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Unproven

The Controversy over Justifying War in Iraq

by
**David Cortright,
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Policy Brief F12A

A Project of the
Fourth Freedom Forum
and the Joan B. Kroc Institute
for International Peace Studies
at the University of Notre Dame

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The failure of U.S. and British forces in Iraq to find evidence of weapons of mass destruction has sparked controversy on both sides of the Atlantic and in the wider international community. Two contending explanations have been offered for why the Bush administration made apparently questionable claims about weapons of mass destruction. The first alleges an intelligence failure. The best analysts in the CIA simply had no foolproof way of discerning what Saddam had. They gave the administration a wide-ranging set of estimates, from benign to worst-case, and, given the way bureaucracies behave, the president's advisors adopted the worse case scenario. The second claim, more odious in form and substance, is that the administration inflated and manipulated uncertain data, possibly even requesting that material sent to it be redone to fit preconceived notions. The Bush administration has gone to great pains to reassert that it stands by its previous pronouncements that prohibited weapons will be located in due time.

Testing the merits of these explanations and sorting through the various issues involved are important matters. But there is another question that needs to be asked. Why was so much publicly available information on Iraq's weapons programs systematically ignored in the months preceding the war? Part of the answer may lie in the determination of Washington and London to confirm the image, drawn mostly from the late 1980s and early 1990s, of a regime armed to the teeth. As a result intelligence analysts and especially members of the administration consistently failed to consider three important factors in analyzing the scope of Iraqi weapons holdings.

The first was an unwillingness or inability to calculate accurately the combined effects of the first Gulf War and twelve years of punishing sanctions. Secondly, the administration had no interest in calculating into its estimates of Iraq's holdings the successful destruction of weapons and materials under the previous UN inspections regime, UNSCOM, from 1991 to 1998. Finally, the administration worked to undermine the findings and experience of the new UN inspections program, UNMOVIC, that began monitoring efforts in December 2002. As a result of either stubbornness or short-sightedness, or both, the administration

ⁱ The authors are grateful to Dr. Glen Rangwala of Cambridge University, Cambridge, England, for his comments on the initial draft of this document and for the valuable information he compiled on his detailed study, "Claims and Evaluations of Iraq's Proscribed Weapons," available online at Middle East Reference.org <<http://www.middleeastreference.org.uk/iraqweapons.html> > 19 June 2003).

failed to see the full picture of how successful prior efforts had been in dismantling many aspects of Iraqi weapons program. In fact, the efficacy of UN disarmament efforts was dismissed summarily.

In this report we present the publicly available data that U.S. and UK leaders chose to ignore in the pre-war debate. It provides a clear picture of what could have—and should have—been known and what should have been balanced against other more secretly obtained data on Iraq. This exercise is not revisionist history as administration officials have claimed but a careful attempt to present publicly available information evaluating the administration's justifications for war. The reason those now searching for weapons are finding only traces, remnants, and precursors is that previous policies of sanctions and UN weapons inspection and destruction actually worked.

As officials investigate the controversies surrounding missing evidence in Iraq, it may be useful to analyze the assertions that were made about weapons of mass destruction and terrorist connections in Iraq, and the information that was available to refute those claims. This report is drawn largely from studies published prior to the war by the Fourth Freedom Forum and the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame.

A. Weapons of Mass Destruction

1. Inspections worked

UN weapons inspections achieved significant progress in eliminating weapons of mass destruction and guarding against their renewed development.

- As a result of the destruction caused by the first Gulf War and the extensive weapons monitoring and dismantlement efforts of the United Nations Special Commission (UNSCOM), much of Iraq's capacity for developing and using weapons of mass destruction was eliminated during the 1990s. Despite active Iraqi interference and obstruction, UN inspectors successfully eliminated most of Iraq's prohibited weapons.¹

- An independent panel of experts established by the Security Council in 1999 concluded:

In spite of well-known difficult circumstances UNSCOM and [the] IAEA have been effective in uncovering and destroying many elements of Iraq's proscribed weapons programmes. . . . The bulk of Iraq's proscribed weapons programmes has been eliminated.²

- According to Blix, "More weapons of mass destruction were destroyed under [the disarmament process] than were destroyed during the [first] Gulf War."³

- Rolf Ekéus, former UNSCOM chair, wrote: "Thanks to the work of the UN inspectors, not much was left of Iraq's once massive weapons program when inspections halted" in 1998.⁴

2. Sanctions restrained Iraq's weapons development program

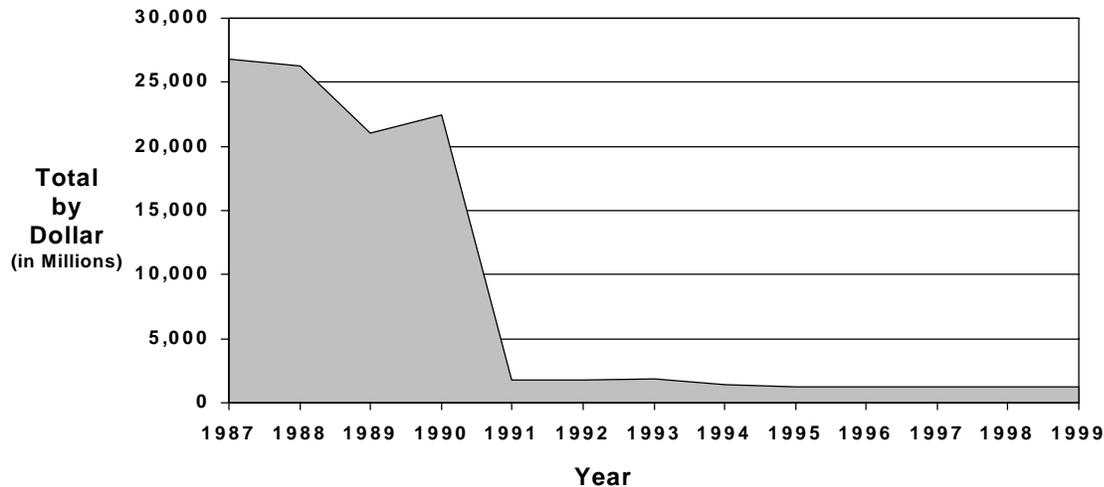
In his State of the Union address President Bush claimed that "nothing to date has restrained him [Saddam Hussein] from his pursuit of these weapons—not economic sanctions, not isolation from the civilized world, not even cruise missile strikes on his military facilities."⁵

In reality, sanctions were successful in blocking specific Iraqi attempts to import specialized materials and goods that could be used for developing prohibited weapons. A number of the weapons-related goods mentioned in the Powell presentation were intercepted before entering Iraq. Many of Saddam Hussein's attempts to acquire prohibited technologies were blocked by international sanctions.

- Iraq failed in repeated attempts to import specialized aluminum tubes. Iraq also failed in attempts to purchase vacuum tubes, a magnet production line, a large filament winding machine, fluorine gas and other goods that could have potential nuclear weapons-related applications.⁶ According to the September 2002 British report, "UN sanctions on Iraq were hindering the import of crucial goods for the production of fissile material." As long as sanctions remained effective, according to the report, "Iraq would not be able to produce a nuclear weapon."⁷
- With the imposition of UN sanctions, Iraqi military spending plummeted. According to estimates from the U.S. Department of State, Iraqi military expenditures dropped from \$22.5 billion in 1990 to an average of approximately \$1.2 billion per year in the late 1990s.⁸ As a result, the huge volume of military goods that flowed into Iraq in the 1980s slowed to a trickle.

The combined results of war, more than a decade of stringent sanctions, and the previous weapons dismantlement efforts of UNSCOM significantly diminished the Iraqi military threat.

Military Expenditures in Iraq, 1987 through 1999



Source: United States Department of State, "World Military Expenditure and Arms Transfer 1998" (April 2000) <http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table2.pdf> (31 July 2001); 1998/1999 figures from "Military expenditures, Armed Forces, GNP, CGE, Population, and Their Ratios, By Group and Country, 1989-1999," available at <<http://www.state.gov/documents/organization/9243.pdf>> (30 September 2002), 27.

3. Iraq cooperated with the inspectors

In the months prior to war Iraqi officials provided substantial cooperation to renewed UN inspections. The monitors had unfettered access to all sites and complete freedom of movement. Even Saddam Hussein's palaces, previously off limits to UN officials, were opened to inspection.

- According to Blix, "the most important point to make is that access has been provided to all sites we have wanted to inspect."⁹ Blix reported that "prompt access . . . has been given to inspection teams." This "open doors policy," as Blix described it, was "an indispensable element of transparency and a process that aims at securing disarmament by peaceful means."¹⁰
- IAEA director ElBaradei reported that "Iraqi authorities have consistently provided access without conditions and without delay."¹¹ ElBaradei reported on 27 January that "all inspection activities have been carried out without prior notification to Iraq, except where notification was needed to ensure the availability of required support."¹²

4. No weapons found

In his January 2003 State of the Union address President Bush referred to tens of thousands of liters of anthrax and botulinum toxin and hundreds of tons of sarin, mustard gas, and VX nerve agent. U.S. Secretary of State Colin Powell

asserted in his February presentation to the UN Security Council that Iraq was concealing efforts to redevelop weapons of mass destruction.

In more than 700 inspections prior to the U.S.-led invasion, UN investigators found no evidence of these alleged weapons of mass destruction.

- Dr. Hans Blix, head of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) told the Security Council on 14 February, "So far, UNMOVIC has not found any [proscribed] weapons, only a small number of empty chemical munitions. . . ." ¹³
- Dr. Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA) declared that "no prohibited nuclear activities have been identified during these inspections." ¹⁴ In his update to the Security Council on 14 February ElBaradei reiterated, "After three months of intrusive inspections, we have to date found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq." ¹⁵

Blix noted in his 27 January update to the Security Council that previous UN reports on Iraqi weapons "do not contend that weapons of mass destruction remain in Iraq." The reports showed inconsistencies and question marks but provided no hard evidence that weapons of mass destruction actually existed. "UNMOVIC, for its part, is not presuming that there are proscribed items and activities in Iraq, but nor is it . . . presuming the opposite." ¹⁶

5. No evidence of Iraqi nuclear weapons activity

In his State of the Union address President Bush stated that "the British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." A December 2002 State Department "fact sheet" alleged Iraqi "efforts to procure uranium from Niger."

- Investigations into these charges by the International Atomic Energy Agency revealed that the supposed documents upon which the claim was based were crude forgeries. The signatures on the documents were fakes, and the letterhead belonged to a military government that no longer existed. CIA officials expressed skepticism about the assertion, but the president and senior White House officials nonetheless repeated the claim in their public remarks. ¹⁷ Intelligence officials in the United Kingdom agreed subsequently that the documents were fabricated. ¹⁸

The Bush administration alleged that seized shipments of aluminum tubes proved that Iraq was actively developing nuclear weapons. In his State of the Union address the president described these tubes as "suitable for nuclear weapons production." The Powell presentation repeated the U.S. assertion that these tubes were for uranium enrichment purposes.

- According to the assessment of UN inspectors, these aluminum tubes were intended for the reverse engineering of 81-millimeter rockets. IAEA director

ElBaradei said on 27 January that the aluminum tubes were "not suitable for manufacturing [uranium] centrifuges."¹⁹

President Bush said in Cincinnati on 7 October that aerial photos of the former Tuwaitha nuclear weapons complex "reveal that Iraq is rebuilding facilities at sites that have been part of its nuclear program in the past."

- UN inspectors visited Tuwaitha numerous times December 2002 through March 2003 and "found no signs of nuclear activity at any of these sites."²⁰

6. No evidence of an active chemical and biological weapons program

In his State of the Union address the president cited the large volumes of chemical and biological agents produced by Saddam Hussein and repeatedly declared: "He has not accounted for that material. He has given no evidence that he has destroyed it."

In fact, substantial amounts of the chemical and biological agents produced by Iraq were accounted for and destroyed by Iraq and UN inspectors during the 1990s.²¹

- UNSCOM reported in 1997 that "considerable quantities of chemical weapons, their components and chemical weapons-related equipment have been destroyed by Iraq and UNSCOM."²²
- During the 1990s UN inspectors destroyed 480,000 tons of live chemical agent. They also destroyed more than 3,000 tons of precursor chemicals.²³ UNSCOM found that 3,915 tons of precursors existed in 1991; it accounted directly for 2,850 tons and confirmed Iraq's claim that 823 tons were destroyed during the Gulf War.²⁴
- In the 1990s UN inspectors supervised Iraq's destruction of 12,792 of the 13,000 155mm artillery shells filled with mustard gas Baghdad had declared as remaining after the Gulf War ended. UNSCOM inspectors also accounted for or destroyed 337 bombs and 6,454 rockets containing sarin.²⁵
- The UN reported in 1999 that "UNSCOM ordered and supervised the destruction of Iraq's main declared BW [biological weapons] production and development facility, Al Hakam. Some 60 pieces of equipment from three other facilities involved in proscribed BW activities as well as some 22 tonnes of growth media for BW production collected from four other facilities were also destroyed. As a result, the declared facilities of Iraq's BW programme have been destroyed and rendered harmless."²⁶
- UN inspectors destroyed all of Iraq's known chemical and biological weapons production facilities. In the months prior to the war UN monitors conducted hundreds of inspections of possible chemical, biological, and missile sites in Iraq and found no evidence or documentation confirming the existence of the alleged chemical and biological stockpiles.

- Sites that the U.S. and Britain alleged were involved in the production of biological or chemical weapons were repeatedly inspected by UNMOVIC. These included Falluja II, at which inspectors found a chlorine plant not even in operation, and al-Dawra Foot and Mouth Disease Vaccine Facility, which appeared to journalists as having not been reconstructed since its destruction in the mid-1990s. The inspectors reported no evidence of the production of proscribed agents at these sites.²⁷
- According to an investigative report in *U.S. News and World Report*, the Defense Intelligence Agency issued a classified assessment in September 2002 stating "There is no reliable information on whether Iraq is producing and stockpiling chemical weapons."²⁸

7. No evidence of mobile biological weapons labs

Secretary of State Powell claimed that Iraq developed mobile biological weapons laboratories. Powell said that the United States had "firsthand descriptions of biological weapons factories on wheels and on rails." He cited Iraqi defectors associated with the Iraqi National Congress (INC) as sources for these charges. He offered no physical or documentary evidence, however, providing only an animation to depict such facilities.²⁹

After the war U.S. investigators discovered two trailers that it claimed were mobile weapons labs, but no biological or chemical agents were actually detected in the vehicles and independent experts cast doubt on the claim.³⁰

UN inspectors searched extensively for mobile laboratories during the 1990s but found no evidence confirming their existence.

Hans Blix told reporters on 4 February that UN monitors inspected two alleged mobile labs and found nothing. "Two food-testing trucks have been inspected and nothing has been found."³¹

- Dr. Blix told the *New York Times* on 5 February: "We have had reports for a long time about these mobile units. . . . We have never found one. We have not seen any signs of things being moved around, whether tracks in the sand or in the ground."³²
- In his 7 March report to the Security Council Dr. Blix stated that, "several inspections have taken place at declared and undeclared sites in relation to mobile production facilities. Food-testing mobile laboratories and mobile workshops have been seen, as well as large containers with seed-processing equipment. No evidence of proscribed activities have so far been found."³³
- "We know from UNSCOM that Iraq was pursuing mobile fermentation," said a senior U.S. Defense Department official on 13 September 2002, "but the inspections never found them."³⁴

Former UNSCOM chairman Ekéus expressed skepticism about mobile labs at a 3 February 2003 press briefing:

UNSCOM never found any mobile labs. . . . There is . . . the question of how to transport a bio lab by road. On their roads it will shake around in transportation. It is a tremendous high-risk operation if a truck runs into another truck . . . for a bio lab you need electricity, a ventilation system, such as HEPA filters, a system that is highly sophisticated and complex.³⁵

Former UN weapons inspector and microbiologist Raymond Zilinskas told the *Washington Post* that Powell's descriptions of the alleged mobile labs did not ring true. A fermentation cycle would normally take thirty-six to forty-eight hours, not the twenty-four hours suggested by Powell. He also noted that such facilities would generate large quantities of highly toxic waste. "This strikes me as a bit far-fetched," he observed.³⁶

- A former senior UNSCOM inspector told a reporter for the *Los Angeles Times* in September 2002 that his inspection teams searched for such mobile labs from 1993 to 1998 without success. "I launched raid after raid," he said. "We intercepted their radio traffic. We ran roadblocks. We never found anything. It was just speculation."³⁷

8. Working from flawed data: Unreliable defectors and coerced testimony

A significant portion of the intelligence used to make the case for war on Iraq came from Iraqi defectors, including former weapons program scientists, engineers, and intelligence officials. Many left Iraq with assistance of the INC, which lobbied vigorously for war against Saddam Hussein and was paid by the U.S. government to assist with a congressionally mandated regime change policy.

American intelligence officials have long had cause to be skeptical of defector reports.

- One official told the *New York Times* that many defectors "embellish what they actually did and what they know in order to try to get safe haven in the United States and other countries."³⁸

One of the authors asked former UNSCOM chairman Ekéus about the reliability of defector information: "Maybe they are better now. . . . Normally [they] defected to get a good safe nice life outside Iraq and in return they coughed up very low quality intelligence, I must say."³⁹

- Many CIA officials mistrusted the information provided by INC defectors, according to a report in *Aero Tech News*. A senior U.S. intelligence official said, "some [defectors] . . . had their talking points sharpened before they met with U.S. officials. . . . For some defectors . . . their stories get more and more

colorful as time goes on." Said a former intelligence official, "to take them for a source of anything except a fantasy trip would be a real stretch."⁴⁰

- "There is tremendous pressure on [the CIA] to come up with information to support policies that have already been adopted," said Vincent Cannistraro, a former senior CIA official and counterterrorism expert. "The [INC's] intelligence isn't reliable at all," said Cannistraro. "Much of it is propaganda. Much of it is telling the Defense Department what they want to hear. . . . They're willing to twist information in order to serve that interest."⁴¹

Even the most famous Iraqi defector, Saddam Hussein's son-in-law Hussein Kamel Hassan, was of only limited value to the UN disarmament effort. In his October 2002 speech before the UN General Assembly, President Bush attributed the successful uncovering of Iraq's bioweapons program to the defection of Kamel in August 1995.

- Former UN inspections chief Ekéus wrote at the time: "The president does not appear to have been well briefed. In fact, in April 1995, four months before the Iraqi official defected, UN inspectors disclosed to the Security Council that Iraq had a major biological weapons program . . . The defection of the Iraqi weapons official . . . provided some additional confirmation . . . but the inspectors learned few new details."⁴²
- A transcript detailing the 1995 debriefing of Kamel by officials from the IAEA and UNSCOM was leaked to *Newsweek* and reprinted in early March 2003.⁴³ Kamel told the inspectors eight years ago that he had overseen the destruction of Iraq's chemical and biological weapons programs. The claim was corroborated by a military aide who defected with Kamel. *Newsweek* reported that the CIA and its British equivalent MI6 were subsequently informed of the debriefing.⁴⁴

B. Links to International Terrorism

1. Coerced testimony

Much of the information in Secretary Powell's presentation came from detainees. The interrogation of suspects was conducted under what the *New York Times* described as "unspecified circumstances of psychological pressure."⁴⁵

The *Washington Post* reported on 26 December that Al Qaeda detainees in Afghanistan were subjected to "stress and duress" methods of interrogation. The use of such methods violates the 1949 Geneva Convention and is a war crime. Human Rights Watch wrote a letter to the Bush administration seeking assurances against the use of such methods.

Claims about links between Al Qaeda and Saddam Hussein came from captured fighters of the Ansar al-Islam terrorist group which operated in a corner of Iraq beyond the control of the Baghdad government. According to the International Crisis Group, "Their statements should be received with a good deal of

skepticism since they were made in custody and in the presence of PUK guards. . . . No independent sources have ever been presented to corroborate the link between Ansar and al-Qaeda."⁴⁶

2. No proof linking Saddam Hussein to Al Qaeda and September 11

The Powell presentation attempted to link the Iraqi government to the Al Qaeda terrorist network. Powell claimed that "Iraq today harbors a deadly terrorist network headed by Abu Musab Zarqawi, an associate and collaborator of Osama bin Laden." He asserted that the network was training its operatives in the use of deadly toxins, and that Iraq provided "active support" for these efforts.

President Bush tried to connect Iraq to September 11. In his State of the Union address the president asserted that Saddam Hussein "could provide one of his hidden weapons" to Al Qaeda or other terrorists. The president evoked the grim specter of Iraq supplying deadly weapons to terrorists: "Imagine those 19 hijackers . . . armed by Saddam Hussein . . . to bring a day of horror like none we have ever known."

No credible evidence has ever been presented linking Saddam Hussein to the September 11 attacks. Powell's claims about an Al Qaeda cell in Iraq were never substantiated.

The State Department, the CIA, and other U.S. agencies reported no link between Saddam Hussein and Al Qaeda, and stated that Iraq did not engage in terrorist attacks against the United States:

- The U.S. State Department's *Patterns of Global Terrorism* report of April 2001 stated that "the [Iraqi] regime has not attempted an anti-Western terrorist attack since . . . 1993."⁴⁷
- In October, CIA director George Tenet wrote to the Senate Intelligence Committee: "Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW [chemical, biological weapons] against the United States."⁴⁸
- In an issue brief to Congress Kenneth Katzman reported "FBI Director Robert Mueller said in early May 2002 that, after an exhaustive FBI and CIA investigation, no direct link has been found between Iraq and any of the September 11 hijackers."⁴⁹
- Veteran CIA analyst Melvin Goodman summarized what many in the intelligence community on both sides of the Atlantic believe. "I've talked to my sources at the CIA," he said, "and all of them are saying the evidence [of a link between al-Qaeda and Saddam] is simply not there."⁵⁰
- The former chief of Pakistan's spy agency declared, "Ideologically and logically, they [Iraq and al-Qaeda] cannot work together. . . . Bin Laden and his men considered Saddam the killer of hundreds of Islamic militants."⁵¹

Powell did not explain why an authoritarian tyrant and hated dictator like Saddam Hussein would turn over weapons of mass destruction to others, or entrust his fate to groups that declared his secularist regime to be an enemy. The claim that Saddam Hussein would give his most precious military assets to a hostile terrorist network beyond his control was never credible.

- The Central Intelligence Agency declassified testimony from a closed congressional hearing on 2 October in which Senator Carl Levin (D-MI) asked an unnamed intelligence official whether it "is likely that [Saddam] would initiate an attack using weapons of mass destruction?" The official answered: ". . . in the foreseeable future, given the conditions we understand now, the likelihood I think would be low."

3. *Abu Musaab Zarqawi not an Al Qaeda kingpin*

Powell claimed that Zarqawi was a collaborator of bin Laden, created a terrorist training camp in Iraq, and ran a terrorist cell in Baghdad. But Zarqawi was not listed on the FBI's roster of "most wanted terrorists."

Newsweek magazine reported on 3 February that neither the CIA nor British MI6 put much stock in Zarqawi's alleged Iraqi visits, stressing that such reports were "unconfirmed."⁵²

The *Wall Street Journal* reported on 7 February that German investigators found no evidence that Zarqawi worked with Baghdad. Counterterrorism experts conducted an 18-month investigation and compiled hundreds of pages of information on Zarqawi and his organization, Al Tawhid. According to Minister of Interior Otto Schily, they found no evidence that Zarqawi operated in areas of Iraq controlled by Baghdad. German security officers rounded up a dozen members of Al Tawhid last year. Its members acknowledged that Zarqawi was their leader, but said their focus was the Palestinian cause. Members of the cell said that Iraq never figured in the picture, and that Zarqawi was not a core operative of Al Qaeda.⁵³

The *New York Times* reported on 10 February that German officials investigating Zarqawi were surprised by Powell's assertion of a Baghdad connection. "We have been investigating Mr. Zarqawi for some time," said a senior German intelligence official. . . . "as of yet we have seen no indication of a direct link between Zarqawi and Baghdad."⁵⁴

Powell displayed a diagram linking Zarqawi to two Islamic militants previously arrested in Paris. French intelligence sources said that their interrogations of the suspects did not establish a link between the two men and Zarqawi. "Al-Zarqawi's name never once appeared in our different investigations," the sources reported.⁵⁵

A U.S. intelligence analyst interviewed by the *Washington Post* stated that "Zarqawi is outside bin Laden's circle" and not under Al Qaeda control. Senior U.S. officials said that the Iraqi government did not control or sponsor Zarqawi's

network. U.S. officials and law enforcement sources in London reported that the Zarqawi connection "is still being investigated."⁵⁶

4. U.S. and UK intelligence officials disputed Powell's claim of an Al Qaeda-Baghdad connection

A British Ministry of Defense intelligence report written in January 2003 and leaked to the BBC concluded: "While there have been contacts between Al-Qaida and the [Baghdad] regime in the past, it is assessed that any fledgling relationship foundered due to mistrust and incompatible ideology."⁵⁷

British Foreign Secretary Jack Straw conceded during questioning in parliament on 5 February that he had seen no intelligence that Saddam Hussein was harboring Al Qaeda operatives.⁵⁸

The *London Observer* noted on 9 February that "For months British intelligence officers—like their counterparts in the U.S.—have been insisting that there is no hard evidence of a link between Saddam and al-Qaeda, while at every turn their political masters have been insisting the opposite."⁵⁹

Intelligence sources told the BBC on 5 February that there was growing disquiet at the way in which the work of the intelligence community was being politicized to make the case for war in Iraq.⁶⁰

Conclusion

The apparent failure of intelligence assessment and the potential political interpretation of such data raise serious doubts about the strategy and decision-making process that led to the recent war. The immediate question is not whether the war was justified but what this episode portends for the future of U.S. foreign policy. If intelligence agencies were wrong in their assessments of the Iraqi threat, what checks are there 'in the system' to prevent these agencies from being wrong about weapons programs in other nations, for example in Iran?

Moreover, if the intelligence provided to the administration was more correct than wrong, but was adjusted and altered to fit the administration's pre-ordained policy decision, this raises questions fundamental to the functioning of foreign policy in a democratic society.

Such uncertainties may especially call into question the new U.S. strategy of military preemption.

The National Security Strategy of the United States of America, unveiled in September 2002, is unambiguous in asserting a U.S. right to strike first against perceived enemies:

. . . we will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively against such terrorists, to prevent them from doing harm against our people and our country.⁶¹

A strategy of preventive attack depends fundamentally on accurate intelligence and the proper use of that intelligence. Before using military force to strike against another nation or a terrorist network, decision makers must have solid information regarding the exact nature of the threat. But if political leaders and elected officials cannot know reliably whether an alleged threat is legitimate, how are they to decide when a preemptive attack is justified?

If the problem in Iraq was not intelligence but the way information was selectively interpreted and misrepresented, this raises doubts about the integrity of political decision making. If U.S. and UK leaders presented false or misleading information to their legislatures and world opinion, this threatens the very foundations of democracy. Government deceit is always a matter of concern, but it is especially troubling when it involves the most vital issues of national security and becomes the basis for a decision to go to war. It is vital that investigators get to the bottom of these issues as they probe the unproven case for war.

Notes

¹ United Nations, *The Security Council, 27 January 2003: An Update on Inspection*.

² United Nations Security Council, *Letters Dated 27 and 30 March 1999, Respectively, from the Chairman of the Panels Established Pursuant to the Note by the President of the Security Council of 30 January 1999, S/1999/100, Addressed to the President of the Security Council, S/1999/356*, New York, 30 March 1999, 25.

³ United Nations, *The Security Council, 27 January 2003: An Update on Inspection*.

⁴ Rolf Ekéus, "Yes, Let's Go into Iraq . . . With an Army of Inspectors," *Washington Post*, 15 September 2002, B01.

⁵ U.S. Government, President George W. Bush, "President Delivers 'State of the Union,'" 28 January 2003. Available online at the *White House* <<http://www.whitehouse.gov/news/releases/2003/01/print/20030128-19.html>> (4 February 2003).

⁶ British Government, *Iraq's Weapons of Mass Destruction*, 26.

⁷ British Government, *Iraq's Weapons of Mass Destruction*, 26.

⁸ U.S. Department of State, *World Military Expenditure and Arms Transfers 1998* (Washington, D.C.: U.S. Government Printing Office, April 2000).

⁹ United Nations, *The Security Council, 27 January 2003: An Update on Inspection*.

¹⁰ Blix, *Notes for Briefing*, 1-2.

¹¹ International Atomic Energy Agency, *Status of the Agency's Verification Activities*, para. 5.

¹² International Atomic Energy Agency, *The Status of Nuclear Inspections in Iraq*.

- ¹³ Dr. Hans Blix, United Nations, United Nations Monitoring, Verification and Inspection Commission, *Briefing of the Security Council, 14 February 2003 Executive Chairman of UNMOVIC, Dr. Hans Blix as delivered*, 14 February 2003. Available online at the *United Nations* <<http://www.un.org/Depts/unmovic/>> (4 June 2003).
- ¹⁴ International Atomic Energy Agency, IAEA Director General Dr. Mohamed ElBaradei, *The Status of Nuclear Inspections in Iraq, Statement to the United Nations Security Council*, 27 January 2003. Available online at the *International Atomic Energy Agency*, <<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n003.shtml>> (27 January 2003).
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- ¹⁷ Dana Priest and Karen DeYoung, "CIA Questioned Documents Linking Iraq, Uranium Ore," *Washington Post*, 22 March 2002, A30.
- ¹⁸ Gary Younge, et al., "Iraq: After the War: Blix Attacks Shaky Intelligence on Weapons," *The Guardian (London)*, 23 April 2003, 13.
- ¹⁹ International Atomic Energy Agency, *The Status of Nuclear Inspections in Iraq*.
- ²⁰ International Atomic Energy Agency, *IAEA Update, Report for the Security Council*.
- ²¹ United Nations, *Report of the Executive Chairman on the Activities of the Special Commission established by the Secretary-General pursuant to paragraph 9(b)(i) of resolution 687 (1991)*, S/1998/332, New York, 16 April 1998.
- ²² United Nations, *Letter dated 22 November 1997 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9(b)(i) of Security Council resolution 687 (1991) addressed to the President of the Security Council*, S/1997/922, New York, 24 November 1997, para. 12.
- ²³ United Nations, *Report of the Executive Chairman on the Activities of the Special Commission*, S/1998/332, and British Foreign Office, "Foreign Office Paper on Iraqi Threat and Work of UNSCOM," London, 4 February 1998.
- ²⁴ United Nations Security Council, *Letter dated 27 January 1999 from the Permanent Representatives of The Netherlands and Slovenia to the United Nations Addressed to the President of the Security Council*, S/1999/94, New York, 29 January 1999.
- ²⁵ United Nations, *Letter dated 27 January 1999*, S/1999/94.
- ²⁶ United Nations, *Letters dated 27 and 30 March 1999*, S/1999/356.

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