

# *Knowing What We Now Know: Truth, Lies and WMDs Five Years Later*

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*(Abstract) The invasion of Iraq has proved a foreign policy failure of the first order. But despite the apparent strength of the case against the war today in 2008 – given the indisputable facts of what has occurred over the previous five years – there are still those who claim that the rightness or wrongness of the invasion in 2003 is not settled by these facts. They argue that it is mistaken to retrospectively project back onto the past what is known now (that Iraq did not possess WMDs, was not in a position to develop them, and did not have links with Islamist terrorists), but could not have been known then. The implication is that in so far as the main publicly stated reasons for invading Iraq have turned out to be wrong, they manifest failures of intelligence rather than being evidence of political deceit. This paper subjects this position to closer scrutiny, based on evidence drawn from five principal sources: official and non-official investigations of pre-war intelligence; memoirs by relevant political insiders; the labours of a coterie of investigative journalists; a number of previously classified U.S. and British government memos and minutes that have emerged over the past five years; academic works that situate evidence about pre-war intelligence within broader debates about the ‘Bush Doctrine’ and continuities and discontinuities in U.S. foreign.*

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*“Should Saddam Hussein choose confrontation, the American people can know that every measure has been taken to avoid war...”* – President George W. Bush, 17 March, 2003.

Five years after the invasion of Iraq, the war and occupation is, by any measure, a debacle for both Iraq and the United States. Many of those who enthusiastically endorsed the war in 2003 now concede that its enormous costs outweigh any possible benefits. The killing and maiming of tens if not hundreds of thousands of Iraqi civilians, the physical displacement of millions more, the deaths of over 4,000 U.S. troops and the wounding of an additional 30,000 are but the most striking statistics in the arithmetic of foreign policy failure.<sup>2</sup> Coupled to this tragic human calculus is the expenditure of half a trillion U.S. dollars, a sum that increases by approximately \$10-12 billion every month.<sup>3</sup> The destruction of Iraq’s economic and social infrastructure is another casualty of the war and subsequent insurgency, as is the further fracturing of civil relations between its ethno-religious communities. Despite the partial success of the ‘surge’ in staunching the blood-letting, civil war is Iraq’s contemporary reality; it has been for at least three years, even if this is still denied by some U.S. foreign policy officials.<sup>4</sup> The U.S.’s main rival in the Middle East, Iran, has been strengthened, and the region is now less politically stable than before the invasion.

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<sup>2</sup> For regularly updated figures on Iraqi civilian casualties see, <http://iraqbodycount.org/> For U.S. and Coalition military casualties see, <http://icasualties.org/oif/>

<sup>3</sup> Steve Hargreaves, ‘Iraq’s Creeping War Costs,’ *CNNMoney.com*, 23 October, 2007; Charles Hanley, ‘Studies: Iraq Costs US \$12B per Month,’ *Yahoo! News*, 9 March 2008; Joseph Stiglitz and Linda Bilmes, *The Three Trillion Dollar War: the True Cost of the Iraq Conflict* (London: Allen Lane, 2008).

<sup>4</sup> If we understand civil war to mean protracted, large-scale intrastate violence between two or more collective adversaries that seek political power at the others’ expense, then clearly Iraq has been the site of such conflict for several years. While being impossible to date with absolute precision, the proliferation of incidents involving the sectarian killing of dozens and sometimes hundreds of Sunni and Shiite civilians per week, both immediately before and after the interim elections of January 2005, surely expresses the reality of civil war as usually and sensibly understood. See Peter W. Galbraith, *The End of Iraq: How American Incompetence Created a War Without End* (London: Simon and Schuster, 2006), p. 175-178; and Patrick Cockburn, *The Occupation: War and Resistance in Iraq* (London: Verso, 2007), p. 194-195 & 206-212.

The much-vaunted ‘political capital’ that President Bush claimed to have accumulated as a result of his 2004 election victory has been well and truly spent. His administration is now in acute political debt if not already politically insolvent.

Many commentators surveying this baleful picture agree that the original justifications for this war of choice are now deeply discredited. The two main justifications routinely appealed to by U.S. government officials in the lead up to the war – first, that Iraq had significant links with terrorist organizations for which Saddam was a potential sponsor and supplier of WMDs and, second, that Iraq possessed or was in the process of further developing weapons of mass destruction (WMD) – have been proven false. The Bush-sponsored Iraq Survey Group completed its post-war search and report in October 2004 with the resounding conclusion: there were no WMDs in Iraq, and no facilities for producing them, even if Saddam did still harbour an *intention* to reconstitute his WMD program at some point in the indefinite future.<sup>5</sup> Similarly, in terms of Saddam’s alleged links with Islamist terrorist organizations no evidence has been forthcoming. The evidence that was cited publicly in the run up to war has been shown to be erroneous, as the *9/11 Commission Report* and two other official government reports on pre-war intelligence have conclusively demonstrated, despite serious limitations on their terms of reference.<sup>6</sup> Given all this, it seems clear

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<sup>5</sup> Charles A. Duelfer, *Comprehensive Report of Charles A. Duelfer, Special Advisor to the DCI and Leader of the Iraq Survey Group, on Iraq’s WMD*, (Washington, U.S. Government Printer, 2004). The full report is available at: [http://www.cia.gov/cia/reports/iraq\\_wmd\\_2004/](http://www.cia.gov/cia/reports/iraq_wmd_2004/).

<sup>6</sup> National Commission on Terrorist Attacks Upon the United State, *The 9/11 Commission Report* (Washington: U.S. Government Printer, 2004); Senate Select Committee on Intelligence, *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessment on Iraq*, (Washington: U.S. Government Printer, 2004); Laurence Silberman and Charles Robb, *Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction* (Washington: U.S. Government Printer, 2005). The full texts of the latter two reports are available at <http://intelligence.senate.gov/iraqreport2.pdf> and <http://www.wmd.gov> respectively. A useful and more accessible abridged version of these reports, and other relevant documents and speeches that bear upon U.S. intelligence in the lead up to war, can be found in Craig R. Whitney (ed.), *The WMD Mirage*:

that the U.S.'s invasion of Iraq was initiated upon false premises. Five years later, the case *against* the war seems to be, in former CIA Director George Tenet's idiom, a 'slam dunk.'<sup>7</sup>

Despite the apparent strength of the case against the war today in 2008 – given the indisputable facts of what has occurred over the previous five years – there are still those who claim that the rightness or wrongness of the invasion in 2003 is not settled by these facts. They say that given what we knew at the time (2002-2003), or more accurately what the weight of intelligence sources suggested that we knew at the time, there were compelling reasons for supporting, perhaps even insisting on, the U.S.'s invasion. In this view, the balance of intelligence at that time strongly suggested that Iraq possessed WMDs, that it was strenuously seeking to further develop these capabilities, and that the nightmare scenario of Saddam supplying these weapons to Islamist terrorists represented, in President Bush's words, a 'grave and gathering danger.'<sup>8</sup> The weight of intelligence, when combined with the circumstantial evidence of Saddam's misleading of weapons inspectors and his proven track record of using WMDs in the 1980s, provided sound reasons for applying the precautionary principle. According to this principle, one should assume the worst when the stakes involve matters of life and death, and should act on the basis of that assumption. In this case, the precautionary principle demanded that the U.S. exercise its 'inherent right of individual or collective self-defense,' as guaranteed under Article 51 of the UN

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*Iraq's Decade of Deception and America's False Premise for War* (New York: Public Affairs Books, 2005). Unless otherwise indicated, I have used this source when referring to these reports below.

<sup>7</sup> Bob Woodward claims that this is how Tenet had reassured the President about the relevant evidence in December 2002, a claim that Tenet himself confirms in his memoir. Interestingly, Tenet also says that the decision to send troops into Iraq 'had already been made,' and goes on to outline evidence for that proposition that went back to February 2002. See Bob Woodward, *Plan of Attack* (New York: Simon & Schuster, 2004), p. 438, and George Tenet, *At the Center of the Storm: My Years at the CIA* (New York: HarperCollins), pp. 359-360.

<sup>8</sup> 'President George W. Bush's Speech to the United Nations General Assembly,' September 12, 2002, cited in Whitney, *The WMD Mirage*, p. 13-14.

Charter, with that right understood as implying a right of ‘anticipatory self-defense’ or ‘pre-emptive action’ when facing a real and impending threat. To think otherwise in an age of terror is to mistakenly buy into the conceits of a complacent Left. It is to retrospectively project back onto the past what is known now but could not have been known then. In other words, while we now have the luxury of a hindsight that shows that Saddam did not have WMDs, was unlikely to be able to develop them at any time in the near future, and most certainly did not have the links with Islamist terrorist organizations that were attributed to him, we did not have that luxury in March 2003. Instead, we all had to rely on intelligence that was painting a very different and threatening picture. The benefits of hindsight always more clearly illuminate the past than foresight can illuminate the future, and we should not forget the difference, defenders of the invasion will insist.

There are no shortages of voices in the political sphere that have expressed precisely this logic. As early as 2 February, 2004, Secretary of State Colin Powell had asserted that regardless of how things turned out, ‘It was the right thing to do,’ and that ‘The bottom line is this: the President made the right decision,’ given the intelligence that was available in the lead up to the war.<sup>9</sup> In his response to the *Butler Report*, Prime Minister Tony Blair accepted ‘full responsibility’ for any mistakes made, but insisted that those mistakes were made in ‘good faith’ on the basis of the intelligence made available to him at the time: ‘No one lied. No one made up the intelligence. No one inserted things into the [September 2002] dossier against the advice of the intelligence services.’<sup>10</sup> National Security Advisor Condoleezza Rice had already anticipated this logic on 11 July, 2003, when referring specifically to the flawed allegation that

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<sup>9</sup> Cited in Woodward, *Plan of Attack*, Pp. 436-437.

<sup>10</sup> Tony Blair cited in anon, ‘Serious Flaws’ in Iraq Intelligence,’ *BBC News*, web version available at [http://news.bbc.co.uk/2/hi/uk\\_news/politics/3890961.stm](http://news.bbc.co.uk/2/hi/uk_news/politics/3890961.stm), retrieved 8 May 2008.

Saddam had sought uranium from Niger: ‘Knowing what we now know, that some of the Niger documents were apparently forged, we wouldn’t have put this in the President’s speech – but that’s knowing what we know now.’<sup>11</sup> The implicit message in this and similar claims is that in so far as the main publicly stated reasons for invading Iraq have turned out to be wrong, they manifest failures of intelligence rather than being evidence of political deceit. The reasons for going to war may have been false but they were not based upon deliberate falsification. George W. Bush, Tony Blair, John Howard, and other politicians who promoted the cause of war, it is said, by themselves and by their apologists, all acted in good faith on the basis of the information available to them. The merits of their public pronouncements and political decisions in 2002-2003, therefore, should be judged *on the basis of the information available to them then*, rather than on the basis of what we have come to know subsequently.

The logic of this position is certainly plausible. Surely the actions of Bush administration officials, and their supporters in Australia and Britain, should be judged with due consideration to what they believed to be true prior to the invasion, rather than on the basis of subsequent information that confirms that those beliefs were mistaken. And yet troubling questions immediately arise: even if we accept that George W. Bush and other U.S. government officials *really believed* their claims that Saddam possessed WMDs and that he had links with Islamist terrorist organizations, were they (a) rational to believe this on the basis of the information that was available to them at the time, and (b) honest in their public presentation of the evidence that supposedly supported these beliefs, in the months prior to the invasion? Of these two

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<sup>11</sup> Cited in Rich, *The Greatest Story Ever Sold: The Decline and Fall of Truth – The Real History of the Bush Administration* (New York: Viking, 2006); p. 99.

questions, the first is largely redundant for the purposes of this paper. For what it is worth, I should just say in passing that, despite frequent appearances to the contrary, I assume that Bush and those around him are rational actors. Given the evidence that I present below, therefore, it is not their rationality that is in question but their honesty and political judgment.

In what follows, I subject this question – and hence the position claiming that the war was justified by the intelligence prior to March 2003 – to closer scrutiny. I attempt to identify what was known, when and by whom prior to the invasion, and examine this in relation to the timing of the public espousals of key justifications for invasion. I do so by drawing upon the vast array of evidence that has become available over the past five years.

This evidence is drawn from five principal sources. First, there are several official and non-official investigations about pre-war intelligence that yield important insights into the relationship between raw intelligence, the analysis of that intelligence, its filtering through the intelligence bureaucracy and other state agencies, and transmission into the public sphere.<sup>12</sup> Second, there have appeared a number of memoirs by relevant political insiders that help illuminate the discrepancies between public

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<sup>12</sup> National Commission on Terrorist Attacks Upon the United State, *The 9/11 Commission Report* (Washington: U.S. Government Printer, 2004); Senate Select Committee on Intelligence, *Report on the U.S. Intelligence Community's Prewar Intelligence Assessment on Iraq*, (Washington: U.S. Government Printer, 2004); Laurence Silberman and Charles Robb, *Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction* (Washington: U.S. Government Printer, 2005); Lord Butler, *Review of Intelligence of Weapons of Mass Destruction* (London: U.K. Government Printer); Anita Miller (ed.), *George W. Bush versus The U.S. Constitution: The Conyers Report* (Chicago: Academy Chicago Publishers); Minority staff of the U.S. House Committee on Government Reform, 108<sup>th</sup> Congress, *Report on Iraq on the Record* (Washington: U.S. Government Printer, 2004); Senator Carl Levin, *Report of an Inquiry into the Alternative Analysis of the Issue of an Iraq-al Qaeda Relationship* (Washington: U.S. Government Printer, 2004).

pronouncements and what was occurring behind the scenes.<sup>13</sup> Third, the labours of a coterie of investigative journalists, with very good access to inside information, enable us to paint a detailed picture of the administration's usage of intelligence, and its public relations efforts to frame that intelligence within particular parameters for consciously pursued political ends.<sup>14</sup> Fourth, a number of once classified U.S. and British government documents, memos and minutes have now come into the public domain, which shed light on when and why the decision for war was taken.<sup>15</sup> Finally, a series of more strictly academic works have situated the evidence about pre-war intelligence within broader debates about the "Bush Doctrine" and about continuities and discontinuities in U.S. foreign policy generally.<sup>16</sup> I have freely drawn upon all of these sources, cross referencing in order to verify particular claims, to help answer the question: were the public reasons given for war in 2002-2003 by the Bush regime, and its supporters in Britain and Australia, adequately justified by what they knew at that

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<sup>13</sup> See, for example, Richard A. Clarke, *Against All Enemies: Inside America's war on Terror* (New York: The Free Press, 2004); Hans Blix, *Disarming Iraq: the Search for Weapons of Mass Destruction, updated edn.* (London, Bloomsbury, 2005); Andrew Wilkie, *Axis of Deceit* (Melbourne: Black Inc., 2004); George Tenet, *At the Center of the Storm: My Years at the CIA* (New York: HarperCollins). See also the inside account of Bush's former first Treasury Secretary, Paul O'Neill, penned by Ron Suskind, *The Price of Loyalty: George W. Bush, the White House and the Education of Paul O'Neill* (New York: Simon and Schuster, 2004).

<sup>14</sup> This work is now voluminous, much of it scattered in newspapers and magazines. Some of the best investigative journalism on the subject has now been published in book form. Of the more serious and important in this genre I would include, and have drawn upon, James Mann, *Rise of the Vulcans: The History of Bush's war Cabinet* (New York: Penguin, 2004); Seymour M. Hersh, *Chain of Command* (New York: Penguin, 2005); George Packer, *The Assassins' Gate: America in Iraq* (New York: Farrar, Straus and Giroux, 2005); Frank Rich, *The Greatest Story Ever Sold: The Decline and Fall of Truth – The Real History of the Bush Administration* (New York: Viking, 2006); Michael Isikoff and David Corn, *Hubris: The Inside Story of Spin, Scandal, and the Selling of the Iraq War* (New York: Three Rivers Press, 2007).

<sup>15</sup> The most significant here is the so-called 'Downing Street Memos,' which were leaked to the *London Times* in May 2005. They strongly imply that the decision for war had already been taken by the Northern summer of 2002, as I discuss below.

<sup>16</sup> For example, Ashley Dawson and Malini Johar Schueller (eds.), *Exceptional State: Contemporary U.S. Culture and the New Imperialism* (Durham: Duke University Press, 2007); Ivo H. Daalder and James M. Lindsay, *America Unbound: the Bush Revolution in Foreign Policy 2<sup>nd</sup> Edn.* (Hoboken NJ, Wiley & Sons, 2005); Stephan Halper and Jonathan Clarke, *America Alone: the Neo-Conservatives and the Global Order* (Cambridge: Cambridge University Press, 2005); Michael Lind, *The American Way of Strategy: U.S. Foreign Policy and the American Way of Life* (Oxford: Oxford University Press, 2006); Stephen M. Walt, *Taming American Power: The Global Response to U.S. Primacy* (Cornell: Cornell University Press, 2005).

time? In answering the question, I provide both a composite picture of the accumulated evidence that bears on the question and, of course, an answer.

I proceed by first outlining the main public rationales for war, as articulated on numerous occasions by leading figures within the executive branch of U.S. government. Here I identify not only the central rationales, but also the supplementary claims which, taken together, were said to give substance to the central rationales. I subject each of these rationales, and their associated supplementary claims, to sustained scrutiny on the basis of evidence drawn from the five sources outlined above. I draw the threads of this discussion together at the end of the paper in a number of tightly focused concluding propositions.

### **The Public Rationale for War**

In the months leading up to the second Gulf War, there were two overriding publicly stated justifications that administration officials gave for invading Iraq.<sup>17</sup> The first was the alleged link between Saddam Hussein and Al Qaeda, raising the possibility that the former could provide support for the latter in attacks on the United States. The second, of course, was Saddam's supposed possession and further development of WMDs.

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<sup>17</sup> To be sure, leading administration officials have since argued that WMDs and Saddam's links with terrorists were not the only reasons for waging war against Iraq. Indeed, the liberation of Iraq's population from Saddam's tyranny, and the establishment of an Arab democracy that would be a model for other states in the region, have become the more frequently cited justifications for invasion. 'The world is better off without Saddam Hussein,' we are repeatedly told, as if this alone is sufficient reason for invading a sovereign state and continuing to occupy it five years later. Whatever are the merits of such arguments, a discussion of them is superfluous to my purposes here. The documentary evidence overwhelmingly shows that the establishment of democracy in Iraq, while certainly a recurring theme in the position papers of leading neo-conservative think tanks with which administration officials had links, was not a principal *public* justification for the invasion in March 2003. Rather, the public case for invasion rested almost exclusively upon Iraq's supposed possession of WMDs and its alleged links with terrorists. Hence, it is these justifications that I focus on in this paper.

### **Justification 1: Links Between Iraq and Al Qaeda?**

In respect of the first justification, its roots lay in the weeks and months immediately after 9/11. Former Treasury Secretary Paul O'Neill has recounted the Bush administration's early pre-occupation with Iraq, which only intensified with the terrorist attacks on New York and Washington.<sup>18</sup> In the days immediately after 9/11, both Defense Secretary Donald Rumsfeld and his deputy Paul Wolfowitz raised the possibility of attacking Iraq, a claim confirmed by Bush's 'Terrorism Tsar', Richard Clarke, who was also present at the National Security Council (NSC) meetings attended by O'Neill.<sup>19</sup> On 21 November 2001, President Bush himself had asked Donald Rumsfeld to prepare a secret war plan for invading Iraq.<sup>20</sup> According to George Tenet, the President had viewed this plan by February 2002.<sup>21</sup> It was not until late in the northern summer of 2002, however, that a coordinated, public roll out of the allegation that Iraq was linked to al Qaeda began.<sup>22</sup>

In a speech to the UN General Assembly the day after the first 9/11 anniversary, for example, President Bush asserted that Saddam threatened the U.S. because of his capacity to supply terrorists 'with the technologies to kill on a massive scale.' Moreover, 'Iraq continues to shelter and support terrorist organizations' and 'al Qaeda

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<sup>18</sup> Suskind, *The Price of Loyalty*, pp. 75 & 184-188.

<sup>19</sup> Clarke, *Against All Enemies*, p. 264. Also see Mann, *Rise of the Vulcans*, pp. 302-303; Woodward, *Plan of Attack*, pp. 25-27.

<sup>20</sup> *Ibid*, 30-35.

<sup>21</sup> George Tenet, *At the Center of the Storm*, p. 359.

<sup>22</sup> Andrew Card, White House chief of Staff, explained to a New York Times reporter that 'From a marketing point of view, you don't introduce new products in August.' Consequently, the roll out of the 'new product' – the case for war against Iraq – began in earnest in September 2002. See Rich, *The Greatest Story Ever Sold*, pp. 56-72 and Isikoff & Corn, *Hubris*, pp. 33-42.

terrorists escaped from Afghanistan and are known to be in Iraq.’<sup>23</sup> Further developing this theme when testifying before the Senate Armed Services Committee on 19 September, 2002, Donald Rumsfeld asserted that, ‘We know that al Qaeda is operating in Iraq today, and that little happens in Iraq without the knowledge of the Saddam Hussein regime.’<sup>24</sup> He repeated this claim eight days later, stating that he had ‘bulletproof’ evidence of Iraq’s links with Al Qaeda.<sup>25</sup> Meanwhile, on 25 September, 2002, President Bush again publicly made the link: ‘You can’t distinguish between al Qaeda and Saddam when you talk about the war on Terror.’<sup>26</sup> On the same day, Bush’s National Security Advisor, Condoleezza Rice, said, ‘There clearly are contacts between Al Qaeda and Iraq ... there’s a relationship there.’<sup>27</sup> It wasn’t just the hawks in the administration putting this line. Indeed, it reached a crescendo in the Security Council of the United Nations on 5 February, 2003, when the moderate face of Bush’s foreign policy team, Secretary of State Colin Powell, forcefully made the case:

But what I want to bring to your attention today is the potentially much more sinister nexus between Iraq and the al Qaeda terrorist network, a nexus that combines classic terrorist organizations and modern methods of murder. Iraq today harbors a deadly terrorist network, headed by Abu Musaab al-Zarqawi, an associate and collaborator of Osama bin Laden and his Al Qaeda lieutenants.<sup>28</sup>

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<sup>23</sup> ‘President George W. Bush’s Speech to the United Nations General Assembly,’ 12 September 2002, cited in Whitney, *The WMD Mirage*, p. 10-12.

<sup>24</sup> Statement of Secretary Rumsfeld, *Hearing on U.S. Policy on Iraq: Before the U.S. Senate Commission on Armed Services*, 107<sup>th</sup> Congress, 2<sup>nd</sup> Session.

<sup>25</sup> Eric Schmitt, ‘Rumsfeld Says U.S. Has ‘Bulletproof’ Evidence of Iraq’s Links to Al Qaeda,’ *New York Times*, 28 September 2002, p. A9.

<sup>26</sup> Available at <http://www.whitehouse.gov/news/releases/2002/09/20020925-1.html>.

<sup>27</sup> CNN.com, ‘Rice: Iraq trained al Qaeda in chemical weapons,’ 26 September 2002, available at <http://archives.cnn.com/2002/US/09/25/us.iraq.alqaeda/>.

<sup>28</sup> The full text of Powell’s 5 February, 2003, Security Council speech is included in Whitney, *The WMD Mirage*, pp. 77-111. The quote appears on p. 101.

These general assertions about the link between Iraq and Al Qaeda were lent additional force by a number of more specific, supplementary claims. It was repeatedly suggested, for instance, that an Iraqi intelligence official had met with Mohammed Atta (a principal figure in the 9/11 hijackings) in April 2001. Vice President Dick Cheney had first raised this possibility on 9 December, 2001, on *Meet the Press*: ‘... that’s been pretty well confirmed, that [Mohamed Atta] ... did go to Prague and he did meet with a senior official of the Iraqi intelligence service in Czechoslovakia last April, several months before the attack.’<sup>29</sup> He reiterated this theme on *Meet the Press* on 8 September, 2002: ‘New information has come to light,’ Cheney suggested, revealing that Mohamed Atta had visited Prague on several occasions: ‘And on at least one occasion, we have reporting that placed him in Prague with a senior Iraqi intelligence official a few months before the attack on the World Trade Center.’<sup>30</sup>

While this claim was doing the rounds in major U.S. media, so too were stories about Iraq’s supposed training of Al Qaeda terrorists. On 7 October, 2002, the President stated: ‘We’ve learned that Iraq has trained Al Qaeda members in bomb-making and poisons and deadly gases. ... We know that Iraq and Al Qaeda have had high-level contacts that go back a decade.’<sup>31</sup> Colin Powell greatly expanded on the President’s assertion four months later, in his speech to the Security Council. In addition to the above-mentioned terrorist network operating out of Iraq, he also claimed that Saddam’s regime was directly training Al Qaeda terrorists: ‘I can trace the story of a senior terrorist operative telling how Iraq provided training in these weapons [of mass

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<sup>29</sup> Cited in Miller, *George W. Bush versus the U.S. Constitution*, P. 50.

<sup>30</sup> Cited in Rich, *The Greatest Story Ever Sold*, p. 59.

<sup>31</sup> Available at <http://www.whitehouse.gov/news/releases/2002/10/20021007-8.html>.

destruction] to Al-Qaeda.’ Powell continued: ‘The support that Hussein describes included Iraq offering chemical or biological weapons training for two Al Qaeda associates beginning in December 2000.’ Echoing the President’s charge, Powell concluded, ‘The nexus of poisons and terror is new; the nexus of Iraq and terror is old. The combination is lethal.’<sup>32</sup>

Another key piece of evidence that was said to give substance to claims about the link between Iraq and terrorism was elaborated in a September 2002 document produced by the White House Iraq Group (WHIG), a group convened that August with the explicit purpose of marketing the case for war with Iraq.<sup>33</sup> The document, titled ‘A Decade of Deception and Defiance,’ was released in time to bolster the President’s UN speech, and included the claim that Saddam had a ‘highly secret terrorist training facility in Iraq known as Salman Pak, where both Iraqis and non-Iraqi Arabs receive training on hijacking planes and trains, planting explosives in cities, sabotage, and assassinations.’ This was a recycled claim that had first been aired eleven months earlier, when an Iraqi Army captain defected and stated in an interview with the *New York Times* and the television program *Frontline* that the 9/11 attack ‘was conducted by people who were trained by Saddam.’<sup>34</sup> It was a claim that was abetted by another defector, who said that in 2000 he had witnessed hijacking lessons on an out of service Boeing 707 parked at the Salman Pak site.<sup>35</sup> Together with the evidence cited above, such claims were publicly appealed to by the administration as proof of the sinister nexus between Saddam and Al Qaeda.

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<sup>32</sup> Colin Powell, cited in Whitney, *The WMD Mirage*, p. 104-105

<sup>33</sup> See Rich, *The Greatest Story Ever Sold*, pp. 189; and Isikoff & Corn, *Hubris*, p. 29.

<sup>34</sup> Hersh, *Chain of Command*, p. 212.

<sup>35</sup> *Ibid.*

As I have already alluded to, three U.S. government-sponsored inquiries have concluded that there was no evidence of ongoing, substantial links between Saddam Hussein and Al Qaeda or other Islamist terrorist organizations. But the question we are concerned with here is not so much whether there was or was not an ongoing link, as whether it could be reasonably inferred from the intelligence available before March 2003 that there was such a link. Here it seems that the White House routinely ignored the judgments of intelligence agencies that contradicted the thesis of a link between Saddam and Al Qaeda.

On 21 September 2001, for example, the President's daily intelligence briefing had warned Bush that there was 'scant credible evidence' of any 'significant collaborative ties' between Iraq and Al Qaeda. The briefing went on to explain that this was because Saddam regarded radical Islamists in general, and Al Qaeda in particular, as threats to his secular regime. The briefing was distributed to all of the key security players in Bush's Cabinet, including Cheney, Rice, Rumsfeld, Wolfowitz and Powell.<sup>36</sup> Similarly, in early 2002 Richard Clarke had, at the President's prompting, sent a memo to Condoleeza Rice arguing that 'only some anecdotal evidence linked Iraq to al Qaeda [and that] the case for links between Iraq and al Qaeda was weak...'<sup>37</sup> This conclusion was repeated in three crucial Intelligence Community Reports in the year leading up to war.<sup>38</sup> In summarizing the main thrust of these documents, the report of the Senate Select Committee on Intelligence (SSCI) states:

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<sup>36</sup> Murray Waas, 'Key Bush Intelligence Briefing Kept from Hill Panel,' *National Journal*, 22 November 2005. Available at <http://nationaljournal.com/about/njweekly/stories/2005/1122nj1.htm>

<sup>37</sup> *9/11 commission Report*, p. 334.

<sup>38</sup> These reports are 'Iraq and Al-Qaeda: Interpreting a Murky Relationship' (June 2002), 'Iraq Support for Terrorism' (September 2002), and an updated and more widely disseminated copy of a report with the same title (January 2003). While not available for public consumption, the Senate Select Committee on Intelligence report, released in mid-2004, identifies them as accurately expressing the Intelligence community's judgments on the link between Iraq and terrorism. *Report on the U.S. Intelligence Community's Prewar Intelligence Assessment on Iraq*.

‘The Central Intelligence Agency reasonably assessed that there were likely several instances of contacts between Iraq and al-Qaeda throughout the 1990s, but that these contacts did not add up to an established formal relationship.’ Rather, in so far as there was any sort of contact, it ‘appears to more closely resemble that of two independent actors trying to exploit each other.’<sup>39</sup> This conclusion accords with the more general National Intelligence Estimate (NIE) of October 2002. When estimating ‘whether in desperation Saddam would share chemical or biological weapons with Al Qaeda,’ it gave a ‘low confidence’ appraisal.<sup>40</sup> The NIE and the other three reports all concluded that there was no credible evidence of Iraqi involvement in the 9/11 attacks. Given that these four intelligence reports, plus two Presidential intelligence briefings in September and October 2001, all made essentially the same argument, it is difficult to see how the President and his closest associates could reasonably infer a link between Iraq and al Qaeda that threatened U.S. security. Certainly President Bush’s claim on 25 September 2002 that ‘You can’t distinguish between Al Qaeda and Saddam when you talk about the war on terror,’ and Secretary Rumsfeld’s assertion two days later that he had ‘bulletproof’ evidence of the link, appear disingenuous to say the least. There was nothing bulletproof about any of the imputed evidence, as a brief consideration of the administration’s more specific claims makes clear.

The first specific, supplementary claim that added weight to the general thesis of a link between Iraq and Al Qaeda was the suggestion that Mohamed Atta, a principal figure in the 9/11 plot, had met with a senior Iraqi intelligence official in April 2001.

As I have substantiated above, this claim was first aired by Vice President Dick

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<sup>39</sup> Senate Select Committee on Intelligence, *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessment on Iraq*, pp. 346 & 322.

<sup>40</sup> Cited in Miller, *George W. Bush Versus the U.S. Constitution*, p. 52.

Cheney on 9 December 2001, and then repeatedly asserted in the six months leading up to war.<sup>41</sup> We now know that not only did this alleged meeting not take place, but that Bush administration officials kept repeating the claim long after they became aware that the evidence supporting it was dubious. On 21 October 2002, the *New York Times* reported that the Czech President, Vaclav Havel, had himself intervened in early 2002 to warn White House officials that there was no credible evidence of the meeting, a judgment that was shared by the U.S. intelligence establishment.<sup>42</sup> In its analysis of the latter, the SSCI report also states that the Prague meeting likely never occurred, while the *9/11 Commission* concluded that although it could not ‘absolutely rule out the possibility’ of a meeting, ‘available evidence does not support the original Czech report of an Atta-Ani meeting.’<sup>43</sup> The Intelligence Community had reached and disseminated this conclusion by at least June 2002. And with good reason: telephone records and a bank surveillance photograph strongly implied, if not confirmed, that at the time of the alleged meeting in Prague Atta was actually in Florida. In belated response to questioning at the Armed Services Committee Hearing on 9 March 2004, CIA Director George Tenet provided the following revealing answer:

In the absence of any credible information that the April 2001 meeting occurred, we assess that Atta would have been unlikely to undertake the substantial risk of contacting any Iraqi official as late as April 2001, with the plot already well along toward execution.<sup>44</sup>

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<sup>41</sup> Miller, *George W. Bush versus the U.S. Constitution*, p. 50

<sup>42</sup> Rich, *The Greatest Story Ever Sold*, pp. 254-55.

<sup>43</sup> *9/11 Commission Report*, p. 229.

<sup>44</sup> George Tenet, ‘July 1, 2004 Response of Director of Central Intelligence George Tenet to Senator Levin Question for the Record, March 9, 2004 Armed Services Committee Hearing,’ available at <http://levin.senate.gov/newsroom/release.cfm?id=225368>, accessed 8 May 2008.

This response encapsulates the essence of the Intelligence Community's position since at least June 2002, pre-dating the Administration's repeated assertions in late 2002 about the Prague meeting.

The other major claim lending additional weight to arguments about a link between Iraq and al Qaeda concerned alleged Iraqi training camps for Islamist terrorists. The most notorious of these was the supposed training camp for hijackers near the small town of Salman Pak, south of Baghdad. The story first surfaced in the *Washington Post* and *New York Times* in October 2001, where an Iraqi defector claimed that he had worked at the camp. He told reporters that the body of a decommissioned Boeing 707 was used for the purpose of training hijackers, a claim that resonated with many people at the time, given the highly charged atmosphere in the weeks and months immediately after the attacks of 9/11. These initial reports about terrorist training in Iraq were recycled by the White House in the second half of 2002, and reached a crescendo in Powell's speech to the U.N. Security Council in February 2003.<sup>45</sup> Here it was alleged that Iraq not only assisted with hijack training, but also with 'chemical or biological weapons training for two Al Qaeda associates beginning in December 2000.'<sup>46</sup>

What was absent from the Secretary of State's speech, and from the White House's own assertions about terrorist training in Iraq, was an accurate depiction of the source of these claims. There were two principal sources: on the one hand, the 'confessions' of a senior Al Qaeda operative in U.S. custody from late 2001, Ibn al-Shaykh al-Libi;

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<sup>45</sup> Isikoff and Corn, *Hubris*, pp. 48-49 & 54-55; Hersh, *Chain of Command*, pp. 216-17; Rich, *The Greatest Story Ever Sold*, p. 187.

<sup>46</sup> Colin Powell, cited in Whitney, *The WMD Mirage*, p. 104-105

on the other hand, an Iraqi defector, former Iraqi military captain Sabah Khalifa Khodada, whom the Iraqi National Congress (INC) had sponsored and put in contact with American journalists. Both of these sources, we now know, were not credible and were known not to be credible by U.S. Government officials, including President Bush and security team. A declassified Defense Intelligence Agency (DIA) document from February 2002 – circulated to the CIA, the White House, the Pentagon and other agencies – identified al-Libi as a likely fabricator, ‘intentionally misleading the debriefers.’ It went on to say that al-Libi ‘may be describing scenarios to the debriefers that he knows will retain their interest.’<sup>47</sup> A CIA assessment from the same time said that ‘the source [al-Libi] was not in a position to know if any training had taken place.’<sup>48</sup> The other source, Khodada, was similarly compromised. Sponsored by the INC, who clearly had a partisan interest in bolstering the administration’s case for an invasion, his claims were never corroborated. While there certainly was a camp at Salman Pak, a former CIA station chief interviewed by Seymour Hersh said that it was not for the training of terrorists, but for counter-terrorism training. He continued by pointing out the obvious: if Iraqis were going to train Islamist terrorists they would certainly not do it on a plane in the open. ‘That’s Hollywood rinky-dink stuff,’ he said.<sup>49</sup>

Given the substantial evidence that has accumulated over the past five years then, only a fraction of which has been cited here, it seems clear that not only was their no link between Iraq and Al Qaeda, but that U.S. intelligence agencies had been, on balance, extremely sceptical of this claim through the period between 9/11 and March 2003. The upper echelons of the Bush administration must have known that this was

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<sup>47</sup> Cited in Miller, *George W. Bush versus the U.S. Constitution*, p. 57.

<sup>48</sup> Ibid.

<sup>49</sup> Cited in Hersh, *Chain of Command*, p. 217; Isikoff & Corn, *Hubris*, p. 55.

the balance of judgment of the intelligence agencies, given the timing of the release of documents and reports cited above, but chose to ignore it and instead amplify the more flimsy claims of a link between Iraq and Al Qaeda. So what of the other key justification for war – Iraq’s possession and development of WMDs?

### **Justification 2: Iraq and WMDs?**

In contrast to the first justification discussed, the linking of Iraq to chemical, biological and nuclear weapons had a much earlier provenance. Saddam Hussein had used chemical weapons against both Kurds and the Iranian army in the 1980s, and after the first Gulf War it was revealed that his efforts to develop a nuclear capacity were further advanced than most imagined. In this context, the United Nations Special Commission (UNSCOM) was established to oversee the disarming of Iraq’s WMDs. It carried out its duties relatively effectively until its removal in December 1998.<sup>50</sup> Indeed, UNSCOM’s work had been so effective that the Iraq Survey Group – established by the Bush administration to survey Iraq for WMDs after the war – completed its work in October 2004 stating that there were no WMDs in Iraq, no facilities for producing them, and that the vast majority of Saddam’s WMD arsenal had been eradicated by 1991.<sup>51</sup>

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<sup>50</sup> It has become common wisdom that this removal amounted to UNSCOM being ‘kicked out.’ UN weapons inspector Scott Ritter rejects this interpretation, arguing instead that the Iraqis became increasingly uncooperative after several provocations by Richard Butler, the leader of the UNSCOM mission in its final year. It was Butler, working in cooperation with, if not at the behest of, the U.S. who ordered the removal of inspectors on the eve of Operation Desert Fox, the bombing of strategic targets throughout Iraq by U.S. and British war planes in December 1998. See Scott Ritter, *Iraq Confidential: The Untold Story of America’s Intelligence Conspiracy* (New York: I. B. Taurus, 2005), pp. 265-288.

<sup>51</sup> Charles A. Duelfer, *Comprehensive Report*.

After UNSCOM's removal from Iraq in December 1998, weapons inspections did not recommence until November 2002, this time under the auspices of UNMOVIC and the leadership of Hans Blix. The administration made much of the fact that weapons inspectors had been absent from Iraq for nearly four years, a period sufficient, it was suggested, for Iraq to reconstitute its WMD programmes.<sup>52</sup> In the eighteen months between 9/11 and the invasion, a constant refrain of the Bush administration was that Iraq's WMDs threatened the U.S., the region and the world.

As with the first justification outlined above, the rollout of the second justification began somewhat subliminally in the weeks following 9/11, but intensified in the second half of 2002. In November 2001, President Bush had specified that Iraq would be held accountable for its harbouring of 'weapons of mass destruction.'<sup>53</sup> On 26 August the following year, Vice President Cheney stated: 'There is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies and against us.'<sup>54</sup> As President Bush prepared for his speech to the UN in September 2002, the White House released its report *A Decade of Deception and Defiance*. The document outlined the assertions of an Iraqi defector, Adnan Ihsan Saeed al-Haideri, who said that he had been a witness to the burying of large amounts of biological, chemical and nuclear weapons. The President repeated these claims in his addresses to the U.N and to Congress later in September, bluntly stating to the latter that 'the Iraqi regime

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<sup>52</sup> While beyond the scope of this paper, there is significant evidence that key players in the Bush administration (especially Cheney, Rumsfeld and Wolfowitz) were adamantly opposed to sending U.N. weapons inspectors back into Iraq. It seems that President Bush only acquiesced when Tony Blair intimated that the multilateral path to resolving the Iraq crisis was a condition of British support. See Isikoff & Corns, *Hubris*, pp. 44-45; Mann, *Rise of the Vulcans*, pp. 340-344.

<sup>53</sup> Rich, *The Greatest Story Ever Sold*, p.58.

<sup>54</sup> *ibid.*

possesses biological and chemical weapons'.<sup>55</sup> In his 5 February 2003 address to the Security Council, Secretary of State, Colin Powell, crystallized the arguments made by the Administration over the previous year, stating that 'the facts and Iraq's behavior show that Saddam Hussein and his regime are concealing their efforts to produce more weapons of mass destruction.'<sup>56</sup> This alleged concealment, and thus the purported violation of U.N. Security Council Resolutions 687 and 1441, became the formal pretext for the invasion.

A number of other more specific claims gave the general WMD assertions greater substance. With respect to biological and chemical weapons, President Bush stated on 7 October 2007 that:

In 1995, after several years of deceit by the Iraqi regime, the head of Iraq's military industries defected. It was then that the regime was forced to admit that it had produced more than 30,000 liters of anthrax and other deadly biological agents ... This is a massive stockpile of biological weapons that has never been accounted for, and is capable of killing millions<sup>57</sup>

In his January 2003 State of the Union address, the President offered up a similar assessment with respect to chemical weapons:

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<sup>55</sup> President George W. Bush, 'President Bush Discusses Iraq with Congressional Leaders' (26 September 2002), available at <http://www.whitehouse.gov/news/releases/2002/09/20020926-7.html>.

<sup>56</sup> Powell full speech is in Whitney (ed.), *The WMD Mirage*.

<sup>57</sup> President George W. Bush, 'Remarks on Iraq' (7 October 2002), available at <http://www.whitehouse.gov/new/releases/2002/10/20021007-8.htm>. Accessed 8 May 2008.

Our intelligence officials estimate that Saddam Hussein had the materials to produce as much as 500 tons of Sarin, mustard, and VX nerve agent. In such quantities, these chemical agents could also kill untold thousands. He's not accounted for these materials. He has given no evidence that he has destroyed them.<sup>58</sup>

If the general public were not sufficiently alarmed by these apocalyptic possibilities, they would be after the speech to the Security Council by Secretary of State Colin Powell. He famously brought the world's attention to Iraq's alleged mobile chemical weapons laboratories, and to its means of delivering their toxic output. Having reminded his audience that less than a teaspoon of dried anthrax shutdown the U.S. Senate in 2001, injured several hundred and killed two, he went on to accuse Iraq of possessing up to 25,000 litres of anthrax:

If concentrated into this dry form, this amount would be enough to fill tens upon tens upon tens of thousands of teaspoons. And Saddam Hussein has not verifiably accounted for even one teaspoon-full of this deadly material<sup>59</sup>

Beyond chemical and biological weapons, the trump card for the Bush administration was its claims and insinuations that Iraq was energetically pursuing a nuclear capability. On 7 September 2002, the President asserted that a new International Atomic Energy Agency (IAEA) report suggested that Iraq may have been less than

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<sup>58</sup> President George W. Bush, 'State of the Union Address 2003', cited in Whitney (ed.), *The WMD Mirage*.

<sup>59</sup> Ibid.

six months away from developing a nuclear capability.<sup>60</sup> The following day, Vice President Cheney explained on *Meet the Press* that Saddam needed technical expertise, a weapons design, and weapons grade fissile material in order to go nuclear. He then referred to a story in the *New York Times* that very morning, which indicated that Saddam was seeking to acquire the kinds of aluminum tubes necessary to produce weapons grade fissile material (a story that was subsequently revealed to have been leaked by the White House to NYT reporter Judith Miller, and then appealed to as independent, corroborating evidence). To put his audience in absolutely no doubt about the implication, he concluded that ‘we do know, with absolute certainty, that he is using this procurement system to acquire the equipment he needs in order to enrich uranium to build nuclear weapons.’<sup>61</sup> The same day, National Security Advisor, Condoleezza Rice, warned that ‘We don’t want the smoking gun to be a mushroom cloud,’ a striking phrase that would be frequently repeated in the weeks to come, including by the President: ‘Facing clear evidence of peril, we cannot wait for the final proof – the smoking gun – that could come in the form of mushroom cloud.’<sup>62</sup> Finally, in January administration officials began demanding that Iraq account for its attempts to procure uranium. This insinuation shifted to a far more specific claim in the President’s State of the Union address in January 2003: ‘The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa,’ the President said.<sup>63</sup>

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<sup>60</sup> Miller, *George W. Bush Versus the U.S. Constitution*, p. 63.

<sup>61</sup> Cited in Rich, *The Greatest Story Ever Sold*, p. 59.

<sup>62</sup> President George W. Bush, ‘Remarks on Iraq’ (7 October 2002), available at <http://www.whitehouse.gov/new/releases/2002/10/20021007-8.htm>. Accessed 8 May 2008.

<sup>63</sup> President George W. Bush, ‘State of the Union Address 2003’, cited in Whitney (ed.), *The WMD Mirage*.

While there was perhaps a more substantial case for this second justification than for the first, a great deal of material has now come to light suggesting that administration officials made public statements that were deliberately misleading and based on evidence that they knew to be flawed. The conclusion drawn by official investigations that much of the pre-war intelligence about Iraq and WMDs was ‘dead wrong,’ masks the fact that a good deal of the intelligence was dead right.<sup>64</sup>

In September 2002, for example, at the very moment that the Administration was amplifying its claims about Iraq’s chemical and biological weapons, a Defense Intelligence Agency (DIA) report had concluded:

A substantial amount of Iraq’s chemical warfare agents, precursors, munitions, and production equipment were destroyed between 1991 and 1998 ... [T]here is no reliable information on whether Iraq is producing and stockpiling chemical weapons or where Iraq has – or will – establish is chemical warfare agent production facilities.<sup>65</sup>

In addition, much of the White House’s case about Iraq’s chemical and biological weapons activity rested on the testimony of Iraqi defector, Adnan Ihsan Saeed al-Haideri. The only problem was that al-Haideri had been dismissed as a fabricator by CIA and DIA officials in December 2001 – ten months before his testimony began to be used in earnest by the White House – after having been subjected to polygraph

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<sup>64</sup> The weight of the *Butler Report* (2004), the *Deulfer Report* (2004) and the *Silberman and Robb Report* (2005) suggest that the pre-war intelligence on WMDs was dead wrong. But they fail to account for much of the intelligence that was, as I show below, correct but ignored by the Bush and Blair governments. One suspect that much of this discrepancy can be explained by the limited terms of reference that were imposed on the investigations by the U.S. and British Governments.

<sup>65</sup> Minority staff of the U.S. House Committee on Government Reform, 108<sup>th</sup> Congress, *Report on Iraq on the Record* (Washington: U.S. Government Printer, 2004).

tests.<sup>66</sup> A remarkably similar fate befell the Administration and Colin Powell's assertions about mobile weapons laboratories. Inconclusive U2 spy plane photographs aside, the existence of these laboratories had largely been based on the testimony of defectors with dubious credentials. An Iraqi in German custody who had been given the name 'curveball,' for instance, had been labeled by German intelligence as mentally unstable and unreliable. The CIA had also been informed by British intelligence, the Robb-Silberman Commission found, that they were 'not convinced that Curveball is a wholly reliable source,' and that his behaviour was 'typical of ... fabricators.'<sup>67</sup> On the very eve of Colin Powell's presentation to the Security Council, a CIA doctor sent an email to the State Department stating the Curveball was a fabricator.<sup>68</sup> Moreover, the Iraqi Major who was cited by Powell as corroborating Curveball's evidence had been labeled a liar by the CIA and DIA in May 2002.<sup>69</sup> Finally, a CIA operative came forward immediately before Powell's speech, throwing doubt on the reliability of the other sources whom Powell used as evidence for his mobile weapons laboratory claims.

The Administration's claims about Iraq's nuclear activities were even more fanciful and misleading. The President's remarks about Iraq being six months away from obtaining a nuclear weapon, for example, were premised on IAEA reports that were not new, as Bush explicitly stated, but from the 1990s. Their contents suggested that, assuming the success of Iraq's 'crash programme,' Saddam may have been six months away from developing a nuclear weapon on the eve of the first Gulf War, but that UNSCOM and IAEA inspections had systematically destroyed that possibility, a

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<sup>66</sup> Miller, *George W. Bush versus the U.S. Constitution*, p. 83.

<sup>67</sup> Laurence Silberman and Charles Robb, *Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction*.

<sup>68</sup> Miller, *George W. Bush versus the U.S. Constitution*, p. 85.

<sup>69</sup> Rich, *The Greatest Story Ever Sold*, p. 236.

conclusion diametrically opposed to the one that President Bush was suggesting.<sup>70</sup> With respect to the allegations about Iraq acquiring aluminum tubes to be build nuclear centrifuges, the evidence was similarly tainted. What Vice President Cheney claimed to know ‘with absolute certainty,’ was in fact based on the views of a single CIA analyst, which were vigorously contested by nuclear experts at the Department of Energy and the State Department. The former had published an analysis on 17 August 2001, which concluded that the dimensions and composition of the tubes were not suitable for centrifuge use; the latter had drawn the same conclusion in the October 2002 National Intelligence estimate, saying that it was more likely that Iraq had acquired the tubes for the production of conventional military rockets.<sup>71</sup> There were, to be sure, others in the intelligence community who backed the single CIA analyst’s interpretation, but the point that I am making here is that opinion within the U.S. bureaucracy was far more variegated than implied by Bush, Cheney and others within the executive wing. The contested nature of the intelligence reports on Iraq’s WMDs in general, and its nuclear activities in particular, were completely effaced by the Bush regime’s public pronouncements.

Nowhere was this disingenuous approach more readily applied than in the claims that Iraq had sought uranium from Niger. It has now been conclusively demonstrated, from multiple sources, that the documents on which the claims were based were identified as forgeries long before they were cited publicly to bolster the case for war. That is why the CIA had had references to the claim struck out of Bush’s speeches

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<sup>70</sup> International Atomic Energy Agency, ‘The Implementation of United Nations Security Council Resolutions 687, 707 and 715’ (1991); ‘Relating to Iraq’ (1995). Available at <http://www.iaea.org/About/Policy/GC/GC39/Resolutions/gc3910a1.html>. Accessed 12 May 2008.

<sup>71</sup> See Miller, George W. Bush versus teh U.S. Constitution, pp. 63-72.

before his 2003 State of the Union address.<sup>72</sup> In fact, the CIA had concluded earlier in 2002 that the story was a fabrication, based on forged documents, as had Joe Wilson who had been sent to Niger with the explicit purpose of evaluating the veracity of the allegations.<sup>73</sup> Furthermore, a secret State Department memo from 4 March 2002 – only declassified in January 2006 after a Freedom of Information Request filed by Judicial Watch – had concluded the Niger story was ‘unlikely.’<sup>74</sup> Perhaps most damningly, In January 2003 the National Intelligence Council (NIC) had unreservedly rejected the claim as baseless. Four U.S. government officials interviewed by the Washington Post stated that this memo was delivered to the White House on the eve of the Niger claim being put at the forefront of the administration’s case for war.<sup>75</sup>

As with the first justification then, it seems clear that the Administration not only overstated the threat that Iraq’s WMDs posed, it made positively misleading public statements that contradicted what its own intelligence was saying.

## **Conclusion**

As I discussed in the introduction to this paper, it is possible to concede that the main public reasons for going war with Iraq have turned out to be mistaken, while still maintaining that the invasion was justified at the time, given what we knew then, and given what the weight of intelligence was saying that we knew. In so far as there were failings in the lead up to the Second Gulf War, this position suggests, they were failings of intelligence rather than of political integrity. Bush, Blair and Howard all

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<sup>72</sup> Isikoff & Corn, *Hubris*, p. 86.

<sup>73</sup> See Joe Wilson, *The Politics of Truth: Inside the Lies that led to War and Exposed my Wife’s CIA Identity* (Carrol & Graf, 2005), pp. 1-20.

<sup>74</sup> Rich, *The Greatest Story Ever Sold*, p. 235.

<sup>75</sup> *Ibid*, p. 256.

acted in good faith on the basis of the information supplied to them by intelligence professionals. But did they?

Based on the evidence that I have presented above we can know ‘with absolute certainty,’ to borrow a phrase, that many of the claims that were central in the case for war with Iraq were not only false, but were known to be false by their claimants. The alleged nexus between Iraq and Islamist terrorists was never seriously demonstrated, and nor were the claims about Saddam’s WMDs. Rather, they were claims that were, in the main, based on the testimony of a motley assortment of Iraqi defectors supplied by a politically partisan INC, or al Qaeda figures in U.S. custody supplying their interrogators with information that they thought they wanted to hear. Most had been branded as fabricators by U.S. intelligence services long before their accounts were used in public forums to bolster the case for war. Their words were harvested as part of a cherry-picking operation whose objective was preparing public opinion for war. As the Downing Street memo of 23 July 2002 makes transparent:

Military action was now seen as inevitable. Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy.<sup>76</sup>

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<sup>76</sup> This quote is spoken by Richard Dearlove, the Chief of MI6. The entirety of the memo, never denied by the Blair administration and the veracity of which has been recently confirmed by Blair’s Press Secretary Alistair Campbell, is available in Dennis Loo & Peter Phillips, *Impeach the President: The Case Against Bush and Cheney* (New York: Seven Stories Press, 2006), pp. 133-137.

Given this, and in the light of the preceding evidence, it seems clear that the two justifications discussed in this paper were artifacts of an administration in search of a *causus belli*, a decision taken in search of a pretext.