



excerpt from DAYS OF DISORDER

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As looting and unrest continue throughout Iraq, Margaret Warner and military experts discuss the steps needed to restore order to the region.

MARGARET WARNER: Who's responsible for restoring order in Iraq, and how should it be done? We get four views.

James Dobbins held top state department and White House posts under four presidents. As the Bush administration's envoy to Afghanistan, he helped install the new post-Taliban government there. He's now director of the International Security and Defense Policy Center at RAND, a Washington think tank. Eugene Fidell is founder and president of the National Institute of Military Justice. He's a former Coast Guard lawyer. Retired Army Major-General Dave Meade commanded the tenth mountain division when it provided military backup for the 1993 change in government in Haiti. He went on to command all military forces there, including those sent by other countries. And retired army Colonel W. Patrick Lang, one of the NewsHour's regular wartime military analysts, is a former special forces officer and Middle East intelligence analyst.

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MARGARET WARNER: How do you see it in terms of, Gen. Meade, in terms of the looting and disorder that we're seeing? Is it undercutting the military success there or has this been overplayed just because of it provides a great picture?

MAJ. GEN. DAVE MEADE: I don't think it is undercutting the success of the United States armed forces now. But I think the secretary of defense has made a good point and that his concerns are real, because if it is not a problem today, if not compelling, it is going to be a problem at some time. We are going to see a continued deterioration at least to some degree, of whatever could be called society and civil order in Iraq before we see things get better, so the trick for the United States is the transition. At some point the United States Army and United States marines fighting forces are not going to be in country.

MARGARET WARNER: All right. Eugene Fidell, whose responsibility is it legally to restore order in Iraq?

EUGENE FIDELL: Legally, Margaret, that responsibility rests on the United States as the occupying power. Under The Hague regulations which date from 1907, the occupying power has the obligation to restore and ensure order as far as possible, being mindful of the existing laws of the country.

MARGARET WARNER: So, and what about the Geneva Convention? I've heard that mentioned. Does that also bring responsibility with it?

EUGENE FIDELL: Yes, the fourth Geneva Convention also has a number of provisions in it that relate to how an occupation should be shaped and the way the civilian population should be dealt with. But the immediate issues, I think, are issues relating to The Hague regulations.

MARGARET WARNER: Ambassador Dobbins, one, do you agree with it that, that it is the US legal responsibility, and if so, does it begin right now? You know, the argument you're hearing from the CENTCOM briefers is our troops are over there still fighting a war. We can't spare troops for police function by and large. Does it begin now even while the war fighting is going on?

JAMES DOBBINS: Well, the responsibility begins, but how reasonable it is to think that you can fulfill it entirely immediately is a different question. So, yes, it is our responsibility, yes, we have to do something about it. Can we instantly and comprehensively solve it? No. Can we progressively solve it? Yes. If it is still like this a week from now, are we in big trouble? Yes.

Policing the Iraqi people?

MARGARET WARNER: So, Gen. Meade, which forces... if the US has the obligation, which forces do it? Should it be the fighting troops that are there on the ground now, the military police? Who should actually do it?

MAJ. GEN. DAVE MEADE: Initially the fighting forces that are there on the ground now -- both of the marine corps and of the army and we are talking primarily about infantrymen and some military police. I think we'll probably end up putting lots of military police in there; at one point when we went to Haiti, we had eight companies when normally an infantry division only has one. Then the military police then will sort of show the way. And incrementally we can bring in police forces of other countries, for instance, that would be willing to accept that responsibility.