

## The Gulf War, Iraq and Western Liberalism

The states of the North Atlantic have, since the days of Palmerston, frequently hoisted the flag of liberalism on their way to war. But rarely since 1945 have the principles of right, law and justice been invoked as strongly as in the call to arms for Desert Storm. The populations of Britain and America were encouraged to believe that half a million troops and one hundred billion dollars were being committed to affirmative action on behalf of the rights of the people of Kuwait and, indeed, to the inauguration of a new global order of justice.

In the first part of this article, I try to untangle the disparate strands that make up this language of rights used by Western leaders to vindicate Desert Storm. I then bring together the principles of evaluation deployed by the liberal current dominant in Britain and the United States today—rights-based individualism—with an analysis of the Gulf conflict. This enables an exploration of the degree to which goals and actions in the war can be

justified in liberal terms, and reveals the severe limitations of a conventional rights-based approach. In the second part, I turn to the 'enemy'—Iraq—in order to examine the evolution of this state, so many of whose people have been killed by the military forces of Britain and the US, and to challenge the most influential, liberal account of the development of modern Iraq and of its Ba'athist regime.

## I Liberalism and the Invasion of Kuwait

Most versions of Anglo-American liberal and natural-rights thinking employ a universalist standard of judgement to evaluate international politics. They repudiate the normative stance of the realists, who insist, in the words of their postwar doyen, Hans Morgenthau, that the national interest is 'the one guiding star, one standard of thought, one rule of action' in such matters.<sup>1</sup> Rights-based liberals readily acknowledge, of course, that much of what states—including their own—actually do bears little relation to the professed ideal. Indeed many would agree that the political culture that shapes the executives of these states is far closer to the norms of Morgenthau than to their own, although they would deplore that fact.

Within this setting, the leaders in both the US and UK sought to mobilize liberal opinion following the Iraqi invasion of Kuwait by appealing not simply to national state interests but, above all, to general principles. While some opinion-formers debated the issues in the language of utilitarianism, adopting a universalist welfare criterion for assessing the costs and benefits of alternative policies, the dominant language of public debate was that of rights, justice and law. This discourse was triggered primarily by the use the Bush administration made of UN Security Council resolutions. These were interpreted in an idiom that was in fact metaphorical: the transfer of the discourse that serves the domestic legal system within a liberal-democratic state to the realm of world politics. In the perception of millions, international affairs became a depoliticized process of crime and judicial punishment. This single displacement transformed not only the way people judged the political background to the Gulf war, but above all *how* they perceived it: namely, as a criminal act with juridical consequences. Thus the complex fields of force that constitute global politics were magically transformed into the image of a world enclosed within a constitutional state order, run according to the liberal theory of law. The metaphor passed itself off not as a moral truth but as the explanation of actual events.<sup>2</sup>

Firstly, the sufficient and necessary cause of the US attack on Iraq was presented as the act of a villain: Saddam Hussein, personifying the

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<sup>1</sup> Hans Morgenthau, *In Defence of the National Interest*, New York 1952, p. 242.

<sup>2</sup> Legal metaphors are, of course, commonly used in political discourse. When a government performs an injustice, we frequently call it a 'crime'; but this is not meant literally: we know we are using a metaphor. Thus, to say that the West's policy on Third World debt is 'criminal' because it leads to millions of deaths in the South means it is grossly unjust, politically and morally wrong. We do not use the word literally and order the arrest and execution of Mr Camdessus and the other officials of the IMF and World Bank.

Baghdad government. This act 'forced' the US to send half a million troops and its global arsenal in response, just as a domestic crime triggers the standard procedures of police response. The Anglo-American blockade and attack was thus reduced to the status of a depoliticized, purely judicial action, from which any political motives, methods or aims would be expunged, just as they would in the work of a local law-enforcement agency. Desert Storm was to be as much a work of nature as the impersonal, blind justice of the law—or, indeed, as a storm in the desert. Thus the actual course of events was turned on its head: contrary to the judicial logic of the metaphor, the US administration in fact decided it must 'prevail' over Iraq and *therefore* campaigned to criminalize the Saddam Hussein regime. (Just as the US first decided to support the regimes of Israel or Indonesia and *then* ensured the decriminalization of those countries' actions in occupying or annexing.) This process involved anthropomorphizing the Iraqi state and its political-administrative organization into a single person—Saddam Hussein, criminal. And the more his human features were enlarged, the more other men and women in the 'criminal' state were dehumanized. The army of conscripts became the murder weapon, the lives of millions of Iraqis the various limbs and resources of their leader. Hence they were fair game; or else they became collateral, in the sense of standing alongside the criminal—by-standers in the police shoot-out.<sup>3</sup>

This anthropomorphism enabled the weaving of a powerful theme of human-rights abuse into the legalist discourse. The war against Iraq became a campaign against a serial killer and torturer, military action being presented as a mere consequence of the original 'crime', the annexation of Kuwait. Furthermore, the war-making itself could be portrayed not as a tidal wave of political violence, killing tens, perhaps hundreds, of thousands—an act unleashing the passions of millions across the globe, and bearing unknown and unpredictable long-term political consequences—but as a technical means of enforcing an end—namely, the rule of law.

As a mobilizing ideology for war, then, this metaphor was a formidable construction: an absolutized 'either/or'—one the monstrous criminal, the other the very embodiment of justice. It provided a thorough integration of theory and practice—cognition, evaluation and necessary action. Indeed, the metaphor was to prove in some respects too efficacious, too powerful, when the war ended with the monster criminal still in place and butchering further victims on a larger scale—Shia rebels in the South and Kurds in the North. However, as an explanatory theory or criterion of judgement the

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<sup>3</sup> The projection of Saddam Hussein as a monstrous criminal could also result in an assumption that the US military was actually being used on behalf of the Iraqi people against its government. The notion that because many Iraqis oppose their government they will therefore condone the killing of 100,000 of their fellow countrymen and the destruction of their social infrastructure lies at the source of the notion that justice demanded that the allies march on Baghdad. Overlooked is the fact that the organized Iraqi opposition (not to speak of the population as a whole) opposed any attack upon Iraq, issuing a statement to this effect at their Damascus meeting of December 1990.

metaphor could not, of course, be taken seriously.<sup>4</sup> World politics is not enclosed within a constitutional state order with a fully fledged legal regime and law-enforcement agency. Legal thought and practice are no doubt a significant element in international affairs (valued especially by small, satisfied powers), but international public law remains rather a half-formed, perhaps only embryonic, force. Indeed, for some of the biggest powers the legal element is often no more than the small change of politics. Furthermore, when powers like the US or UK go to war they do so for reasons of national interest, in pursuit of state objectives. As for the idea that attacking a country is equal to enforcing a law, the greatest of classical liberal rights-based philosophers, Immanuel Kant, long ago taught us that war is inherently anti-law.<sup>5</sup>

Although no one could claim that the legalist metaphor adequately describes reality, some may nevertheless maintain that UN backing for force against Iraq provides a democratic political legitimation for the war (as opposed to a liberal, rights-based justification). After all, has not the Left repeatedly used the authority of the UN's Charter and resolutions to attack the United States and its allies in other conflicts—some still current—such as Nicaragua, East Timor, Israel, South Africa, Grenada, Panama? The fact that none of the five permanent Security Council members vetoed military action against Iraq was certainly of great political significance, but this fact confers not the slightest *democratic* legitimacy upon the subsequent attack. UN Security Council resolutions embody merely a Hobbesian, positivist form of law as the command of the most powerful—namely, the will of the five permanent members who happened to be the victors of 1945 plus a small, circulating collection of other states. Even the 'states' democracy' of the UN General Assembly was not reflected in the crucial resolutions of the Security Council. Indeed the entire thrust of these resolutions, as interpreted by the US and Britain—that there should be no diplomatic negotiations with Iraq—contradicted the overwhelming majority of the General Assembly, who desired a negotiated solution. And in any case, the resolutions did not even legalize the attack in the formal procedural sense; that would have required a positive vote by all five Security Council members, but in fact China abstained. Also the Charter requires parties to a conflict to take steps toward reconciliation—in other words, to negotiate: precisely what the Americans (and the British) resolutely refused to do throughout. And in the name of 'liberating Kuwait' the British and Americans

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<sup>4</sup> Amongst its most vigorous opponents would of course be the realist Right, which dismisses (correctly) the dominance of law in international affairs from the *normative* standpoint of imperialism. They glory in US and Western allied domination of the globe, insisting that nothing, such as the details of this or that legal covenant, should challenge this primary virtue. It is, nevertheless, important that wholesale rejection of the values of the realist Right—directly counterposed, as they are, to those of the Left—does not lead to a denial of the factual truth contained in their current view of the world. For, how could they be out of tune with world political realities when their school of thought has to a great extent been *calling the tune* by way of a dominating presence since World War II in the core executives of the most powerful Western states?

<sup>5</sup> See W.B. Gallie, *Philosophers of Peace and War: Kant, Clausewitz, Marx, Engels and Tolstoy*, Cambridge 1978, chapter 2.

interpreted the final UN resolution as legitimizing any and all means —not exactly a liberal juristic maxim.

Thus, any principled political stance on the war-drive against Iraq cannot be based upon acceptance of UN Security Council resolutions, as the embodiment of either judicial or democratic principle. We are required, therefore, to make a political judgement based upon our own understanding and prognosis. Such judgement cannot abdicate before UN decisions.

## Two Traditions of Rights

Liberal theory offers a number of disparate approaches to the evaluation of political events, ranging from the Hegel-inspired liberal idealism of Green, through the historicism of Croce, to utilitarian viewpoints. But one perspective dominates all others at present in the US and, increasingly, in the UK: namely, that of natural-rights, or Kantian deontological theory of rights, based on a universal principle of justice rather than welfare. But this approach in fact conflates two incompatible traditions of *political* thinking on international relations, traditions that share a common source in the discourse of universal rights: one, the old natural-rights tradition, which predates liberalism, not to mention democracy, and has its source in mediaeval debates and its highest expression in the international-relations theory of Grotius; and two, the modern tradition of Kantian liberalism. I will briefly examine these in turn.

Grotius, a Dutch Protestant writing during the Thirty Years War and just prior to the birth of the modern state system (marked by the Treaty of Westphalia in 1648), was confronting the problem of whether, in a hitherto Catholic European system, Protestant prince-doms had a right to exist and to impose their religion upon their subjects. To resolve this problem he insisted that every state should be treated as sovereign in relation to other states, as well as to the Papacy and the Empire. He then argued for a law-governed relation between these sovereign entities. Grotius's thought concerning domestic politics was, like most strong rights-theorists of the day, trenchantly authoritarian, insisting upon the absolute power of the state over its citizens. He defined liberty as dominion in material things and argued that man has a natural right to punish wrongs, especially wrongs against liberty (that is, property), but that this right of punishment be transferred to the state. Grotius also transferred the notion of liberty-as-property to the state in international affairs, viewing the character of state boundaries as that of a private estate. Grotius was also the founder of the modern idea of a rights-based legal system. His *Introduction to the Jurisprudence of Holland* (1620) was the first construction of a legal system based upon a conception of rights. And his later *De Jure Belli* laid the foundation stone of modern theories of 'just war'.<sup>6</sup>

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<sup>6</sup> On the history of natural-rights theories and the place of Grotius within their development, see R. Tuck, *Natural Rights Theories*, Cambridge 1979. On Grotius's role within the history of international-relations theory, see F. Parkinson, *The Philosophy of International Relations*, London 1977.

The Grotian view of inter-state politics may be hundreds of years old, but it nevertheless remains the official doctrine of the international state system today, thanks to its implementation after the Treaty of Westphalia and to the way in which the intra-European principle was extended across the globe through imperial expansion. The doctrine invests sovereign states with legitimate power within the international system and grants each state the right to total (negative) freedom to do what it desires, provided only that it does not infringe upon the freedoms of other states to do likewise. States are thus the only morally relevant actors in world politics. It follows that a world political order in which each state's sovereignty is respected is a basically just order. The US and the UK officially subscribe to this doctrine (while unofficially frequently flouting it—the recent US adventures in Grenada and Panama serving as examples) although it should also be said that the concept of a 'super-power' tends to grant the US additional rights commensurate with its extra 'responsibilities'. The world's diplomatic fraternity has a strong professional interest in the continued vitality of this approach.

The doctrine, then, gives rise to the conventional theory of a 'just war'. War is just under the following conditions: first, when it is launched by a legitimate body—namely a state; secondly, when that state has a just cause, and overwhelmingly this means that the state concerned is defending the principle of its territorial integrity (in Grotian terms, its property) against aggression; thirdly, when the state has 'right intentions'—in other words, when it is not using one violation of sovereignty in order to perpetrate another; and finally, to be just, a war requires the use of 'correct means'.<sup>7</sup>

What I have called the 'legalist metaphor' draws much of its power from this Grotian official doctrine of the inviolability of states: from a crime-and-punishment view of their relations, and from their collective right to exclusive possession of the field of international relations.

The predominant liberal school of thought today, at least in the Anglo-American world, derives from Kant.<sup>8</sup> Yet Kant's thought on international relations was constructed in sharp polemic against Grotian ideas. Kant questioned the Grotian ethical basis of international law since it could be used to justify acts by states which had at best a dubious moral foundation. He pointed out that no government had ever been persuaded to refrain from an action on account of some rule of international law banning it. And, in the words of Parkinson, 'Kant was particularly hard on those who considered . . . the doctrine of "just war" had any bearing on the maintenance of peace or on the improvement of international relations generally.'<sup>9</sup>

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<sup>7</sup> For an account of this theory, see Telford Taylor, 'Just and Unjust Wars', in M.M. Watkin, ed., *War, Morality and the Military Profession*, Boulder 1979, pp. 245–58. As Michael Walzer points out, Marx, in his First and Second Addresses of the International on the Franco–Prussian War of 1870, uses the language of states' rights and legalism. But these addresses cannot, of course, be used as the basis for an exposition of Marxist theory on war. Marx was acting as the secretary of an International the leaders of which in the UK were trade unionists who by no means accepted Marxist theory—a fact Walzer fails to mention. See M. Walzer, *Just and Unjust Wars*, London 1978, pp. 64–6.

<sup>8</sup> Particularly visible in the journal *Philosophy and Public Affairs*.

<sup>9</sup> Parkinson, p. 69.

Modern Kantians give overriding priority not to the rights of states but to the rights of individuals. They formally single out one key instance of good, accord it absolute primacy, investigate whether it is violated, and prescriptively work for its restitution, repudiating the notion that this priority right may be sacrificed for the greater welfare of all. The good in question is usually that of individual freedom, on the grounds that if individuals have freedom they possess the means of achieving all other goods. The task of political analysis and action is to work out the least costly means for restoring this overriding right to freedom. But this, it must be stressed, is freedom for individuals and not for the fictitious legal persons known as states.<sup>10</sup>

There is, of course, a basis from which liberals may derive rights for states—namely, through the collective rights of nations to self-determination. But we should note that some are uneasy about such collective rights, and especially about their derivation from the notion of a collective democratic will. For the right to self-determination is, in reality, a democratic rather than a liberal-individualist right. My aim here is not to explore all the nuances of this Kantian rights-based liberalism, but to apply its main principle to the Gulf crisis.

### The Invasion and Annexation of Kuwait

The invasion of Kuwait on 2 August was carried out with very little military resistance or bloodshed. Initially the Iraqi government said it would begin withdrawing from Kuwait on 5 August, while demanding negotiations. It then remained, set up a provisional government, and altered course; after the imposition of a military blockade through a UN resolution, Iraq formally annexed Kuwait as its nineteenth province.

The occupation of the country by force was accompanied by considerable repression and suffering, by no means only among the minority of the population holding Kuwaiti citizenship. There occurred first the rounding up and transportation to Iraqi prison camps of thousands of soldiers and police (estimates vary between seven and thirty thousand). In addition, many thousands of foreign workers were deported and detained in Iraq. Then there was the use of torture against, and on occasions the killing of, those suspected of having engaged in acts of armed resistance. In its report of 19 December

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<sup>10</sup> This is the view held most clearly by those we may describe as 'global Rawlsians', like Pogge. But it is strikingly not the view held by the greatest reviver of Kantian liberalism in the contemporary Anglo-Saxon world, John Rawls himself. Rawls's entire theory, for all its seeming universalist generality, is, in fact, a theory premised upon the justice of existing international relations and to be applied only within an existing state. As Brian Barry points out: 'Rawls does have a brief discussion of international relations, which he conceives in the spirit of a pure 19th century liberal like Gladstone, not even making concessions to 20th century ideas to the extent of catching up with Woodrow Wilson.' (B. Barry, *The Liberal Theory of Justice*, Oxford 1973, p. 130.) Thus Rawls makes concessions to states' rights theory and even to the legalist metaphor, writing: 'The basic principle of the law of nations is a principle of equality. Independent peoples organised as states have certain fundamental equal rights. This principle is analogous to the equal rights of citizens in a constitutional regime.' J. Rawls, *A Theory of Justice*, Oxford 1972, p. 378.

1990, Amnesty International estimated these killings in the hundreds.<sup>11</sup> In addition, some 300,000 Kuwaitis—a majority of the country's citizens—felt impelled to flee or to remain outside the country, along with large numbers of other permanent residents. It is not clear to what degree this exodus was caused by fear of the Iraqis or by fear of an American attack. Kuwaitis leaving would have suffered a significant drop in living standards, despite receiving money from the government in exile. Average income in the country before the invasion was higher than that in the United States, with a standard of living considerably better than that of the American middle classes, many citizens employing servants and often not having to work.

Condemnation of Iraqi aggression, variously expressed, was issued worldwide. This opposition to the invasion and annexation in the main conflated two quite different principles: the violation of states' rights and the violation of people's rights. Within a Grotian, states' rights perspective, annexation involved what we might call the killing of a sovereign state—the greatest injustice that could be committed within the terms of states' rights theory, and an act of state murder unprecedented in postwar history. Kuwait, a fully-fledged member of the United Nations, was, effectively, liquidated. If states' rights are sacrosanct, this was a uniquely heinous crime.

There is no need to examine the factual details of the Gulf crisis in order to justify Desert Storm within the terms of states' rights doctrine. Iraq gave just cause. What is more, the attack on Iraq was launched by an alliance of legitimate state authorities, (backed by UN Security Council resolutions—a fact with no bearing on this theory's guiding principles). The motives of the US-led coalition were 'right' provided we accept—as we should—the temporary character of the occupation of southern Iraq by coalition troops; only the introduction of US troops into Iraqi Kurdistan without the prior authorization of the Iraqi government raises a doubt over US intentions. The Bush administration's refusal to march on Baghdad or to assist militarily the uprisings in the South or in Kurdistan is a plus, not a minus, in terms of the principles of states' rights. Finally, there is the question of 'correct means'. If such means are governed by international conventions embodying the rules of war, they pose few problems of justification to the US—extending even to the use of napalm or the bombing of civilian targets if such could be shown to be deliberate policy decisions by the authorities. Those who object to the use of certain means by the US usually do so on the basis of principles other than those of states' rights—for example, human rights or human-welfare principles.

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<sup>11</sup> See the *Amnesty Report 'Iraq/Kuwait'*, December 1990. It was impossible to verify such figures: the Iraqi government sealed off Kuwait from Western journalists on the grounds of military security in the face of an imminent allied attack. Thus Amnesty relied upon testimony from people who had left Kuwait. This led to inaccuracies, notably the allegation that the Iraqis had deliberately killed hundreds of babies by removing their incubators. This story, repeatedly used by President Bush to justify war preparations, turned out to be false: it was supplied by an agent of the al-Sabah regime, the previous rulers of Kuwait.



It is nevertheless the case that states' rights doctrine and its 'just war' corollary have no basis in liberal or democratic theory. Nothing in liberal, democratic or socialist political philosophy gives primacy to state power or state rights as such. These philosophies are, in fact, quite prepared to countenance the disappearance of this or that state, including its violent overthrow and the redrawing of territorial boundaries. Moreover, states have rarely acquired their supposedly sovereign rights and powers by democratic means. They have usually gained them through recognition by other states and the granting of a seat at the United Nations—a mechanism not necessarily tied to the assertion of democratic political principle. Indeed, a large proportion of existing, legitimate states assumed their form and rights through the direct impact of imperialism upon their region and subsequent recognition by the dominant imperial powers of the day. Iraq is a case in point, and so is Kuwait. The peoples' rights and will in both cases played no part, quite the contrary. In the case of Kuwait, sovereignty was achieved, above all, due to the strength of British military power and political influence throughout the period up to 1961 when international recognition was granted. Such recognition of state sovereignty is, in theory, a matter of international law, settled not by simple force but by legal title to territory. As it happens, Iraq had a very strong claim, in legal terms, to the territory of Kuwait.<sup>12</sup> But such claims are far from being decisive for liberal democrats or socialists.

It is significant that rights-based liberalism does not, in fact, speak with one voice on the key question of Iraq's denial of rights in Kuwait, although there is a common stress on the infringement of individual liberties by the Iraqi armed forces and police. (According to Amnesty's findings this infringement applied particularly to the imprisonment of former members of the Kuwaiti security forces and to the savage repression against suspected armed resisters or spies, with no respect accorded to the due process of law. Expressions of civic resistance—such as the refusal to use Iraqi number plates on cars—were also punished. Kuwaitis fleeing invariably suffered, though their welfare was probably not greatly affected. On the other hand, the sufferings of the fleeing or deported non-Kuwaiti settled population were often considerable.) But what about the injustice of the annexation itself? This did not actually involve a loss of civic and political rights for the majority because, being debarred from holding citizenship, they had no such rights under the al-Sabah regime. Yet it did mean loss of statehood for the minority with Kuwaiti citizenship. Many strands of individualist liberalism would be suspicious of any

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<sup>12</sup> Iraq's legal claim to Kuwait derived from the territory's integration into the province of Basra under the Ottoman Empire. The Ottomans never recognized British 'protection' of Kuwait and neither did the Iraqi monarchy set up by the British after the dismemberment of the Empire. (The British, incidentally, threatened to take the whole of Basra province out of Iraq unless the Iraqi government approved the treaty ensuring effective British control over Iraq, as Hanna Batatu explains in *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of its Communists, Ba'athists and Free Officers*, Princeton 1978, p. 189. The British also threatened to take the Kurdish area and Mosul out of Iraq unless King Faisal granted Britain control of the oil there.) In 1938 the Kuwaiti Legislative Council unanimously approved a request for Kuwait's reintegration with Iraq; in the following year the British suppressed an armed uprising which had this as its objective.

collective claims to statehood—true, say, of the Isaiah Berlin of *Two Concepts of Liberty*, and also of the Bertrand Russell of *Political Ideals*.<sup>13</sup> And a Wilsonian notion of national rights for all ethnic groups entails serious difficulties due to the problem of Arab national identity. Mill, on the other hand, did strongly defend national self-determination on the grounds of the right to political participation.<sup>14</sup>

The decisive principle for most liberal democrats here is, surely, not a liberal principle of justice or freedom but a democratic one: that of popular self-determination. The people of Kuwait were brutally and flagrantly denied the right to decide for themselves whether they wished to be integrated into Iraq. None of the Iraqi government's subsequent justifications for the annexation can override this fact. That the people of Kuwait had been living under an autocracy has no bearing on the matter. Thus on democratic principles alone the Iraqi government should have been opposed. But democratic principle, at least on Mill's grounds of political participation, requires respect for the rights of all the settled population of Kuwait, not just the minority granted citizenship (34 per cent) or the tiny proportion with voting rights under the al-Sabahs (some 7 per cent)—that is, before the abolition of such rights in the 1980s. If the Iraqis had organized a genuinely free referendum of all the people, and this had produced a vote in favour of fusion with Iraq, the attitude of liberal democrats might have been very different. But they did no such thing, and there is every reason to suppose that the great bulk of the settled population would, in any case, have voted against annexation. The Iraqi occupation of Kuwait therefore had to be opposed as a matter of political principle by both liberal democrats and socialists. The question then became a programmatic one: how to end the occupation, and what positive aims to advance in the struggle for self-determination. But this last goal, as we have seen, has a special twist because of Kuwait's unique character: the fact that the majority is denied any civil recognition. It must surely include what we take for granted in other cases of self-determination: namely, the right of all its settled residents to full citizenship.

A rights-based liberalism, privileging individual freedom, tends to underplay other critical political issues raised by the invasion. One of these was who should control and who should benefit from Gulf oil. This was central not only for Western policy-makers but also, of course, in the politics of the Arab world, and for liberal social egalitarians

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<sup>13</sup> See V. Held, S. Morgenbesser and Thomas Nagel, eds., *Philosophy, Morality and International Affairs*, Oxford 1974. This collection, evidently designed to present the authoritative liberal view on key issues, as interpreted by the editors of *Philosophy and Public Affairs*, includes an article on this topic: 'The Principle of National Self-Determination' by S. French and A. Gutman.

<sup>14</sup> The overwhelmingly dominant form of national consciousness in the Arab world throughout the twentieth century has been that of pan-Arab nationalism. The existence of an Arab nation was a belief shared by a spectrum of opinion stretching from King Faisal of Iraq to the Communist International throughout the 1920s and it included the Arabists in the British Foreign Office. However, the British concern for oil and for geopolitical security (the route to India) led them to an almost unique policy in the Gulf region, namely establishing or fostering states based upon tribal-dynastic identities. Kuwait under the al-Sabahs is a case in point.

and the socialist Left. Hundreds of billions of dollars worth of oil revenue was channelled by the Kuwaiti ruling families into Western investment—generating substantial profits, particularly in the UK and the USA. This income could have been used directly for economic development in the Arab world, to transform the lives of people in Amman, Damascus, the Nile Delta and, of course, Iraq.

Another issue, closely linked to the oil factor, was the social structure of Kuwait: that it represented, in the words of an authoritative study of the region, a form of 'new slavery' with a 'viciously reactionary character'.<sup>15</sup> Of the capital generated from oil for investment abroad, 90 per cent was concentrated in the hands of eighteen families. The manual work in the state, and much of the managerial and professional work, was carried out by non-Kuwaitis, especially Palestinians who had settled in Kuwait in large numbers since the 1950s. Yet such people, denied citizenship because they lacked a family connection with the territory traceable to the 1920s, were entirely without civic rights, despite forming the majority of the population.

Such issues would have to be traded off in some way against the injustices of the invasion, particularly in the context of evaluating the US-led military attack on Iraq and its consequences.<sup>16</sup> Yet they were mostly ignored in the mainstream public debate on the crisis, although one American senator quoted a remark in the *New York Times* that pithily encapsulated these concerns, dubbing Kuwait 'an oil company with a seat at the United Nations'.<sup>17</sup>

### Achieving Self-Determination

We will now examine the means that were available for ending the occupation of Kuwait against the yardstick of liberal theories of individual rights. The main options were: (1) a negotiated diplomatic solution; (2) popular resistance backed by external moral and material aid; (3) trade and other embargoes; (4) military action. A rights-based approach could, in principle, support any one of these options. But it could support option (4) only if this could be shown to be the sole realistic means for freeing the people of Kuwait. And even then this school would have to be convinced that the instrument chosen for war—the state(s) waging it—would not itself produce new political

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<sup>15</sup> Fred Halliday, *Arabia Without Sultans*, Harmondsworth 1974, pp. 431, 434.

<sup>16</sup> This trade-off would not simply be between socioeconomic rights and civil-political rights, but one between the civil-political rights of the majority of Kuwait's settled population and the minority. Liberalism, particularly in those forms hostile to the entire notion of collective national will, would surely weigh the civil-political rights of the non-Kuwaiti settled population of Kuwait very heavily. It is interesting to note that the major work of liberal theory of the last two decades, John Rawls's *A Theory of Justice*, simply does not address the issue of how to define a civil-political community. As Brian Barry observes: 'The odd thing about Rawls's treatment of the question how a particular community is to be defined for the purposes of a theory of Justice is that he does not discuss it . . . Rawls . . . may believe that he can dodge the question how the community is to be defined. But it seems to me that this is an arbitrary move which cannot be defended within the theory.' Barry, pp. 128–9.

<sup>17</sup> Quoted by Ralph Schoenman, 'Iraq and Kuwait, A History Suppressed', mimeograph, New York, October 1990.

oppression or injustice in place of the old. Utilitarian theorists might very well, on the basis of their factual analysis and prognosis, wish to rule out option (4) on the grounds that military force would inevitably create greater suffering than it would produce any gain for the people of Kuwait. I will assess each option in turn, in terms of both its realism and its consequences.

(1) *A Negotiated Diplomatic Solution*

The doctrine I have called 'states' rights' theory does not necessarily favour the diplomatic solution to ending an occupation because, by investing states with the qualities of persons, this doctrine may favour punishing an aggressor state for 'killing' a 'brother' state, as one punishes a murderer. Such punishment may be retributive, or may be justified on grounds of example or deterrence. But this approach is at variance with all humanist varieties of liberalism, let alone socialism, for it adopts a nihilist, or at least an agnostic, attitude toward the rights and welfare of real human beings, whether as individuals or communities.

For rights-based liberals (and for utilitarians), a negotiated solution must be a preferred means, provided, of course, that such a solution is possible and does not compromise on the issue of principle—complete freedom from occupation for the people of Kuwait. There *were* negotiations immediately after the invasion; and the Jordanian government, along with the PLO and Algeria, have always insisted that a negotiated end to the occupation of Kuwait acceptable to Iraq was possible. None of these early diplomatic efforts made progress. And it is vital to establish why not. There seem to be two reasons: first, because various Arab governments preferred to see Iraqi power destroyed; second, and crucially, because the United States put enormous pressure upon King Fahd and President Mubarak to prevent any negotiated settlement.

Baghdad then proposed that the UN should tackle the occupation of Kuwait and the Israeli occupations within the same terms of reference. This remarkable proposal corresponds exactly to a rights-based liberal-universalist approach to problems of political justice. It was not suggesting that nothing be done about Kuwait until the Palestinians' right to self-determination was tackled; rather, it was a call to the UN to apply a common principle to both occupations. Yet not only did the US administration bluntly reject the proposal, but it outlawed the idea of diplomatic negotiation altogether, opting instead for total military blockade and subsequent all-out attack. This repudiation of diplomacy demonstrated that the American (and British) policy-making establishment was far from allowing its political operations, following the Iraq invasion, to be governed by liberal, rights-based principles. Iraq repeatedly called for negotiations.<sup>18</sup> The UN Charter requires them. The US utterly ruled out any such diplomacy. The war party in the US and UK denounced negotiations with Iraq as 'appeasement', but this analogy was inappropriate. For the negotiations

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<sup>18</sup> The American rejection involved a classic replacement of political principle with legal metaphor by insisting on the idea that two separate 'cases' were involved.

that produced the Munich Agreement opened Czechoslovakia up for German conquest; it was a case of negotiating for German *expansion*. The negotiations over Kuwait would have been precisely on the terms for Iraqi *withdrawal*.

Some say the Iraqi offer was insincere, but this view is not credible. After all, had the offer been taken up, Baghdad would have pulled off an unparalleled political triumph in the Arab World as the leadership that had achieved a great political victory for the Palestinians—ample compensation for withdrawal from Kuwait. Indeed, it was precisely on these grounds that the US rejected any action on Palestine: Saddam Hussein would gain from it. But this was a price the US should have been prepared to pay, for its failure to support justice for the Palestinians for twenty years. Rights-based liberalism is not governed by considerations of tactical advantage for a given political leadership that adheres to liberal principles of justice. It can be argued that the Iraqi state was rightly denied any gain in political status after its action in Kuwait. It is surely true that the contest for positional goods like status and political prestige in the hierarchy of states is something liberals should deplore. But a principled liberalism concerned with justice for all human beings has no interest in tailoring its policy to the apportionment of such goods or their withdrawal from one state or another. That entire approach is a relic of states' rights thinking.

The view that attacking Iraq would have the salutary effect of deterring future aggression is unconvincing. The most it would do is demonstrate that aggression without US approval does not pay, for we have abundant evidence that aggression or annexation *with* US approval does pay (in the case of the US—Panama, Grenada, and in that of its allies—Morocco, Israel, Indonesia, Turkey and so on).

The Iraqi offer was extremely embarrassing to Washington because the US had been supporting *injustice* for Palestinians. But a principled, rights-based liberalism rejects any relativization of the right to political freedom. That Saddam Hussein had proposed a joint solution to the questions of Kuwaiti and Palestinian oppression should, therefore, have strengthened the case for the Baghdad offer, rather than weakened it.

## (2) *The Resistance Movement*

It might be argued that the US should be condemned for its failure to negotiate, but that, given this failure, we had no choice but to support the blockade and/or all-out attack. This logic assumes the existence of only one kind of force in the world: state military force. But as the Vietnam War demonstrated, this is not the case. Popular-resistance movements are another, potentially very powerful, agency for achieving national freedom. Furthermore, in almost every conceivable instance, this agency is far preferable in ethical terms to the appalling destructiveness of state military force.

The importance, indeed the primacy, of popular-resistance movements for political freedom is given especial emphasis by John Stuart Mill in his article 'A Few Words on Non-Intervention', written in the same year as 'On Liberty'.<sup>19</sup> For Mill, popular resistance to achieve liberation is superior to external military intervention not on the utilitarian ground that the latter may be more costly or may not achieve political freedom, but because a people must 'become free by their own efforts'. In this instance we find that the option of external pressure and support for popular resistance was simply excluded in line with states' rights ideology—which expressly precludes all agencies other than states from having a legitimate role in international politics. There is thus a presumption in favour of state action.

A popular-resistance movement in Kuwait did exist; and it had the support of significant groups within Iraq for a struggle for self-determination. And if, for once, such a movement had been given political/moral support from the West, there is every reason to expect that a powerful political force could have been built. (The Palestinian *intifada* against Israeli occupation is a striking case in point: despite military subjugation, killings, torture, detention without trial, reprisals against civilians, and mass expulsion, the Palestinian resistance, with a population about the size of Kuwait, has become a powerful political force. What is more, it has achieved this in the teeth of permanent ferocious hostility toward the 'terrorist' PLO from the world's most powerful states, but also in the face of majority Israeli hatred of the movement.) The Iraqi opposition rejected both Saddam Hussein's forcible annexation of Kuwait and the bombing and invasion of their country. In March and April they showed that they had considerable forces in Iraq. In the context of a commercial embargo targetted on the Iraqi military and oil industry, this opposition could, in conjunction with Kuwaiti resistance and pressure from the Arab world generally, have greatly increased the negotiating pressure on the Baghdad regime.

However, the Kuwaiti resistance movement would have had to confront two serious obstacles. The first was the social structure of Kuwait under the old al-Sabah regime; the second was Kuwait's oil wealth. The necessities of popular resistance would have forced the movement to call on the people of Kuwait to join a common struggle. This would not have been hard vis-à-vis the Palestinians since they too face occupation, but it would also have required a programme of civil rights and social justice for all the settled residents of Kuwait—an end to the old helotry. The resistance would also have had to advance a blueprint for the future use of Kuwaiti oil revenues. But far from being a problem, this could have been their political trump: the redirecting of oil revenues away from the Anglo-American financial circuits into economic development for the entire Arab region, including Iraq, Egypt, Jordan and Syria. This would, of course, have reduced—to put it mildly—the enthusiasm of the Bush and Major

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<sup>19</sup> J.S. Mill, 'A Few Words on Non-Intervention', in J.S. Mill, *Dissertations and Discourses* Volume III, New York 1873, pp. 238–63.

administrations for the resistance, undoubtedly persuading those tied to the al-Sabahs to break with the movement, while the Kuwaiti ruling families retired to their residences abroad; but such a programme would have guaranteed the existing living standards of Kuwaiti citizens. It is clear, however, that this popular-resistance strategy would have been anathema to the US and UK governments, not to speak of the Saudi royal family, threatening to undermine everything the West was seeking to defend in the region.

### (3) *Economic Embargo and Military Blockade*

I have argued that a diplomatic settlement fully satisfying rights-based liberal criteria of justice was perfectly possible. Some, however, may hold that Iraqi offers of a negotiated settlement—immediately after the invasion and then following annexation—were extracted only under the coercive pressure of embargoes and blockade. This may be true. Possession of Kuwaiti oil certainly conferred wealth and power that the Ba’athist regime would have preferred to retain. And even though the regime itself had not engaged in a long internal propaganda campaign, doubtless many Iraqis had long believed that Kuwait should belong to Iraq—thereby adding nationalistic support to the case for annexation. Yet there is no exclusivity of options between embargoes, exploratory negotiations and support for the Kuwaiti popular-resistance movement and Iraqi opposition. But the use of what has come to be known by the blanket term of ‘sanctions’ requires careful scrutiny.

First, we should note the peculiar terminology. ‘Sanctions’ in this context simply mean measures to enforce a command: there can be military or non-military types of sanctions. However, within public discourse in Britain during the Gulf crisis a semantic slippage occurred: the word ‘sanctions’ came to mean all measures short of direct military attack on Iraq—including a full-scale blockade of the country. There was undoubtedly some strategic justification for counterposing ‘sanctions’ to ‘war’: the anti-war movement wished to maximize the coalition opposed to military attack, rightly seeing the decisive task as prevention. Nevertheless, it is incumbent on us to examine very carefully the various measures grouped under the heading of ‘UN sanctions’, and to register the qualitative difference between various embargoes and a military blockade of Iraq.

Two kinds of embargo possessed a powerful rationale: that on oil exports, denying the Iraqi government the possibility of profiting from Kuwaiti oil and facing it with a substantial cost for its continued occupation, and that on arms supplies to Iraq. Arguably there was a strong case for a total embargo on Iraqi exports. But all such measures were different in kind from a full-scale blockade in two key respects. First, the blockade was a form of siege warfare against the civilian population of Iraq and Kuwait. Supplies of food and medicines, specifically excluded from the earlier embargo, were interdicted by the blockade, an escalation that was bound to hurt the civilian population in a country so dependent on trade. And secondly, the blockade involved, and legitimated, the build-up of US military forces for an all-out attack.

And what was the purpose of such a blockade as an instrument of pressure on the Iraqi government? If American demonizing of the Ba'athists was accurate, then this regime was presumably indifferent to the sufferings of its people. Assuming that the regime did seek and require some degree of popular consent—a more realistic assumption—the blockade remained an indiscriminate weapon likely to harm the poor, the elderly and the infirm. As an intervention within Iraqi politics it was likely to draw politically aware Iraqis closer to the regime, which in turn could—and did—attack the blockade as a savage weapon against the most vulnerable people.

(4) *The US-Led Attack*

Even according to classical just-war theory the impossibility of other means—popular resistance, embargoes, negotiations—did not produce adequate grounds for an attack on Iraq. Two further conditions were necessary: the attack should confine itself to those means minimally necessary for the liberation of Kuwait; and the 'intentions' of the attackers must not, in turn, entail injustice. The US administration did seek to legitimate its war against Iraq in such terms as the attack was being launched. Of course people were well aware that the American state was launching the war for reasons other than political principle: US interests in the region were directly involved (interests often reduced simply to 'oil'). But many were led to assume that such interests did not conflict with the US military acting as the instrument of justice responsible for administering the minimum force necessary to liberate Kuwait.

Once again, however, we find a tension between states' rights theory and liberal approaches based upon the inviolability of the person. The former requires of good intentions little more than a renunciation of territorial acquisition, while its prohibition on means applies only to the deliberate slaughter of non-combatant civilians. The latter, on the other hand, has great difficulty in squaring its injunction against violation of the person in domestic life with the total relaxation of this injunction in the external military activity of states. No doubt there exist supposed solutions to this problem by anti-consequentialist rights theorists, but such thought is now largely discredited. Rights-based theorists who do recognize the need to take consequences into account must justify the attack by implicating Iraqi conscript soldiers in their government's unjust act of invasion. This seems a difficult argument to sustain, given that the Iraqi soldiers were not volunteer professionals—indeed many risked death trying to evade the draft. (American and British forces, on the other hand, did comprise solely professional soldiers.)<sup>20</sup>

As the war progressed and it became clear that more destruction was being wrought than was necessary for liberating Kuwait, efforts were

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<sup>20</sup> The anti-consequentialist argument—that you should judge an action without regard to its consequences—has been largely discredited among liberal ethical philosophers concerned with public policy. See Robert E. Goodin, *Philosophy and Public Policy*, Chicago 1983. Rawls displays an uncharacteristic irritation in dismissing anti-consequentialism in *A Theory of Justice*.



made by military public-relations personnel to justify this excess by deploying the concept of 'collateral' damage. But in the war's aftermath it was impossible to treat the US war effort as having been governed by the means-rationality of liberating Kuwait: it became clear that the excess destruction was of a qualitative, rather than quantitative, nature. We must remind ourselves of what in sum the military effort against Iraq entailed: (a) A total military blockade. (b) Bombing of the crucial life-support systems for the entire population of Iraq—water and energy supplies, sewage systems—all of which produced what the UN's deputy secretary-general called a 'near apocalyptic catastrophe for the people of Iraq', involving starvation and epidemics of killer diseases. (c) Destruction of the vital irrigation systems on which Iraqi agriculture depends. (d) Bombing of the country's industrial and transportation infrastructure, driving it, effectively, back into a pre-industrial era. (e) Refusal of Baghdad's offer to withdraw from Kuwait, made over a week before the ground war started—an offer welcomed by some European NATO states but discounted by the US. (f) Rejection of the Soviet peace proposal, accepted by the Iraqi government, before the ground war was launched. (g) 'Collateral' damage: the killing of civilians, not only in the Baghdad bunker but in the proximity of bridges and other non-military installations far to the north of the so-called Kuwaiti 'theatre of operations'. (h) Use of weapons of mass destruction in order to achieve wholesale extermination of the Iraqi conscripts in the Kuwaiti theatre: napalm, cluster bombs, and above all the 'fuel-air explosive' dubbed in the US the 'poor man's nuclear weapon'. (i) The 'turkey shoot' at the Matla Pass and prosecution of a war of annihilation against forces that scarcely returned fire. It is simply beyond credibility that 'means' of this sort can be justified within any form of rights-based liberalism as commensurate with the end of freeing Kuwait.

There was also the 'liberation of Kuwait'. Only the narrowest Grotian view, which interpreted 'liberation' as the return of property title to the Emir and his family, could present the defeat of Iraqi forces as a liberation for the people of Kuwait. The rule of the al-Sabahs and some eighteen satellite clans is dependent upon their suppressing democratic, constitutional reform. Kuwaiti oppositionists seeking the return to a constitution far short of Western liberal democracy have been harassed, threatened, and even subjected to assassination attempts. And the liberal-democratic principle of civil rights for non-Kuwaiti residents has been rejected in favour of a regime of terror, torture and killings, directed especially against the Palestinian community. According to the PLO, by mid-March, three weeks after the cease-fire, two hundred and fifty Palestinians had been killed in Kuwait. The New York-based Middle East Watch had by the end of March documented over one thousand cases of torture, forty resulting in death. By late April, US government files recorded three hundred and fifty Palestinians missing—feared dead at the hands of the Kuwaiti government.<sup>21</sup> These actions were overwhelmingly the work

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<sup>21</sup> See the article by Robert Block in *The Independent*, 21 March 1991, p. 10; and the articles by Robert Fisk and Robert Block in *The Independent*, 27 April 1991, p. 1. See also Michael Simmons in *The Guardian*, 19 April, p. 11.

of the security forces, with the direct participation of members of the al-Sabah family. An epidemic of rape attacks on non-Kuwaiti women residents has heralded the reimposition of a 'helot state' regime of severe social oppression.<sup>22</sup> And the government announced plans, even before it had returned to Kuwait, for the expulsion of about half a million formerly settled Arab residents of Kuwait, mainly Palestinians.<sup>23</sup> And all this is, of course, combined with the re-establishment of the grossly inequitable circuit of oil capital from Kuwait into the Anglo-American banking systems.

Such were the direct consequences of the US decision to operate through the al-Sababs in Kuwait. Their aim since late August 1990 was not the restoration of the constitutional order, far less political support for democracy, but rather full political backing for this dynastic autocracy. Not a word was spoken by the US administration on behalf of the political rights of non-Kuwaiti residents. What is more, US special forces were initially working with the Kuwaitis in their sweeps through Palestinian districts and were present in police stations while torture was being practised, often, allegedly, quite indiscriminately on young Palestinian men. It was for these ends, then, that the killing and destruction in Iraq was to be justified.

### Liberal Means versus American Goals

I have been prepared so far to go along with the assumption that the American (and British) states may *in principle* have constituted instruments for implementing liberal principle in the Gulf crisis. The predominance of realist moral precepts in the core executives of these states has been noted, as has the evident fact that the administrations were straightforwardly pursuing state interests. Discussion of their behaviour has, nevertheless, been confined to the means of liberating the people of Kuwait and has merely noted how their actions have (repeatedly) departed from preferred liberal norms. But measured against these states' actual conduct in the war this analytical and evaluative framework simply breaks down. It is therefore necessary to re-examine the facts of Desert Storm and try to analyse what its results say about the goals of the US-led operation.

The central puzzle for many has been the combination of two elements: (1) A drive toward war (as opposed to pursuit of a negotiated solution) and subsequently to a crushing military victory, including the wholesale destruction of civilian life-support systems; and maintenance of the blockade (excepting food) after the end of hostilities. (2) The failure of the US to press home its military victory to the occupying of Baghdad and overthrow of the regime or, once the war was over, to support the rebellions in the Shia South and in the Kurdish North. These elements appear inconsistent: the destruction of Iraq

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<sup>22</sup> See *The Observer*, 28 April 1991.

<sup>23</sup> The Kuwaiti government has subsequently declared a reduction in the number of Arabs (mainly Palestinians) it will expel. Palestinians have formed a large proportion of the managerial and professional middle classes in Kuwait, in the public as well as the private sector, and they cannot easily be replaced.

during the war suggests a drive to topple the regime; behaviour afterwards suggests support for it. The attack on the civilian infrastructure seems gratuitous and aimless. Only through a political analysis of US interests and goals can we make sense of this seeming inconsistency.

United States rejection of a negotiated solution and the option of economic sanctions plus support for the Kuwaiti resistance cannot be deemed an accident. Nor can US dismissal of the Iraqi withdrawal offer and the Soviet peace proposal before the land war began. All were deliberate acts of policy, but with what objectives in mind? One of these can be expressed crudely, and rather misleadingly, as the 'oil factor'—a long-term structural interest; and the other has to do with global factors not directly related to the Gulf or Middle East.

### *The 'Oil Factor'*

Since the late 1970s the US has made explicit its determination to exercise overall influence in the Gulf, laying down the parameters for all political forces in the region through the so-called 'Carter Doctrine'. According to Zbigniew Brzezinski, the doctrine's architect, US interests were three-fold: first, guardianship of the oil industry 'with all its political, economic and military ramifications'; second, keeping the USSR out; and third, protecting 'the moderate states in the region, which could be toppled by local upheavals, as happened with Khomeini's ascendancy in Iran'. This latter threat is 'perhaps the most elusive, and yet potentially the most dangerous' to US interests, whether the attack 'be from the left or from Islamic fundamentalism . . . As the Iranian revolution graphically demonstrated, it is very difficult for Western policy-makers to develop an effective response once new and powerful social, religious and political attitudes gain widespread acceptance, the hold of a leader or government begins to slip, and a crisis erupts.'<sup>24</sup> These three interests form a hierarchy of US concerns: at the apex is 'oil'; from this derives the commitment to the 'moderate' regimes and to excluding the USSR.

Viewed as a purely commercial matter, oil interests could fit easily with the liberal objective of removing Iraq from Kuwait (thereby ensuring that Iraq did not control too high a percentage of supply and thus carry too much weight in the oil market). However, one might wonder why a simple shift of ownership would provoke the US into sending half a million troops against Iraq: after all, sellers of oil need buyers, and the long-term price of Middle East oil is dictated by the price of substitutes, and thus has a limited range of fluctuation.<sup>25</sup> But control of Middle East oil is vital for the Americans in two other

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<sup>24</sup> Zbigniew Brzezinski, 'After the Carter Doctrine: Geostrategic Stakes and Turbulent Crosscurrents in the Gulf', in H.R. Sindelar and J.E. Peterson, eds., *Crosscurrents in the Gulf: Arab, Regional and Global Interests*, London 1988, pp. 2, 3.

<sup>25</sup> This is not to deny the importance of such fluctuations for domestic macro-economic management in Western Europe or Japan. And any power able to control such fluctuations can exert a significant influence on, for example, attempts to harmonize economic policies among the members of the EC in preparing the way towards monetary union in Western Europe. This control thus gives political leverage over other governments.

respects: first, the double economic value of oil revenues, and second, the importance of oil control for US global political power.

Gulf oil provides a very large international market for important sectors of advanced capitalist industry (construction, engineering, military equipment and so forth) and this is overwhelmingly a *state* market, since the revenues are in the hands of the ruling dynasties. Therefore the power that exercises a dominant *political* influence upon the sheikhdoms in effect governs the market. Secondly, oil revenues become great lakes of rentier capital, the flow of which, influenced critically by political factors, is vital for the entire structure of global finance-capital and banking interests. And thirdly, oil money talks politics directly, through the uses to which it is put. This is the case, for instance, right across the world—especially the Islamic world—with Saudi money, which cements regime after regime, from Pakistan to Morocco. And the passages of that money are ultimately controlled by the power which defends the Saudis—the USA.

If the regime of Saddam Hussein had controlled the flow of much of that oil capital, dozens of countries around the world would have had a simple choice between two world politico-economic authorities: on one side, the IMF–World Bank, the ‘official’, American-controlled institution governing the world economy; on the other side, Baghdad, the undoubtedly unofficial but equally efficacious centre for capital and loans. And would this investment capital have flowed as readily through the American banking system and the City of London? Who can tell? One certainty is that political financing by a Ba’athist regime would not coincide with the funding of Islamic theocratic or dynastic currents. The same factors would apply to the Iraqi-controlled market for Western industrial products. Directly threatening to US interests in such a scenario would be the impact on the dollar; for Saddam Hussein might have preferred to denominate his capital in Deutsche marks or yen. As the world’s biggest debtor, with its debt denominated in dollars, the US economy would clearly be vulnerable if a significant proportion of Middle East oil revenues were switched to another currency. For the United States to concede such political power to Saddam was unthinkable.

And finally, the control of oil supplies to both Japan and the countries of Western Europe has always served the US as a crucial political lever in relations with these states. They are, after all, more reliant upon Middle East oil than is the United States, and would undoubtedly increase their independence if their sources were not under the latter’s ‘protection’ but under that of a regime not itself dependent on the US.

These oil factors—the revenue market, capital, and control of the ‘allies’ supplies—make direct political suzerainty over the region by the United States essential. To shore up its own political position in the Gulf and that of its client regimes like the Saudis it was necessary for the US to demonstrate its supremacy over Iraq, to repudiate all diplomatic discussions and negotiations, to ban Arab or West European regimes from resolving the crisis peacefully, and finally to dictate to Baghdad: either climb down humiliatingly before your own

population and the Arab world or we will crush you. A negotiated end to the Iraqi occupation would have suggested US weakness.

The features of the Iraqi state that threatened US dominance were quite different from those stressed by liberals—the dictatorship, the cult, the repression, torture and killing of oppositionists, the use of chemical weapons against the Kurds in Halabja in 1988. The threat lay primarily in the fact that it was not a socially weak and subaltern dictatorship tied to the West through the nature of its ruling class, as was the case with both the Shah and the Saudis, and indeed the Egyptians. The rentier/comprador character of such dictatorships and the social gulf between them and their lower middle classes makes them easily controllable by the West. Ba'athist Iraq, with its ferocious disciplines over the governing elite itself, was different: it sought to base its power on the capacity to mobilize politically its domestic population behind transformative goals, unlike any other regime in the Fertile Crescent. It was not, therefore, dependent on Western powers to maintain its internal security.

The regime's mobilizing capacities were demonstrated after the invasion of Kuwait. Saddam Hussein was not especially popular as an Arab leader, but Baghdad's post-occupation calls for social justice against the reactionary sheikhdoms and plutocrats of the Gulf evoked a powerful response. A Professor at the American University in Washington D.C. who toured the Middle East after the invasion of Kuwait reports that Iraq raised 'the class question, the "haves" and "have nots" . . . on a pan-Arab level as it never has been raised before . . . [Saddam] managed to tap into tremendous resentment, and this has immense medium and long-term implications. The national question remains to the fore, but the connection with the class question has been made . . . [E]ven the press financed and controlled by the oil states in the region and in Europe [covered] the fabulous oil-wealth of individuals; tales of corruption, gambling and squandering. The corresponding impression is that even if corruption does occur on some scale in Iraq, the surplus has largely been plowed into the country for its development.'<sup>26</sup> Not that the Ba'athist regime was seeking to stimulate popular movements to overthrow the sheikhdoms. But it was threatening to pull these regimes within its regional sphere of influence as a means of insuring them against subversion from below; none of these ruling groups, including the Saudis, can feel safe in their own societies without an outside protector. Saddam Hussein could no doubt have lived quite happily with the sheikhs and even the Saudis in place, but only on his terms—a potential challenge to the established role of the US. It therefore follows that a crushing US military victory over Iraq, with no concession to negotiation, was intended to demonstrate unequivocally to all groups in the region who ultimately controlled their destiny and who did not.

#### *US Global Power Interests*

This does not explain, however, why the US administration repudiated

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<sup>26</sup> See the interview with Samih Farsoun in *Middle East Report*, no. 168, January–February 1991, pp. 5–6.

both the offer to withdraw from Kuwait ten days before the ground war started and the subsequent Soviet peace plan, in favour of bombing Iraqi forces in the Kuwaiti theatre and a ground campaign—a response in no way demanded by the interests set out above. To understand US aims we must, then, appreciate a further factor fueling the Bush administration's desire for a crushing military victory: the need for a 'demonstration war'. Let us note two repeated themes of President Bush: the New World Order and the Vietnam syndrome. Both signalled global motivations for the war. And as far as the Vietnam syndrome was concerned, the US had to demonstrate that it was no longer just a nuclear super-state with feet of clay when it came to fighting a conventional war against an enemy in the South. It had to show the will and the military capacity *on the ground as well as in the air* to prevail against a substantial conventional force. But to achieve this the US needed to effect by air the liquidation of Iraqi forces in and around Kuwait, in order to make the ground war safe for a largely unblooded US army, rebuilt since the Vietnam debacle. The outcome, a triumph for all wings of US conventional forces, was to make America's main power asset, its military capacity, once again central to world politics.

The features of the Iraqi regime described above also partly explain why so much military effort was directed towards the destruction of civilian life-support systems. To understand this strategy fully it is necessary to consider the intended political consequences: namely, to make the Iraqi regime that emerged from the war utterly dependent upon the US without the need for military occupation. The success of this policy is already apparent. Throughout Iraq people are now suffering malnutrition, starvation and various epidemics, including cholera. To deal with the most serious and urgent damage to its infrastructure the Iraqi government needs equipment it does not possess. It is unable to export and it lacks funds to purchase even necessary food imports. In short, the only sphere in which it is not severely crippled is that of internal military security. This dependence on a largely American-controlled external environment would not have occurred without the destruction of the framework of civilian life. What, then, are the objectives of this subordination to American power?

One purpose is spelt out in the allied peace terms: the destruction of Iraq's capacity to strike at Israel. But a second is to destroy the dynamism of the Ba'athist regime and hence the domestic source of its independence from the US, thereby rendering it as beholden to the US as the ruling groups in the Gulf states. The strategy is, in sum, to guarantee the regime's subservience to the US and yet simultaneously to maintain Iraq as a coherent political force in the region. This brings us to what is seemingly the most incoherent aspect of US policy: did it want, during and after the war, to overthrow the Baghdad regime, or to support it?

Much confusion about US policy here derives from a failure to distinguish the Ba'athist regime from its leader. The Bush administration has had one key policy objective: to achieve Saddam's downfall. The official Iraqi and Arab understanding of Desert Storm must be

brought into line with US interests in order to prevent any possible future Nasserization of American action posing a serious challenge to the US in the Arab world. The US desperately needs a leader in Iraq who, while obviously not supporting their action, could declare Saddam Hussein's policy an unjustifiable mistake, and one directly responsible for the attack. Without the removal and discrediting of Saddam *by Iraqi elements* Arab politics may still polarize around the stance taken on Desert Storm. In addition, the successful management of domestic public opinion in the West requires the disappearance of the 'Monster of Baghdad'.

Yet to destroy the Ba'athist regime with its hundreds of thousands of supporters in the state apparatus and satellite organizations is quite another matter. That would have meant backing the only popularly rooted alternative political force in the Arab part of the country: the Shia opposition grouped within the Supreme Council of the Islamic Revolution and the Iraqi Communist Party. The US supports neither of these; and since the rebellion in the south of Iraq, which started on the day of the ceasefire, was led by Islamic currents, the US sanctioned its suppression by Iraqi security forces. The reason for this lies, as Brzezinski stressed, in the fact that the American administration perceived Islamic fundamentalism to be a mortal threat to the Saudi regime and therefore to US dominance within Saudi Arabia. This is not a specifically Shia threat; the danger lies, rather, in the fact that the Saudi regime is held in power by its claim to lead and guard Islam. This claim had been seriously undermined before this Gulf crisis by the Iranian example, one whose Islamic credentials are more authentic than the evidently rotten Saudi dynasty, and which is certainly more popular and politically pluralist. The Saudis' acceptance of half a million US troops into their country has shocked the Islamic fundamentalist current in Saudi Arabia to a degree not registered by Western public opinion. An Islamic regime in Baghdad—and one with democratic legitimation in the country, given the majoritarian status of the Shia community—was not an acceptable prospect for the Bush administration. Precisely the same factors had led the US to shun the united Iraqi opposition: Kurdish support for a Shia-led government in Baghdad would have been a disastrous political outcome to the war for American regional interests.

The position in Kurdistan has been more straightforward for Washington since the link between the Kurdish and Shia leaders was broken. The Kurdish nationalists on their own cannot take power in Baghdad. But the stronger their representation within a formally unified Iraqi state, the more dependent the Baghdad regime is on whoever controls the Kurds. There has been a long political association between the US and the Barzani, tribalist wing of the Kurdish movement. The CIA was evidently giving covert support to the Kurdish *peshmerga* forces at the end of the war.<sup>27</sup> On the other hand, Saddam Hussein's agreement with the Kurdish leaders, Talabani and Barzani, is a negative development for the US. If the agreement is finalized, it could strengthen the very ruler they wish to topple. The

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<sup>27</sup> See George Joffe, *Marxism Today*, May 1991.

Kurdish leaders have an incentive to make a deal with Saddam unless they are absolutely convinced of a long-term US guarantee of their power position. The question at the time of writing is whether the US is ready to make that commitment, thereby producing a de facto splitting of Iraq, with Kurdistan 'protected' by Turkey and their own military forces (while maintaining the de jure unity of Iraq, Lebanon-style), or whether the Bush administration will draw back in the face of such a dangerous, open-ended commitment.

Not one US political objective bears any positive relation to liberal criteria of justice or freedom. The aim of demonstrating American dominance in the Gulf would be classed as wholly unjust by rights-based theory. The same would apply to the aim of asserting US world leadership through a demonstration war. Protecting Israel against the Arab states and against the Palestinians' claims over annexed and occupied territories cannot be justified. The rhetoric of humanitarianism towards the Kurds bears no relation to American objectives in the north of Iraq; and the linchpin of their political strategy in the region—protecting the Saudi regime—is a goal that necessarily entails the suppression of liberal and democratic rights.

There is only one conclusion to be drawn from this analysis—a very disquieting one for rights-based liberalism. It is that the entire framework within which liberal discourse situates the American attack on Iraq does violence to reality: it subsumes American behaviour under the category of an instrument—albeit one among other possible instruments—of liberal justice following the invasion of Kuwait by Iraq. Yet American state power has been and is being used to support and to further injustice and continuing oppression in the region. We are thus obliged to adopt a radically different framework for analysing the Gulf crisis from that with which we began: a framework for evaluating the injustices of the Iraqi regime, but also for evaluating those of the far more powerful United States and its allies. Those who present the US war drive as a force for liberal values and a move toward restoration of justice in the Gulf are complicit in the carnage and destruction wrought by Desert Storm to buttress a regional regime of oppression and economic exploitation.

## II Understanding Modern Iraq

Western liberal public opinion has sought to understand the modern Iraqi state through one interpretation above all others: that of Samir al-Khalil in his book *The Republic of Fear* (1989) and in a number of recent articles.<sup>28</sup> Although Khalil's book has been used to legitimize the war against Iraq, it was of course intended for no such purpose, being a serious and important reflection on issues well beyond the fate of Iraq; it is the work of a humane ex-Marxist sickened by his experiences of the Ba'ath and seeking a better future for his people. Articles written in response to recent events show Khalil to have been shocked by the slaughter perpetrated by US-led forces. Nevertheless,

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<sup>28</sup> Samir al-Khalil, *Republic of Fear*, London 1989; see also his article in the *NYRB*, 11 April 1991 (published in *Liberation*, 18 April 1991).



Khalil's study is deeply rooted in the tradition of classical Anglo-American liberalism.

Khalil organizes his history of modern Iraq around two sociopolitical paradigms: one is the monarchist regime of British times, and the other is 'totalitarian' Ba'athism, described essentially as 'Stalinist' on account of its political structures. This model is combined with another: that of traditionalism versus modernization and modernity. Within this conceptual framework he constructs his pathos-filled equations on modern Iraq: a modernizing monarchy committed to transforming a traditionalist society, but ineffective because opposed to state-forced change; and, subsequently, great social transformation by the Ba'athist regime at the cost of brutal totalitarianism.

In the following analysis of modern Iraq—in part a critique of Khalil's study, of its political and ethical presuppositions and value-judgements—I use a broadly chronological frame. The first section considers the period of monarchical rule: from the British-imposed regime of Faisal I to the revolution of 1958. The second section follows the post-revolutionary narrative from the first decade of military rule, through the early state-building and reformist period of Ba'athist rule in the seventies, to the regime of Saddam Hussein, turning finally to an appraisal of the disastrous war with Iran and the annexation of Kuwait.

### The Monarchy and Imperial Design

Khalil presents a very favourable evaluation of the Hashemite monarchy imposed on Iraq by the British at the start of the 1920s. Faisal, he says, was 'prepared to do virtually anything in the effort to encourage . . . [the Iraqis] to change themselves and then society, except to use force.' There is, however, a slippage here: namely, the implication that the monarchy adhered to the liberal principle of restricting the use of force to the protection of individual, or at least traditional, rights, though strictly speaking Khalil only claims an absence of forced *modernization*. Commitment to historical accuracy should have prompted him to add that in fact excessive force was used against the people.<sup>29</sup> Initially, to impose the regime on the people of Mesopotamia the British inflicted 98,000 casualties,<sup>30</sup> gassing and bombing the local resistance into subordination. Although he bore no direct responsibility, Faisal willingly accepted the leadership of a state constructed in this way. Most historians agree that Faisal's regime, imported from Mecca, had no significant constituency of popular support, and that, consequently, throughout the 1920s and 1930s, the monarchy was engaged with the British in fighting one revolt after another.

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<sup>29</sup> Khalil, *NYRB*, 11 April 1991. There is actually a further slippage: Khalil's belletristic separation of the person of Faisal I from his political regime, and consequent evasion of a factual account of what Faisal's regime did, in favour of an inquiry into what Faisal's supposed personal inclinations and motives were. But Khalil's readers could not be expected to spot this and would take his remarks to mean that the monarchy as a *political regime*, decisively controlled by the British, had a progressive, modernizing project.

<sup>30</sup> Fran Hazelton, 'Iraq to 1963', in *CARDRI, Saddam's Iraq: Revolution or Reaction?*, London 1989, p. 3.

Let us take as our source not some leftist anti-imperialist but the conservative, anti-nationalist Elie Kedourie. He writes that ‘The North as a whole had to be coerced by the Royal Air Force’ into submission,<sup>31</sup> a more or less continuous task: ‘Bombing . . . until the very eve of independence alone subdued them [the Kurds].’<sup>32</sup> In 1931 the Kurdish leader Sheikh Mahmud started another rebellion. The British decided that the Iraqi army itself should tackle this so that it might be ‘blooded’ before independence. However, their action was unsuccessful, so the RAF had to intervene.<sup>33</sup> This pattern of revolt and bombing was reproduced in the Shia South—one rebellion after another having to be put down during the 1920s and 1930s.<sup>34</sup> For his part, Khalil extends his support for the regime past Faisal’s death, through the 1930s and beyond. Kedourie records the crushing of protests against military conscription as late as 1936: ‘the killing, it seems, was indiscriminate, and old men, women and children were the victims of machine-gunning and bombing from the air’; and a revolt in 1937 over agrarian issues and conscription was ‘put down with the help of indiscriminate aerial bombing’.<sup>35</sup> The regime responded to this insurgence by forcibly expelling Shia religious leaders on the grounds that they were Persian.<sup>36</sup> The monarchy also introduced the public hanging of political opponents, the first chosen by Nuri es-Said being the leader of the long-established and popularly based Communist Party. He and others were strung up in a Baghdad square for allegedly continuing political activity while serving a three-year jail sentence. Kedourie summarily characterizes the monarchy as despotic, its record ‘full of bloodshed, treason and rapine’; ‘however pitiful its end’, he remarks, ‘we may know that it was implicit in its beginning.’<sup>37</sup> A conclusion that renders Khalil’s claim for the virtues of monarchical rule somewhat hollow, to say the least.

Khalil develops his analysis by counterposing the notion of a modernizing British–Hashemite state with that of a very traditional society—a world of ancient Mesopotamian institutions commanding deep popular attachment. Now it is certainly the case that the British brought modern technological culture to Iraq and that the Hashemite regime—to the irritation of the British—spread some modern, pan-Arabic nationalist ideas, particularly through the efforts of people like Husri in education. But to make sense of the respective roles of the British and of the Iraqi monarchy they controlled, it is necessary to go beyond the simplifying contraposition employed by Khalil and to examine each element in some detail.

The thesis that the British represented a dynamic modernizing force fits a general defence of the progressive aspect of British imperialism

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<sup>31</sup> Elie Kedourie, *The Chatham House Version and Other Middle-Eastern Studies*, London 1970, p. 256.

<sup>32</sup> *Ibid.*, p. 258.

<sup>33</sup> See the dispatch from Sloan, Baghdad, 11 June 1931, 890g.00/1501, quoted in Kedourie, p. 438.

<sup>34</sup> Kedourie, p. 250.

<sup>35</sup> *Ibid.*, pp. 237, 238.

<sup>36</sup> *Ibid.*, p. 250.

<sup>37</sup> *Ibid.*, p. 239.

—an argument used, perhaps rightly, with regard to, say, India. Kedourie, for example, greatly admired British imperial administration. Khalil, for his part, extends such admiration to British policy in Iraq, writing: 'The British mandate and the institutions it gave rise to in Iraq, were the agents of a modernisation that did not arise gradually or indigenously as the outcome of a population's own resourcefulness and engagement with the world. The British in Iraq were modernisers more than colonisers, despite acting out of self-interest.'<sup>38</sup> Kedourie's judgement of the British role in Mesopotamia is different: 'When we consider the long experience of Britain in the government of Eastern countries, and set beside it the miserable polity which she bestowed on the populations of Mesopotamia, we are seized with rueful wonder. It is as though India and Egypt had never existed, as though Lord Cornwallis, Munro and Metcalf, John and Henry Lawrence, Milner and Cromer had attempted in vain to bring order, justice and security to the East, as though Burke and Macaulay, Bentham and James Mill had never addressed their intelligence to the problems and prospects of oriental government. We can never cease to marvel how, in the end, all this was discarded . . . [in] Mesopotamia.'<sup>39</sup> As for Khalil's view that the British-formed elites were agents of modernization, this is not shared by the British themselves after the Second World War. A report from Chancery in Baghdad to the Eastern Department of the Foreign Office on 16 July 1946 declares: '[W]ith the old gang in power this country cannot hope to progress very far.'<sup>40</sup> If by 'modernization' Khalil means economic development, the balance-sheet outside the oil industry, of course, was not impressive. In by far the most important sector, agriculture, the British achieved the remarkable feat of regression: Iraq's productivity declined from 275 kg per acre in 1920 to an average of 238 kg per acre between 1953 and 1958.<sup>41</sup>

To turn now from the activities of the political regime to changes in society under the monarchy, Khalil describes a thoroughly traditional world of inert, ancient institutions—like Merry England before the totalitarian Tudors set to work. But this is a flagrant misrepresentation, at least with regard to the main institutions concerned with the reproduction of daily life and the maintenance of social order. For these were brand new mechanisms—modern structures built on the ruins of Ottoman society.

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<sup>38</sup> Khalil, *The Republic of Fear*, p. 174.

<sup>39</sup> Kedourie, p. 262.

<sup>40</sup> FO 371/52315/E 7045, quoted in W.R. Lewis, *The British Empire in the Middle East 1945–1951: Arab Nationalism, The United States and Post-war Imperialism*, Oxford 1984, p. 309.

<sup>41</sup> M.S. Hasan, 'The Role of Foreign Trade in the Economic Development of Iraq, 1864–1964: A Study in the Growth of a Dependent Economy', in M.A. Cook, ed., *Studies in the Economic History of the Middle East from the Rise of Islam to the Present Day*, London 1970, p. 352. And such socioeconomic regression in agriculture did not generate, by way of compensation, a class of urban entrepreneurs. The landlords, who generally lived in the cities enjoying their new wealth, consumed it rather than invested, and as M. Farouk-Sluglett and Peter Sluglett explain, they 'played an essentially parasitic role in the economy while bearing down heavily on the peasantry. It is important to stress that these tendencies were the direct result of British policies during the mandate and that, in addition, the policies had been elaborated at the time in order to produce this overall result.' M. Farouk-Sluglett and P. Sluglett, *Iraq Since 1958: From Revolution to Dictatorship*, London 1987, p. 33.

Economic and social change under Ottoman rule had been gradually eroding tribal structures. British policy involved a conscious effort to reverse this trend. In the words of the Administration Report of the Revenue Board in Baghdad for the period 22 March to 31 December 1918: 'Settled agriculture and extended civilisation have tended to disintegrate the tribe and to weaken the influence of the Sheikhs. To restore and continue the power of the tribal Sheikhs is not the least interesting of the problems in land administration which the Bagdad wilayet presents.' The solution chosen by the British was to create an almost entirely new social structure by distributing huge estates—the biggest in the Middle East—to tribal heads who demonstrated their political loyalty to London. Thus, at a stroke, a new ruling class of 'government sheikhs' was established. In the words of Major Pulley, reporting to the civil commissioner in Baghdad on 6 August 1920: 'Many of them were small men of no account until we made them powerful and rich.' The Civil Commissioner of that time, Wilson, wrote later: 'The Shaikhs were in most cases directly dependent on the civil administration for the positions they held; realising that their positions entailed corresponding obligations, they co-operated actively with the political officers.'<sup>42</sup> So much, then, for Khalil's image of an organic relationship between the sheikhs and ordinary members of their tribe or peasants; their real organic relationship was with the British.

On the basis of this new landowning class, the British sought to reimpose and strengthen tribal identities and divisions at every level. They set up a new legal system, codified in the Tribal Criminal and Civil Disputes Regulation, which remained in place until the revolution of 1958. Also, rather than allow that bugbear of individualist liberalism, the state, to possess tax-levying powers and the responsibility for administration and police, these were transferred—privatized—into the hands of the new ruling class. And to cap it all, mechanisms were established under which the rural masses were tied in semi-serfdom to the estates.<sup>43</sup> To repeat: all this was a new, modern imperial invention. And, as Batatu shows, as the monarchy decayed in the postwar years, it strove to strengthen and further entrench tribal divisions.<sup>44</sup>

Thus we have a complex picture: the creation of *new* foundational institutions of landownership in order to *revive* dying traditional authority relations, resulting in economically and socially regressive consequences, undertaken for thoroughly modern imperialist political purposes—namely, to create a ruling class dependent upon British military power and therefore committed to imperial interests in the

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<sup>42</sup> India Office LP & S 10/4722/18/1920/8/6305, quoted in Farouk-Sluglett and Sluglett, p. 277. For Wilson's views, see Sir A. Wilson, *Mesopotamia 1917–1920: A Clash of Loyalties*, London 1931, p. 96, quoted in Farouk-Sluglett and Sluglett, p. 277.

<sup>43</sup> FO 371/3406/139231, quoted in Farouk-Sluglett and Sluglett, p. 276. As the latter explain: 'The policy of bolstering the powers of the shaikhs continued throughout the mandate and monarchy periods, and large landownership became the social base of the regime . . . in the provinces of Kut and Amara . . . some of the largest private estates in the Middle East came to be located, mostly created by the stroke of a pen between 1915 and 1925 . . . This process resulted in the formation of enormous private estates: (Ibid., p. 31.) In the country as a whole, eight owners held 855,000 acres—about 107,000 acres per person. In 1958 2,480 individuals owned 55 per cent of all land.

<sup>44</sup> See Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq*, pp. 73–128.

region.<sup>45</sup> This use of imperial power to effect extensive social engineering for narrow strategic ends is beyond the comprehension of a liberal political theory like that of Khalil, blind as it is to the interrelatedness of state and class interests, and content as it is to reduce complex historical process to a struggle between 'tradition' and 'the modern'.

### Parliamentarism and Coercion

Khalil sees only virtue in the British-imposed parliamentary system in Iraq. Consequently, for him its abolition in 1958 was a lamentable development.<sup>46</sup> Against the charge that parliament was ineffectual, he declares that, on the contrary, 'the Iraqi parliament before 1941 was astonishingly vibrant as a mechanism for drawing out individuals from their communities.'<sup>47</sup> He does not, however, spell out what this vibrant mechanism was. Nevertheless, a British official reported to London in 1928 on exactly how the system worked: the government's provincial governors acted as election agents with the task of drawing up lists of those who had to be elected *and* of those who could do the electing.<sup>48</sup> The Report on the Administration of Iraq for 1928 admitted that elections and representative government were a mockery. Kedourie thus offers the following simple judgement on the vibrant mechanism: '[E]lections to the chamber of deputies and appointments to the senate were an additional weapon in the hands of the government wherewith the better to control the country.'<sup>49</sup>

For Khalil, then, the Kingdom of Iraq was parliamentarism in politics plus traditional *Gemeinschaft* in the village—in short, a world free of the rootlessness and violence of modern mass society. Here is his idyll: 'In King Faisal's time a peasant had his tribe, his religion, his sect, his village, and his allegiance to the sheik whose lands he tilled. His entire world was constructed from these elements.'<sup>50</sup> There is no mention here of oppression, of the fact that the peasants of the great estates were reduced to little more than chattels; the monopoly of coercive force resides a priori with the state. And although the landowners controlled state administration, the subjection of their peasants occurred in the private sphere of civil society and is therefore of no ethical significance to a liberal champion of individual freedom.

It is instructive to counterpose to Khalil's idyll the insight of a British military man, an RAF pilot who was busy contributing in his own way to what Khalil calls the peasant's 'entire world'. In current parlance this pilot 'had a job to do' on those peasant villages. Nevertheless, he

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<sup>45</sup> As to the precise nature of these interests, anti-imperialist authors tend to stress oil; others point to the strategic dangers of leaving Mosul and Kirkuk out of British control. See Marian Kent, *Oil and Empire. British Policy and Mesopotamian Oil 1900–1920*, London 1976, especially ch. 8; and, on the strategic dimension, John Darwin, *Britain, Egypt and the Middle East. Imperial Policy and the Aftermath of War, 1918–1922*, London 1981, especially ch. 9.

<sup>46</sup> See Khalil, *NYRB*, 11 April 1991.

<sup>47</sup> Khalil, *The Republic of Fear*, p. 163.

<sup>48</sup> Dispatch by Randolph, 21 May 1928, 890g.03/9, quoted by Kedourie, p. 438.

<sup>49</sup> Kedourie, p. 438; see also Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq*, pp. 102–4.

<sup>50</sup> Khalil, *NYRB*, 11 April 1991.

understood a good deal more about the life of ordinary Iraqis under the monarchy than Khalil. He writes of Iraq in the 1930s:

Government is not, as with us, a machine which grinds out laws . . . It enters into the house here. It knows that you have four sons and that one of them is a post office official in Mosul. It knows that you have Turkish leanings, and that, as a natural consequence of such, you are not to be trusted. It knows that you were friends with Hamid Khuluf before his exile, that you are therefore probably sending information to Persia, and that it must on that account consider in a fresh light what you do with your claim for water-rights against Muhamed Derwish . . . It is this grossly personal element in the all-pervading activities of government which evokes from the uneducated people that quality which we are too apt to dismiss as insincerity, but which is, in reality, nothing but the inevitable compromise of any simple man chased by the bogey of insecurity. For an Englishman with a clear conscience there are few occasions when, in facing an acquaintance, he is tempted to express views at variance with his true ones. But the Iraqi before an official, or even another of his own kind, is in doubt. He must propitiate, and speak fair words. His position is unstable. There is no permanence. He knows that the fact as to whether the official has a good or bad opinion of him will affect his private life vitally. He feels the ground shifting beneath his feet. It is the same with the official himself when addressing his superior. He too feels the ground quaking beneath him, feels his confidence welling out. He may be sacked because his enemies have spoken ill of him. There will be no redress for him, no rehabilitation, unless he has influence in high places.<sup>51</sup>

Here, then, was a set-up that lacked the technical sophistication of the later Ba'athist political-police apparatuses, but which had something far more cost-effective: a *social* dictatorship over the mass of Iraqis by a landowning class that directly controlled their entire means of survival, in addition to the government machinery and local administration. This power was 'all-pervasive', even entering their dwellings. And it was a world unregulated by law: where those below had no recourse to legal rule to challenge abuses of power, even in non-political spheres. But the quality of everyday social relationships, including that between rulers and ruled, is nowhere considered by Khalil. What matters to him is that the monarchy displayed lofty liberal values by refusing to intervene on the peasants' behalf by abolishing the great estates. This perspective blinds him to the burning sense of injustice that fuelled the revolt against the landlords and the monarchy in the 1958 revolution.

### Post-Revolutionary Upheaval

Khalil is not a reactionary. Yet there is no escaping his view that the revolution of 1958 was a disaster, or his identification of the source of that disaster: the entry of the mass of Iraqis on to the political stage,

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<sup>51</sup> A.D. MacDonald, *Euphrates Exile*, London 1936, pp. 54–6. Kedourie's evocation of the attitude of the Iraqi state under the British towards the population of that country is all too familiar from allied treatment of Iraq today: '[T]hey were the government in its exalted and boundless power, the others were the subjects who must be prostrate in obedience. The texts of proclamations to the tribes in revolt are characteristic and revealing: The government desires to spare you, come therefore with all speed to the offices of the government and offer your obedience; otherwise the government will punish you, and yours will be the responsibility.' Kedourie, p. 261.

bursting through the integument of ruling-class power—or, in Khalil's gloss, 'the eruption of the undifferentiated structureless mass into politics'.<sup>52</sup> He declares that 'The parliamentary form of government was the only institutional mechanism that might have provided a countervailing measure to the emergence of the masses as a force.'<sup>53</sup> Thus Khalil betrays what other liberal writers like Kornhauser, using mass-society theory but seeking to remain within a liberal-*democratic* frame of reference, prefer to obscure: namely, a strong bias against popular democracy and a desire for institutions that will block, fragment and control popular political involvement.<sup>54</sup> When Khalil speaks of the mass being 'structureless' he should name the real controlling structures over the mass of people (as opposed to the parliament in which the people were not involved): the institutions of landlordism, sheikhly control of civil administration, tribalist legal coercion and so forth. Furthermore, he should register the absence of any structures for involving the people in civil life, far less for channelling their energies in the public sphere—no inclusive local government institutions, no legal industrial-relations organizations, no welfare-state or educational facilities, no civic, cultural or leisure centres. The only large inherited civic institution touching the whole population was the army.

What the old regime *had* bequeathed was a confusing set of political identities. Emerging from an artificial (British) construction, it followed that post-revolutionary Iraq was a geopolitical concept to which people felt no attachment or loyalty. Khalil registers this fact but fails to grasp its significance: 'Iraqi nationalism understood as a sense of identity with a territorial entity known as Iraq does not exist.'<sup>55</sup> This touches upon a central problem for liberal political theory: a deeply embedded notion that the liberal state, and thus any sound state, is held together by law rather than by deep *political* identification with the national state as well as structures of social power. The only positive identifications that the British and the monarchy infused into everyday life were loyalties to clan, tribe or sect. The alternatives to this bequest were loyalties to the Arab nation—fostered by the intelligentsia, and later politically expressed by the Ba'ath Party—and commitment to communism, fostered by the Iraqi Communist Party (ICP). States that lack popular loyalty find it extremely difficult to institute within themselves political division and opposition. Without loyalty to the whole, such division threatens to destroy the whole, a problem greatly exacerbated when existing loyalties along tribal, ethnic, religious and class lines are as myriad and complex as they were

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<sup>52</sup> Khalil, *Republic of Fear*, p. 241.

<sup>53</sup> *Ibid.*, p. 254.

<sup>54</sup> It is not clear from the book whether Khalil is himself aware of the sources of mass-society theory in the politics of the European counter-revolution against democracy: namely, the writings of Gustav le Bon and of Catholic anti-liberal corporatism from the days of Pio Nono to the clerico-fascists of the 1920s, as well as 'aristocratic liberals' of the counter-revolution such as Ortega y Gasset. Ultimately the sources go back to Burke and de Maistre. A classic contemporary statement of these reactionary positions is to be found in Leonard Schapiro's *Totalitarianism*, which hasn't a good word to say for democracy and sees Nazism as one of its outcomes.

<sup>55</sup> Khalil, *Republic of Fear*, p. 120.

in Iraq. The problem was not that the masses were undifferentiated and amorphous in their loyalties, but quite the reverse.

While the old ruling classes were crippled by the revolution, succeeding military regimes between 1958 and 1968 proved incapable of carrying through the programme of positive social transformation demanded on all sides in the popular movement: namely, thoroughgoing land reform, nationalization of the oil industry, and planned economic development, with the aim of improving the lot of the mass of people and promoting social justice and egalitarianism.

### Regional Conflicts

The fundamental rifts in the state have been those involving the Kurdish North and the Shia South. Neither problem of political integration was seriously addressed by governments in this period. The Kurdish question involved a combination of ethnic, social and tribal conflicts. The Kurds, comprising 23 per cent of Iraq's population, were split between urban centres and villages spread through mountainous country, very much under the control of landlord tribal chiefs. From this latter sector came the leadership of the Kurdish nationalist movement, headed by Mulla Mustafa Barzani, a powerful landowner. This leadership, threatened by Qassem's land reform at the start of the 1960s, and demanding national autonomy for the Kurds—which Qassem refused—launched an uprising. The regime, supported by the Iraqi Communist Party, sought to crush the uprising militarily, but the war continued throughout the 1960s, with Barzani gaining material, support and training from the Shah of Iran and Israel.<sup>56</sup> The other, more modern, nationalist movement, based in the urban centres of Iraqi Kurdistan among the middle classes and intelligentsia, and under the leadership of Talabani, at first refused to support the Barzani revolt. But eventually it did so, while opening links with the Ba'ath Party in the hope of a better deal from Baghdad should the latter overthrow Qassem.<sup>57</sup> (The Ba'athists did gain power for a few months in 1963, but the fighting dragged on until they returned to power in 1968.)

The problems of the rural communities of southern Iraq at the time of the 1958 revolution were principally those of social oppression, poverty and backwardness. But in addition they felt excluded from national public life through the dominance of the Sunnis from the Baghdad region. In 1958 both the Ba'ath Party and the much stronger Communist Party were predominantly Shia in composition, and the latter in particular commanded enormous support among the Shia

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<sup>56</sup> Israel had started supporting the Barzani leadership in the 1950s, training Kurds in sabotage techniques at a base near Ramleh. Rafael Eitan, later Israeli Chief of Staff, even paid a clandestine visit to Barzani's forces in Kurdistan. By the mid 1960s Israel had become one of Barzani's main props. This and other details were revealed by Menachem Begin on the Israeli Home Service, 29 September 1980 (BBC Summary of World Broadcasts, ME/6537, 1 October 1980, cited in Patrick Seale, *Asad*, London 1988, p. 243).

<sup>57</sup> On this and other aspects of the labyrinthine politics of Kurdistan, written from a position sympathetic to the Iraqi CP and hostile towards the Ba'ath, see Peter Sluglett, 'The Kurds', in CARDRI, *Saddam's Iraq*, London 1989.



population. But the split between the ICP and the Ba'ath over the issue of Arab national unity involved ICP support for the anti-Nasserite Qassem regime; while, for its part, the nationalist Ba'ath sought the overthrow of that regime and participated in bloody repression against ICP attempts to defend it against the 1963 coup. When the Ba'ath revived, it had lost much of its Shia base. Meanwhile the Communist Party—overwhelmingly the major political party in Iraq after the 1958 revolution—split, with the more radical wing attempting a Che Guevara-style guerrilla war against the military governments of Baghdad, centred in the river valleys and marshes of the Shia South.<sup>58</sup> This attempt at insurrection was crushed, and the ICP's strength amongst the Shia was weakened.

Meanwhile, one section of the Shia clerical leadership, alarmed by post-1958 secularism—in particular, the strength of atheistic communism and the declining hold of Islam amongst Shias—sought to reverse the tide by launching a movement of theocratic reaction in the late 1960s, 'al-Dawah' (Islamic Call), a clandestine party aided, after the Ba'ath came to power in 1968, by the Shah of Iran, and oriented towards terror tactics.<sup>59</sup>

Lacking a strong, established bourgeoisie that could control and steer popular aspirations, Iraq's ruling class possessed only the armed forces as an instrument of political integration. But the centrifugal forces within the state threatened the military itself with fragmentation. Such, then, were the compound challenges to any attempt to integrate the state politically after ten years of post-revolutionary turmoil.

Before examining life under the Ba'athist regime that came to power in 1968, we should ponder Elie Kedourie's prognosis following the 1958 revolution: 'Iraq under the monarchy faced two bare alternatives: either the country would have plunged into chaos or its population should become universally the clients and dependents of an omnipotent but capricious and unstable government. To these two alternatives the overthrow of the monarchy has not added a third.'<sup>60</sup> The aim of the Ba'athist leadership was precisely to find that third alternative: to build a modern, stable, politically integrated state.

### Ba'athism in the 1970s: State-Building and Reform

Khalil is not blind to the social transformation achieved by the Ba'ath Party since its seizure of power in 1968. He acknowledges that the regime dramatically modernized Iraqi society, led by its drive against illiteracy and for free education for all—a revolution that produced, according to Khalil himself, one of the best-educated intelligentsias in

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<sup>58</sup> Many of the militants from this wing of the party subsequently joined the Palestinian movement in Jordan, especially the PDFLP. On the history of the Iraqi Communist Party, including its roots in the Shia South, see Batatu's monumental work, *The Old Social Classes and the Revolutionary Movements of Iraq*.

<sup>59</sup> See Dilip Hiro, *The Longest War*, London 1989, p. 24. On the ideology of the Shia current, see the very informative article by Hanna Batatu: 'Iraq's Underground Shi'i Movements: Characteristics, Causes and Prospects', *Middle East Journal*, Autumn 1981.

<sup>60</sup> Kedourie, p. 260.

the Arab world. He also credits the regime with giving women the right to careers and participation in public life; thus by the end of the 1970s women formed '46 per cent of all teachers, 29 per cent of all doctors, 46 per cent of all dentists and 70 per cent of all pharmacists.'<sup>61</sup>

Of even greater importance, however, was the fact that this Ba'athist regime finally carried through the land reform promised by the revolution, utterly transforming the social conditions of the peasantry. It also created a modern welfare state for the urban working classes and poor. And it did what other regimes feared to attempt: it took on the oil companies and nationalized them, turning to the USSR for help. This was not the first nationalization of Arab oil, being preceded by moves in Libya and Algeria, but such action in 1972, before the Yom Kippur war, was still a perilous undertaking, strongly resisted in the West until the French broke ranks. Finally, the government launched an ambitious programme of industrial investment and development.

During the early 1970s the regime made a serious effort to integrate the Kurdish North by offering the most far-reaching settlement any government had proposed to its Kurdish population. The Ba'ath—unlike the Turkish government, for instance—had always recognized the Kurds as a separate nationality. Saddam Hussein proposed a Kurdish autonomous region with its own parliament as well as ministers in Baghdad, recognition of Kurdish as an official language, and Kurdish teaching in schools. Barzani rejected this offer, worried by the renewed push for land reform and, above all, encouraged by the Shah of Iran (who, incidentally, offered no such rights to his own Kurdish population) that he could gain a far better deal by waging war against the Ba'athist government. In 1973, Kissinger, preoccupied by the task of isolating Syria in the peace process, gave further substantial assistance to the Kurds in order to bog down the Baghdad regime in a costly war. The tactic worked, costing the latter two billion dollars a year until Saddam Hussein persuaded the Shah to end this aid in 1975. (One week after the Shah had informed him of this, Barzani offered unconditional surrender and went into exile in the USA where he died.) Of course, the Ba'ath could have easily satisfied the Kurds if it had offered them full self-determination and control of the northern oil fields. But all states in the modern world are extremely grudging and cautious when secession and vital economic interests are at stake.

In the South, the Dawah denounced the Ba'athist government not because it was Sunni-dominated but because it was atheistic, because its leader, Michel Aflaq, was a Christian, and because it was allied with the Communist Party and the USSR.<sup>62</sup> The Dawah fulminated against such issues as the secular Ba'athists' tolerance of alcohol consumption, even in the holy cities of Najaf and Kerbala. The regime hit back with savage repression combined with a major programme of public spending on the Shia shrines and on social development. The policy seems to have had some success until it was seemingly threatened by

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<sup>61</sup> Khalil, *NYRB*, 11 April 1991.

<sup>62</sup> Hiro, p. 24.

the Islamic revolution in Iran.<sup>63</sup> The regime's approach to the difficult relationship between Islam and secularism was a good deal more sophisticated in matters of principle and policy than that of many governments facing similar problems: namely, recognition of the cultural centrality of Islam and of the requirements of religious practice, combined with a resolute defence of the secular framework of public life. At least formally, the regime sought to extend tolerance to the significant Christian minority.

### Controlled Participation and Repression

The leadership worked successfully to subordinate the armed forces to the Ba'ath Party itself, thereby ending the role of the officer corps as the sovereign state authority. Political decision-making was concentrated in the hands of the party and its leadership. Some have viewed the party as merely an empty facade behind which the politics of clan and tribe have prevailed. It is certainly the case that clan fissures are present within the Ba'ath, as indeed they were within the Communist Party; these are partly an expression of the currents that permeate the organization, but testify also to the presence of nepotism and rivalry such as is found in any ruling party. Ultimately such factors must pose a threat to the party's own stability and legitimacy, and are, therefore, a symptom of crisis.

The Ba'athist regime committed itself to the principle of popular sovereignty and to a constitutional, representative state, but declared that the need for a state of emergency made the introduction of such a democracy impossible. It consequently vested supreme authority in a Revolutionary Command Council (RCC) on the basis of a provisional constitution: a body able to rule by decree and veto government decisions. After the civil war with the Kurds in 1975, the government organized elections and established a parliament. But the emergency institutions remained in place, as did the RCC. (We might note that Egypt has also been ruled by decree under a state of emergency more or less continuously since before 1967, though under Sadat and Mubarak Islamic *Sharia* law has also been introduced, unlike in Iraq.) Although the party had thus made certain of retaining its absolute position of power, it had at the same time made efforts to involve other parties. For much of the 1970s, for example, the Communist Party was in the government; at various times the Talabani wing of the Kurdish nationalist movement has been in alliance with the regime.

At the level of institution-building, the Ba'ath created local councils with elected representatives. These proved to be a key instrument, along with the trade unions, for drawing people into public life; another has been the local militias. Yet in these realms, too, the party exercised control, severely restricting their degree of effective political autonomy. This stifling party presence was especially evident in the political police and repressive apparatus, which threw a blanket of surveillance over the entire population. The first task of these organizations was to crush those believed to be working actively to overthrow the regime. Methods have invariably been brutal and victims often

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<sup>63</sup> Ibid.

murdered. For instance, those Communists who continued the guerilla war in the South after the Ba'ath came to power could not expect to leave prison alive. Since most organizations are permeated with family and clan links, the brutality was often directed at relatives.

The second task of the repressive apparatus is to act as a tool of political coercion against other parties or movements. Thus, while seeking to cajole the Communist Party leaders into a united front and participation in government, the regime would apply pressure by persecuting and sometimes even killing Communist militants at the base of the party. The ICP, legalized by the regime of Saddam Hussein, probably suffered more killings from its hands after 1968 than it had suffered in the decade 1958 to 1968, with the exception of the period immediately after 1963.

### **Ba'athism in the 1980s: Saddam Hussein**

By the late 1970s, the Ba'ath had a formidable achievement of state-building behind them and had largely stabilized the new institutional structure. As a result of social reforms, egalitarian policies and a thoroughgoing modernizing drive—all helped greatly by the mid-seventies oil-price increases—they felt strong enough to call elections and establish a parliament. We can, therefore, reasonably assume that the party had achieved a degree of popular support despite the absence of free party competition.

The picture, of course, looks very different today; and the rot set in long before the US-led attack of January 1991. What went wrong? The short answer is the Iraq–Iran war, started by the Ba'athist government. As well as inflicting a dreadful toll in human suffering on the Iraqi people, it re-opened the civil war with the Kurdish nationalists and generated a more brutal style of politics—one that resulted, for example, in the Iraqi army's gassing of civilians in Halabja and the slaughter of thousands more Kurds after the war was over. At the end of hostilities the Iraqi state was heavily in debt—a position worsened by the oil-price slump—and the regime prey to the manoeuvres of the Emir of Kuwait. Conditions thus conspired to make Iraq vulnerable to a re-opening of the deep fissures in the state which the Ba'ath had spent the 1970s seeking to close.

It is arguable that the trigger for this disastrous chain of events was the replacement in 1979 of Bakr by Saddam Hussein as president. This move was certainly resisted within the Ba'athist leadership, though nothing is known about the disagreement, and therefore whether or not the appointment represented a policy turn (perhaps doubtful, since experts agree that Saddam Hussein had been the driving force of the regime throughout the 1970s). One negative effect of this change in leadership was the rapid growth of a personality cult. Such cults inevitably alter the decision-making mechanisms of a regime, replacing collective party bodies with the authority of one man, thereby concentrating power in absolute fashion. As a consequence, the regime's policy-making capacities may have been weakened, although Saddam Hussein's very survival suggests a resourcefulness and command that is evidence to the contrary. Notwithstanding

this development, the decision to wage war against Iran was not merely the whim of the president, but appears to have had both party and popular support.<sup>64</sup> In point of fact, the weaknesses in Ba'athism that led directly to the attack on Iran were its nationalist ideology and petty-bourgeois roots, factors present from the start of the regime. During the 1970s they did not cripple its progressive, modernizing project, though nationalism will certainly have helped to prevent a democratic settlement with the Kurds. However, the change in external environment brought about by the Islamic revolution focused new pressures upon the Ba'athist project at its most vulnerable point.

The Ba'ath Party in Iraq, like that in Syria, had its roots neither in the urban capitalist classes nor in the industrial working class, but in the large middle class of intellectuals, state employees, artisans and small merchants—very important strata in the Fertile Crescent. On the whole these groups did not stand in an antagonistic relationship to the working class. For this reason Batafu is fully justified in including the Ba'ath Party along with the Communist Party among the revolutionary forces of modern Iraq. The split between these two groups under Qassem derived, as we saw, from their lack of common ground on the national question. The ICP failed to support the national movement's aspiration for immediate unity with the United Arab Republic embracing Syria and Egypt, and this ensured Ba'athist leadership of the movement. Yet the party's experience during the 1960s told them that a programme simply calling for immediate Arab unity was insufficient, and also that there existed formidable obstacles to achieving a stable unification of the Arab states. The post-1968 party had not abandoned the latter as a long-term aim, but its priority was first to construct a powerful, integrated Iraqi state. This was, above all, the project of Saddam Hussein, the Iraqi party's general secretary.

The Ba'athist programme of nationalization, economic development and establishment of a welfare state benefited both workers and the middle class. The scale of accruing oil revenues undoubtedly made a decisive contribution to the success of the modernization programme in education and health. It also helped to sustain a pattern of state-dependent industrial development. The Iraqi state was not portrayed as a means of emancipation for the country's working population, but as the resource and authority best able to construct a strong Iraq, capable of leading the Arab nation. There is nothing unusual, of course, about such statist politics; most of today's imperialist powers went through just such a phase. Nevertheless, in a region like the Gulf, where the world's strongest superpower has important interests, this project was fraught with great risks.

### **Response to the Iranian Revolution**

In Iran, the Shah's drive to dominate the Gulf had produced a military build-up and growing hostility to Iraq. This had caused the Ba'ath to develop its own military strength in the 1970s, funded by its oil revenues. The subsequent fall of the Shah in the Islamic revolution

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<sup>64</sup> If we accept Phebe Marr's account in her chapter on the Iran–Iraq war in P. Mart, *The Modern History of Iraq*, Westview 1985.

transformed the political equation in the region and presented the Ba'athist leadership with an irresistible temptation. The centre of that equation had been the protection of American interests in Saudi Arabia and the Gulf. Iraq, shut out of this security structure, had been on the defensive regionally and impelled to concentrate upon its domestic programmes. The Iranian revolution did not just remove America's regional policeman; it created a state claiming leadership of the Islamic world and therefore posed a mortal threat to the Saudi order. Thus the opportunity arose for the Iraqi regime to become the military linchpin of America's new security system in the Gulf, a role which the social weakness of Saudi Arabia prevented it from playing. There also existed, of course, a powerful domestic incentive for the Ba'athists to intervene militarily in the region: for clearly the Islamic revolution posed a direct threat because of the religious appeal of Shia Iran to the people of southern Iraq. A military victory would serve decisively to bind Iraqi Shias into a common political identity with the rest of Iraq.

The Ba'athist leadership, politically sophisticated and keen to exploit this regional development, could also spot a further set of incentives. By becoming the sword defending the interests of the West in the Gulf, it would escape the pariah status given it during the 1970s, and thereby gain access to the metropolitan centres of Western capitalism: loans, new technologies, investment expertise, training and so forth, as well as entry into the world of legitimate international diplomacy—something solely in the gift of the Atlantic states.

Only one question remained: would it work? The Americans assured Baghdad that it would: that the Iranian armed forces were in chaos and a quick war would present few risks. But this turned out to be nonsense. Eight years of atrocious suffering were the result. By 1982 Saddam Hussein had realized that his plan for a quick victory had been a delusion and he sought to extricate his regime from the war through a negotiated settlement. However, the Iranian government made the removal of Saddam Hussein the precondition for peace, which provoked in turn an ever more brutal Iraqi military response against the more powerful state, including the use of poison gas on front-line Iranian troops. By the time a negotiated peace was in place, in 1988, it was abundantly clear that the decision to attack Iran had been a grave political and military miscalculation. A million people had died, oil wealth had been squandered, and the government had lost control of Kurdistan. Economic recovery and the reconstruction of a damaged and overburdened state and social fabric—not to mention the repair of shattered lives—would make tremendous demands of the Ba'ath, and take many years to effect. And the government could count on few allies within Iraq. Efforts to rebuild links with the ICP were rejected and the regime had no political means of integrating the South effectively. A policy of terror was finally applied to integrate the Kurds. The regime's only asset was a powerful, battle-hardened military machine. Nevertheless, the scale of this modern Iraqi army—very large for the Gulf region—could only be considered a threat by surrounding states, and by their allies. Thus, by the end of the 1980s all the main historical forces both within and outside Iraqi politics were uniting against the Ba'ath. The stage was set for the catastrophe of 1991.

As is usual after a war, the Arab people of Iraq demanded a new and better deal in 1989. The regime did not have the resources to provide such a deal and the al-Sabahs presented an ideal target-cum-solution. Heavily in debt and hard-hit by the oil-price slump, the regime had been victim to the Emir of Kuwait's endeavours against OPEC quota and price decisions. It therefore risked a strike at the al-Sabahs and invaded, undoubtedly hoping that this would be followed by a negotiated way out of its debt problems. When the US blocked such negotiations and demanded a total public capitulation, the regime understood that this could lead to its domestic collapse. It decided to stand, like Nasser in 1956, and defend its dignity as leader of the Arab nation against the enormous military power of the West, no doubt calculating—correctly as it turned out—that the US was still unable to turn to Iran as its surrogate power in the region and thus could not risk the break-up of Iraq.

### Lessons for the Left

I began this section with a polemical engagement with Samir al-Khalil, criticizing in particular the reductive nature of his conceptual framework and the limitations this imposes on his analysis of modern Iraq and the Ba'athist regime—limitations at the heart of the liberal tradition within which he works. I hope subsequently to have shown that Iraq's recent history, bearing directly on the events that led to defeat in two immensely damaging wars that radically changed the geopolitical map of the Gulf region, was an infinitely more complex narrative than Khalil allows. Notwithstanding this criticism, *Republic of Fear* represents an honest and important reflection on Iraqi politics, a reflection unrestricted by narrow strategic concerns and possessing greater insight than the attenuated arguments typical of most liberal commentary on the Gulf crisis. Most significantly of all, Khalil's work addresses questions of great import to the Left.

The central problem is that the Iraqi Ba'ath did carry through a fundamental social transformation, adopting for this purpose an economic programme almost indistinguishable from that of the Marxist Left: namely, radical land reform, nationalization of industry, the encouragement of cooperative farming, and state-led economic development. The Baghdad regime, what is more, stood for a secular public life without taking a negative stance on Islam; it even formally recognized the national identity of the Kurds. Notwithstanding this progressivism, it has also been an extremely repressive regime, using political police as its main instrument of control. It finally imposed on its people a misguided effort to become the imperialist guardian in the Gulf, before leading them into the Kuwait catastrophe. The leaders of the Iraqi Communist Party have responded to this experience by calling the Ba'athist regime 'fascist'. This, however, does little but explain the problems away. For Ba'athism was not a counter-revolution against democracy and the labour movement; it was an alternative to military rule, and in its socioeconomic policies a left-oriented regime with which the official Communist Party cooperated through most of the 1970s.

Khalil, for his part, has responded in another way: he sees the Ba'ath

as the product of a deficient and degraded Arab political culture, and consequently as a totalitarian movement analogous to Stalinism. His solution has been to reject that model in favour of the theoretical culture of Anglo-American Cold War liberalism, and to denounce all goal-oriented activist regimes seeking to transform social conditions. His solution in short is: liberal-democratic constitutionalism now, whatever the social correlates and consequences. But this stance is not acceptable to the Left, entailing as it does a capitulation before social injustice and the evasion of political choice and strategy. It drives Khalil, ultimately, to the belief that American military strength could constitute a liberal *deus ex machina*—a wild illusion.

The Ba'ath came to power as a tiny organized party, by way of a military coup. It sought to sink popular roots through greatly expanding the party, and was acutely aware of the need to extend the base of its political support, reaching out to the ICP for this purpose. But when the extended state of emergency ended in the mid 1970s, the Ba'ath leadership, awash with huge oil profits and aware of its wide popular support, turned increasingly towards a de facto one-party dictatorship, eschewing the need for pluralist institution-building. This was a fatal turn, yet one easy to accomplish, not only because the use of police apparatuses to carve up political space was effortlessly simple, but also because there was no other political model available. This is where Khalil's reference to Stalinism is very much to the point. The party leadership, including Aflaq and Saddam Hussein, were not simply corrupt adventurers. Indeed, they were passionately committed to the Ba'athist cause; they also sought to overcome the failings of the earlier Ba'ath and of Nasser, and were looking for models, not least in Eastern Europe and in Cuba, for a way forward. They found nothing there to urge them against the course of one-party dictatorship. If their middle-class nationalism made the regional imperialist temptation irresistible, the Stalinist experience made their domestic course equally so. Their critique of Nasserism did not extend beyond the need for a powerful hegemonic party. The lesson from Eastern Europe was that a one-party dictatorship was assisted, in its formative phase, by the deployment of political police.

The Left's answer to this Stalinist experience does not consist of pitting society against the state; it involves building popular, pluralistic state institutions with sovereign powers over the executive. The sovereignty of such popular institutions must lie precisely in their pluralism and be underwritten by a ban on political violence as a method of resolving disputes amongst elected parties. This does not preclude the temporary concentration of great powers within the executive, including the right to rule by decree; but it does entail the ultimate subordination of all parties and agencies to the will of the elected assembly.

The political culture of twentieth-century Iraq has been shaped more by British-imperialist social engineering than by the people of that country, excluded for decades from the political system. The Ba'athist project has its derivation more in the political traditions of the North, both in its nationalist and in its socialist values, and has nothing in



common with the political culture of such Arab neighbours as Saudi Arabia or the Emirate of the al-Sabahs. And its critical weaknesses owe far more to the deficiencies of Stalinism and to the external temptations of the American-constructed incentive system in the Gulf than to the supposedly closed discursive universe of some putative organic 'Arab culture'. This latter is, in fact, nothing more than another mythical Western construction useful for explaining away the disastrous, destructive consequences of Anglo-American military intervention in the Arab world—today, as well as yesterday and tomorrow.

### Conclusion

Desert Storm was justified before a liberal-democratic public in the West in the language of rights. However, this discourse is one shared with an older tradition of states' rights theory, the substantive principles of which differ radically from, and indeed are largely antagonistic towards, those of contemporary liberalism. As a consequence, the shared language readily serves to obscure this antagonism and the separateness of the two traditions. The application of universal rules to cases, abstraction from context and history, the attempt to transform political complexities into juridical questions of crime and punishment—such common modes of thought and representation can translate a domestic liberalism into an ideology for justifying statist militarism abroad. Moreover, the contemporary revival of Kantian political theory, the full development of which has been achieved in the work of Rawls, has not on the whole taken its universalist mission seriously. Liberal justice in the latter's work remains, in a theoretically unconvincing manner, confined within national boundaries, thereby leaving the field of international politics to the Grotians, if not the realists.

In the first part of this article, I attempted to apply the principles of rights-based liberalism to the Gulf crisis by employing the problem-solving approach that has characterized most commentary and discussion in the West. The problem was defined simply: how to end the injustice produced by the Iraqi invasion of Kuwait. And the issue explored was whether the response—culminating in Desert Storm—could be justified as the instrument of liberal justice. The conclusion reached was that this response was in fact directed toward objectives, and was the expression of interests, that run counter to liberal-democratic principles—at the expense of the Iraqi and Kuwaiti populations. Thus the barbarity of war was the price not of justice but, rather, of defending oppressive regimes and thereby fulfilling imperial design in the Gulf and the wider Arab world.

This judgement calls in question the problem-solving framework with which we began. To establish the invasion of Kuwait as the central problem, and then to subsume the British and American states under the category of possible instruments of justice, is to presume that the social order disrupted by the invasion embodied a minimal principle of justice. Yet no such order did exist prior to the invasion; instead there was oppression and inequity, in which the West—and, above all, the USA—had a primary stake. It is therefore behoven upon any liberal politics that takes its values seriously to identify the Western

powers as the central obstacle to the pursuit of popular interests and democratic goals in the region.

This in turn raises fundamental questions about the international order over which the Western powers preside. Throughout the article I have criticized the normative side of what I have termed 'states' rights' theory. The cognitive aspect of this theory presents us with a world of independent nation-states that are only related externally. Such juridical sovereignty precludes the possibility that some states might penetrate the internal economic and political life of others. This possibility, of what could be called 'states' rights imperialism', would seem a contradiction in terms within the framework of the theory. Nevertheless, for hundreds of millions of people in the South this scenario is all too real: the legal sovereignty of their states sits easily with a situation in which most economic, social, and indeed political, relationships in their daily lives are governed by centres of power—'private' and 'public'—located in the North.<sup>65</sup>

The Iraqi revolution of 1958 was impelled by the aspiration to throw off the yoke of social oppression constructed by the British and their subaltern collaborators early in the twentieth century. And it led to the project of the Ba'ath Party to transform Iraq into a modern, secular, egalitarian and constitutional state. In the decades since the collapse of the European empires this aspiration has been shared by a variety of political movements in the South. The difficulties of attaining these goals do not by any means derive mainly from the characteristics of leaders like Saddam Hussein. More fundamental obstacles include the fissures in the new territorial entities bequeathed by the European powers, the external economic and geopolitical environments designed in the North, the local social structures and comprador regimes they favour, and the absence of tested alternatives to the evidently bankrupt Stalinist model of development. Any critique of the nationalist and authoritarian politics of the Ba'ath should show awareness of these overlapping contexts.

The appeal of liberalism resides, above all, in its emphasis upon the overriding importance of subordinating political power to respect for the person and for the rights of the individual. Yet in so far as it singles out the individual's relation to the state as its primary concern, liberalism can display a double blindness: towards the oppressive relationships governing the real, everyday lives of the majority; and towards the potentially progressive role of popular movements for radical change, of political force and of state action in modernizing and transforming peoples' lives. This blindness is exemplified by the liberal perspective from which Samir al-Khalil observes the history of modern Iraq. And it was exploited to the full by the Western coalition which seized upon the dictatorial form of the Iraqi state in order to represent a drive to secure imperial interests as a struggle between liberal respect for persons and political oppression. The real stakes in Desert Storm were very different, as has become all too evident in its aftermath.

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<sup>65</sup> For an illustration of how these mechanisms operate in relations between the Western powers and Eastern Europe today, see my article in *NLR* 1982, July–August 1990.