see the effects of the late-summer onslaught against removing Saddam unfolding before us right now, in the form of the U.N. Security Council resolution passed Friday and the attempt to get U.N. inspectors back into Iraq. We understand and sympathize with those in the Bush administration who believed there was no escaping this diplomatic effort. At the same time, it is impossible to ignore the fact that the weeks of negotiations carried out by the State Department have eroded the president's position, not terminally, but worryingly.

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The French government of Jacques Chirac is reported to be "delighted" that over the past seven weeks it has been able to force "a substantial change in the initial U.S. position." As the *Financial Times* reported from Paris on Friday, the French are congratulating themselves for directing the new Security Council resolution toward disarmament rather than "regime change" in Iraq. And they are right that this is a substantial victory. When President Bush spoke to the U.N. General Assembly back in September, he

made clear that his goal was not merely disarmament but forcing Saddam to abide by all U.N. Security Council Resolutions, some of which call for an end to tyrannical oppression of various sorts—effectively a call for an end to Saddam's regime. Today the president himself talks chiefly of disarmament and, at least theoretically, leaves open the possibility that a disarmed and fully inspected Saddam Hussein-led regime will be an acceptable outcome for the United States.

The weeks of negotiations at the Security Council also softened the terms of the inspections. As the *Financial Times* reports, the French complained that the early American drafts of the resolution "seemed intentionally provocative," designed "to ensure the weapons inspection mission was a stillborn failure." To put it another way, the initial U.S. proposals were sufficiently tough that they would have been unacceptable to a Saddam

intent on evading inspections. But over the past few weeks the French and the State Department have worked together to fix that problem. Now Saddam may well accept the inspections plan. What does that tell you?

There is no point in kidding ourselves: The inspections process on which we are to embark is a trap. It may well be one that this powerful and determined president can get out of, but it is a trap nonetheless. It was designed to satisfy those in Europe who oppose U.S. military action against Iraq; and it was negotiated by those within the Bush administration who have never made any secret of their opposition to military action in Iraq. We should hardly be surprised, then, that the process established by the U.N. Security Council makes it harder, not easier, for the president to accomplish what he has long stated as his objective in Iraq. President Bush's own policy advisers have led him into an inspections quagmire from which he may have difficulty escaping.

Indeed, one of the most disturbing features of the current process is the extent to which it takes control of American foreign policy out of President Bush's hands and puts it in the hands of people who, to put it mildly, have no interest in furthering President Bush's goal of regime change in Iraq. As the plan is currently devised, the people who will have considerable influence in deciding whether the United States has legitimate grounds for taking action against Saddam Hussein are (1) the U.N.'s chief arms inspector, Hans Blix, (2) the members of the U.N. Security Council, i.e., France and Russia, and (3) Saddam Hussein himself.

First Hans Blix. No one should judge him before he has had a chance to prove himself. But it is well known that he was given the job of chief U.N. inspector in part as a concession to Saddam Hussein, who considered the previous chief inspector, Richard Butler, too tough, and that Blix's team was modified to make it less potent than Butler's.

Now President Bush's policy rests heavily on Blix's actions and decisions. According to the resolution passed on Friday, Blix will have 45 days to begin inspections in Iraq. Then he will have another 60 days to submit a report on his findings to the U.N. Security Council. During these 105 days he may also report on any efforts by Iraq to obstruct inspections. Now, of course, it is possible that Blix will report every breach or obstruction committed by Iraq, that he will file a complaint every time his access to some building is delayed by 24 hours, or every time one of his vehicles gets a flat tire, or every time one of the people he wants to interview mysteriously fails to show up. But, really, what are the chances that Mr. Blix will want to blow the whistle on Saddam—knowing that he may thereby signal the start of a war that he and his backers at the Security Council want to avoid? More

likely he will doggedly persist in his work and try to overcome whatever obstacles Saddam's people place in his path. It's only natural: What U.N. diplomat wants to be responsible for starting a war over a few nagging inconveniences of the kind that Saddam has turned into an art form? Nor should we expect Mr. Blix at the end of 105 days to provide the kind of report that will make a clear case for going to war. Most likely, it will be a report filled with ambiguity and uncertainty, with reasons for concern and reasons for optimism. And inevitably the report will include an appeal for more time to keep looking. After all, years of inspections in the past produced only hunches and ambiguities and warnings about Iraq's weapons programs. Why should we expect a mere 105 days of inspections to produce much greater clarity?

Now it would be one thing if President Bush were able, whenever he learned of some Iraqi obstruction, to declare that the jig is up and order American troops to start moving. It would be one thing if, whenever a door were slammed in Blix's face, Bush could simply begin the invasion on his own initiative. And it would be one thing if Bush, upon reading Blix's 105-day report, decided that, ambiguity or no ambiguity, it was time for military action. But here is where American negotiators seem to have made a substantial concession to France and Russia in the Security Council negotiations last week.

Earlier American drafts had stated simply that if Iraq obstructed inspections or made false declarations, it would be in "material breach" of the U.N. resolution, thus implicitly leaving the United States free to take action. But in recent weeks France and Russia fought hard against this "hidden trigger"—precisely because, as the Associated Press reports, "the original wording would have let the United States determine on its own whether Iraq had committed an infraction." Last week the State Department negotiators backed down on this critical point. At France's insistence, the resolution now states that any new breach "will be reported to the Council for assessment." If Blix encounters trouble with the Iraqis, he is to report to the council, which will then "convene immediately to consider the situation." This is not a mere technicality. The French believe, and more important the British believe, that this means President Bush has promised he will not order an invasion just because it is clear to *him* that Saddam is obstructing inspections or lying and cheating. Their interpretation of the resolution is that the president can act only when *Blix* declares to the Security Council that there is a problem. As one British diplomat at the U.N. told the *New York Times*, "There is now no route through this resolution that circumvents" the weapons inspectors. Which means there is no way for the United States to make an independent judgment without being accused of subverting a process the United States appears to have authorized.

That is why the French are “delighted.” They have succeeded in ensuring that President Bush must come back to the Security Council before ordering an invasion. According to Powell, the United States is committed to participating in another debate at the Security Council, which may mean another vote, as well. This two-stage process is what France demanded all along, and what the United States allegedly resisted all along.

So the best that can be hoped for now is a return to the Security Council sometime within or shortly after the next 105 days. At which point, we will be back where we began eight weeks ago. The Bush administration will claim the time has come for military action, and the French and Russians will argue that the time has not come, that the reports are ambiguous, that inspections need more time, etc. Then, it is true, President Bush will be free to flout the will of Security Council members and invade if he chooses. That is why administration officials still bravely declare that the president has not been “handcuffed” by the latest resolution. But surely this is no victory for American diplomacy. After all, the president, in this sense, has never been handcuffed. He has always been free to ignore the Security Council. So the question is, given that Bush has felt it necessary to let France and Russia, and his own negotiators, tie his policy in knots in order to win U.N. approval for his actions over the last eight weeks, will he feel freer to act without U.N. approval 15 weeks from now? One thing is sure: France and Russia, having won big this week on their demand for a second stage of Security Council deliberations, are not going to fold when their next opportunity to prevent the invasion arrives—especially if Saddam can, for four months, more or less behave.

Which brings us to the final and most problematic figure into whose hands the fate of President Bush’s policy has been placed: Saddam Hussein himself.

We understand the operating assumption behind Bush’s whole approach to the U.N. inspections plan: Saddam will blow it, somehow. He won’t agree to accept the new resolution. Or if he does accept it, he will immediately demonstrate his unwillingness to abide by its terms. Or when it comes time to declare what weapons facilities Iraq has, he will lie or fudge, and we’ll catch him. Somewhere, sometime, somehow, Saddam will trip up and give the United States the pretext to do what Bush wants to do—take him out militarily.

There is both history and logic behind the Saddam-

is-foolish assumption. In January 1991, Saddam had a chance to prevent the U.S. attack on his forces in Kuwait. He sent his then-foreign minister Tariq Aziz to meet with then-secretary of state James Baker in Geneva. Baker was as opposed to a war against Iraq then as the current secretary of state is opposed to a war against Iraq now. Had Aziz made any concession, any concession at all, Baker might have declared progress and convinced the first President Bush to delay the attack. But Aziz offered nothing. Saddam proved he was too stupid, or too unimaginative, or too crazy to make a few gestures to avoid an American attack. More than a decade later, we are supposed to believe, he has learned nothing and will make the same mistake all over again. The Saddam-is-foolish argument is plausible. But it’s a little nerve-racking to have to base our future security on the premise that the man has learned nothing.

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The case that Saddam has little room to maneuver is also plausible. We know Saddam is building weapons of mass destruction and that he is hiding them. Therefore, the argument runs, he has only three choices: admit it, and either disarm entirely or face an American invasion; deny it, and then try to prevent weapons inspectors from finding the facilities and weapons, and face an American invasion; or deny it, and let the inspectors roam freely until they prove him a liar, and then face an American invasion.

Disarming is tantamount to suicide. Therefore, Saddam will lie or obstruct or both, in which case the wording of U.N. Security Council resolutions doesn’t matter. Saddam will give the United States the pretext for invasion, and the French and Russians will not be able to stop Bush.

As we say, this is plausible. Perhaps it is even likely. But surely there is another possibility: That Saddam will tell some half-truths and some half-lies. That he will disarm in those areas where he has chosen to be truthful, but not in those areas where he is lying. That he will give inspectors free access, with perhaps the occasional bump in the road, but in the course of 105 days they won’t find anything conclusive—no smoking gun to present to the Security Council as an unquestionable “material breach.” What then? On what grounds will President Bush declare that the inspections effort has failed and the only remaining option is an invasion? The legal and scientific case may be no stronger than it is now.

One answer administration officials give is that they intend to have “zero tolerance” for Iraqi misbehavior or dissimulation during the next 105 days. The minute Bush sees something he doesn’t like, he will take action.

We trust this will indeed be the administration's approach. But what would trigger such a decision by Bush? Inspectors being turned away from a facility? Discovering a stash of "dual-use" chemicals that Saddam didn't put on his list? One scientist saying something bad was going on somewhere a year or two ago? Given the concessions of Bush's negotiators at the U.N., how exactly will Bush officials implement their "zero tolerance" approach? The truth is, they don't really know.

In fact, the inspections process may go on for a long time—"months," Secretary of State Powell has suggested—before anyone can claim with certainty that Saddam is flouting U.N. resolutions. And if it does take months for Saddam to trip himself up, if it takes until May or June or August, will the president then be able to rally the country behind military action? Will the sum-

mer heat in the desert preclude a relatively safe operation? Or will military action then have to wait until this time next year, with the 2004 presidential race pending?

And there is a more important question: Will the clarity of the case for war have been compromised, perhaps fatally, by this latest round of diplomacy? Until recently, the president had made it plain that the United States was going to war to remove the clear and imminent danger of an aggressive dictator developing nuclear weapons. But two months from now he may have to argue for war on the grounds that two inspectors were turned away from a suspicious chemical factory. That is not progress.

The tragic irony, of course, is that the inspections regime cannot possibly "work," no matter how compliant Saddam chooses to be. It simply cannot eliminate the danger Saddam poses to the United States and to the world. Even if the inspectors were to find and destroy some of his illicit weapons and weapons-making facilities, we could never be confident that they had found and destroyed all of them. Nor is there anything to stop Saddam, after "disarming" and getting a clean bill of health, from beginning all over again. That is why President Bush has been right all along to insist on a change of regime in Iraq. The problem is not just Saddam's weapons. The problem is Saddam.

The president knows this. But right now his administration is conducting a policy that deliberately denies and obscures this fundamental truth. And the further we stumble down this road, the greater the danger that the clarity of our vision—which the president has worked so hard to establish—may become hopelessly clouded.

That is the case for pessimism. But there is also a case for optimism. It rests entirely on President Bush himself. We find it inconceivable that the president intends to end his first term with Saddam Hussein still in power. He knows what a disaster that would be, for the security of his nation, for the world, and for him personally. While he has allowed his negotiators to give away too much in New York, it is possible that in Bush's eyes all that matters is his own freedom of action. He may not feel "handcuffed" in the slightest, despite the fact that the Security Council resolution appears to do just that. Perhaps what the president really believes is that, at the end of the day, he will act when he deems it necessary to act, no matter what Blix and the Security Council say. That is our hope. We trust the president will ensure that his administration's vision remains unclouded by the smoke emanating from the U.N., and that, at the right moment, and at a moment not dangerously far off and not indefinitely to be postponed, he will thank the U.N. and our "allies" for their efforts, and order his military to get about the urgent business of removing Saddam Hussein's regime in Iraq.

—William Kristol and Robert Kagan