

## Integrity and Ethics in Formulating and Interpreting Intelligence

By Col. Daniel Smith (Ret.) | June 17, 2003

On June 6, Randy Cohen, the *New York Times*' resident ethicist, appeared on CNN's NewsNight where he and host Aaron Brown began talking about ethics and integrity in the conduct of public business and in the statements and actions of public figures. Near the end of the time allotted for the discussion, Brown mentioned weapons of mass destruction (WMD) in Iraq. Cohen replied in part: "I think this is the big ethical story of the week: Many people are asserting ... that the president lied about [WMD] in order to get our country into a war."

In fact, with each passing day, it is becoming more painfully obvious that the main categorical accusations against the regime of Saddam Hussein used by U.S. President George W. Bush and other senior administration officials to justify the war on Iraq simply are unsupported by facts on the ground. And because the rhetoric in the run-up to war appealed to the world to recognize the U.S. action within a religious-based paradigm—labeling the war as a moral undertaking, and stating that "our cause is just"—it raises for Cohen the question of the necessity of integrity in the public arena. It should also be a question for everyone in the body politic.

After five weeks of looking and a number of false starts, no extant chemical or biological weapons have been found in post-war Iraq. Nor have any precursor agents been discovered. Yet Saddam's possession of these weapons and the imminent threat these purportedly posed to the Persian Gulf region, to U.S. troops in the gulf, and even to the U.S. homeland constituted the administration's chief reason why war was necessary and just. Moreover, Washington hawks, who have little use for the UN, then declared that the "fact" that they knew Saddam possessed these weapons also proved the irrelevance of the UN and

the ineffective nature of UN weapons inspections and verification measures.

A second (albeit a bit late) rationale designed to touch an emotional chord in the public memory centered on asserting that Saddam harbored and worked with al Qaeda operatives and was involved in planning the Sept. 11, 2001 attacks on the World Trade Center and Pentagon. Again, the claims became unequivocal, and, in line with the Bush doctrine that harboring or working with terrorists is a hostile act, preventive war by the United States was and still is declared to be a "just cause."

Lacking on-the-ground substantiation of either primary justification, the administration has tried two tactics simultaneously, with a third in reserve. One is to mount a continuing staunch offense, as Bush has done, regarding these rationales in the hope that at some point in time, something will turn up—ideally a smoking gun. The administration insists that U.S. forces simply need more time, something that in March it would not give the UN inspectors but now demands as it pours 1,400 new searchers into Iraq. This tack keeps faith with hard-line conservative supporters of the military remedy who saw the war as the only solution for what they deemed an extant threat to the United States. Thus, despite media reve-



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lations that the intelligence community, including senior analysts, were divided over the evidence of Saddam's WMD presented by the administration (e.g., aluminum tubes and mobile biological labs), the spin remains.

The second tack—moving to the forefront the despicable humanitarian and human rights record of the Iraqi regime—is both a holding action and a ploy to win over the more liberal elements of the public who are traditionally concerned about these issues.

Ironically, the administration runs a palpable risk here of calling attention to incipient violations of its responsibilities as an occupying power. To date, the flow of food, provision of clean water, implementation of basic sanitary measures, availability of health care, provision of a reliable electricity supply to cities and towns that were electrified prior to the war, and physical security are all at unacceptable levels.

Despite White House and Central Command assurances that life is improving and is better for ordinary Iraqis with Saddam gone, their right to control their own affairs is too slow in coming.

This in turn is fueling a backlash against Western forces and administrators. The backlash is not taking the form of open, widespread rebellion. After all, the United States has the heavy weapons. But it is manifesting itself in growing non-cooperation with the occupying Authority. It is then but a short step to passive support of surviving Baathist, Special Republican Guard, or Saddam's clan elements willing to carry out attacks on Westerners, and eventually an increase in attacks by Iraqis who have become disillusioned with heavy-handed liberation-qua-occupation by U.S. military forces and civilian administrators.

The back-up tack is the assertion that “the road to Jerusalem runs through Baghdad.” This assertion

sought to conflate two separate policy problems through repeated public pronouncements to the effect that removing Saddam would be the key that unlocked peace in the Middle East and the gulf. (Such contorted reasoning in the face of the known support by Syria and Iran of violent groups operating in Palestine, if done purposefully, raises the question of integrity in trying to resolve this dispute.) Indeed, as recently as June 3 at the Sharm el-Sheikh summit with Arab heads of state just before meeting with the Palestinian and Israeli prime ministers, Bush reiterated the linkage: “There's a hopeful direction to recent events in the Middle East. In Iraq, a tyrant in sup-

port of terror has been removed. Reform is taking hold in many societies that are eager to join in the progress and prosperity of our times ... . The leaders here today recognize the importance of representative, democratic institutions to fulfilling the hopes of the Iraqi and Palestinian people.”

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Like humanitarian and human rights issues, this tack as justification for the Iraq war will quickly weaken, even if Bush tries to keep it in focus for other reasons, such as burnishing his credentials as a man of peace. Too much about Palestine is outside of the administration's power to manipulate. Hamas' refusal to continue talks with Palestinian Prime Minister Mahmoud Abbas about a ceasefire and halting suicide bombings, the continuing attacks (dubbed as “targeted killings”) by Israeli helicopters, and the destruction of a civilian bus in central Jerusalem by a suicide bomber, all coming days after the summit sessions in the Middle East, are ample proof of how rapidly events on the ground can confound White House intentions, pronouncements, and interpretations.

As it tries to maneuver beyond questions of intelligence, integrity, and public ethics, the administration and its adherents risk getting themselves further and

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further tied into knots. On one hand, they insist that the intelligence on which the case for war was justified was accurate, was supported by defectors, and built a cumulative case over the 1990s. At the same time, they acknowledge a loss of direct, first-hand, in-country access to information sources between December 1998 and November 2002, when UN inspectors returned to Iraq. During the period when no inspectors were present, information was coming in part from Iraqi defectors, many of whom were under the aegis of the main Kurdish factions or other groups in the Iraqi National Congress, or rival organizations. But while the administration seemed to accept this information uncritically and even examined reports to find evidence supporting its contentions about Saddam's malevolent acts, it insists that the denials by its two star al Qaeda prisoners of a relationship with Saddam cannot be accepted at face value because prisoners have agendas—as if defectors never do.

Moreover, in insisting the intelligence process was sound and the substance accurate, the administration leaves itself open to a charge of either (1) lying, via omission of the caveats and cautions in the intelligence reports, in what it said to and withheld from the U.S. public and the world in justifying the attack on Iraq; or (2) a cover-up if it now knows that the intelligence about Saddam possessing actual WMD was wrong. That is as much as to say that in the run-up to war there was such continuing incompetence in the assessments as to constitute an intelligence failure of the first order, for which heads should roll. As it is, administration and CIA officials now suggest that caveats and doubts voiced within the CIA about the reliability of reports on Iraqi efforts to obtain uranium never reached decisionmakers.

In this regard, in a June 6 interview with the BBC, chief UN arms inspector Hans Blix said: “We went to a great many sites that were given to us by [U.S. and U.K.] intelligence, and only in three cases did we find anything—and they did not relate to weapons of mass destruction. That shook me a bit, I must admit. I was impressed by that because we had been told

that they would give the best intelligence they had. So I thought: ‘My God, if this is the best intelligence they had and we find nothing, what about the rest?’” This was confirmed by UN Secretary-General Kofi Annan at the end of a June 11 working lunch with U.S. Secretary of State Colin Powell. Responding to a reporter's query about U.S. intelligence made available to UN inspectors, Annan said: “On the question of the quality of the intelligence or its being hyped, obviously, material intelligence was given to the inspectors who used it in Iraq. We know the result. It didn't get very much.”

The administration's defensive hedging and shift in nuances and qualifications—from “possessing WMD” to having “precursors” and “equipment” to concealing “documents” and retaining “programs” and “know-how” that would allow for reconstituting WMD if and when sanctions were lifted and inspectors were not present—may serve to reduce questioning among the U.S. public. But these maneuvers will not have that effect abroad, as Tony Blair's dilemma attests. And even this line of defense could falter if a Republican Congress holds public hearings about a Republican president who took the nation into a war for which the toll now stands at almost 170 U.S. dead, with monetary costs of tens of billions of dollars, and for which more lives and money will be lost in continuing post-war occupation.

As Randy Cohen asked, “If you are so wrong about all three causes, then I wonder if you can honorably hold—continue to hold—your office?” It seems like a fair question, and an ethical one, for everyone in the country to ask and keep asking, particularly in light of the 2004 elections.

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