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Autonomy, Influence, and Impunity: the Failures of the Western Intelligence Institution

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Autonomy, influence, and impunity:
the failures of the Western intelligence institution

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Introduction

Intelligence agencies have always suffered from internal inefficiencies. By nature, their opaqueness and deliberate ambiguity in what they bring to the table disincentivizes scrutiny or critique from other government entities and the general public. There is very little accountability to be had for intelligence agencies, even in Western liberal democracies: no amount of voting will change how they are structured or operated, and thus incentive to change usually does not arise from domestic pressures, but rather from large-scale failures. Methods used to obtain intelligence are often presented very objectively, without context or accounting for the ideological values influencing them. It is therefore necessary to examine how intelligence is processed and used by Western intelligence institutions through a critical lens, viewing it less as a dispassionate tool of state and more of a direct outgrowth of self-preservation. The existence of a singular perceived existential threat—for example, the Soviet Union in the Cold War, or al-Qaeda in the aftermath of the September 11 attacks—produces a situation in which intelligence agencies have amplified powers, influence, and authority, especially with regard to decision-makers. This increased influence, in combination with the internal inefficiencies, make intelligence agencies far more prone to poor outcomes and failures, which in turn go unpunished due to their inherent secrecy and the way they present themselves as vital to the security of the nation.

It is also essential to push back on the commonly expressed idea that intelligence is "not intrinsically good or bad; it may serve democracy or tyranny, and it may be conducted in many walks of life, both within and outside government."[1] There is a strong tendency to view

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[1] Philip H. J. Davies and Kristian C. Gustafson, "An Agenda for the Comparative Study of Intelligence: Yet Another Missing Dimension," in *Intelligence Elsewhere*, ed. Philip H. J. Davies and Kristian C. Gustafson, Spies and Espionage Outside the Anglosphere (Georgetown University Press, 2013), 7, http://www.jstor.org/stable/j.ctt2tt6hk.3.

intelligence and information-gathering as a scientific endeavor, separating the "pure data" itself from the potentially biased, ideologically tainted, or flawed analysis processes that follow. This approach fundamentally reifies the idea that it is possible to remove bias in the pursuit of becoming more and more objective, completely rejecting the notion that intelligence has always been inherently biased; the agency chooses the scope within which information is collected based on its contextual, existing understanding, which is further influenced by the aims of the incumbent administration to which it reports—not to mention the fact that the agency's goal first and foremost is to ensure its own survival. It would moreover be a significant oversight to overlook the factors of race, gender, and identity affecting intelligence activities: Western institutions were built to support and maintain a white male hierarchy, and as such will continue to act selfishly unless there is an immensely compelling incentive or disruptive series of events to completely overhaul its structuring.

It is first worth interrogating the nature of intelligence and its context in the Western intelligence community. While intelligence gathering and espionage can be used as a tool of war, this thesis seeks to understand how intelligence is used to maintain a nation or empire, and ensure its survival in an anarchical international environment. expand and include autonomy of intelligence agencies themselves. Intelligence agencies were set up with the sole purpose of helping the "consumer"—policy-makers in government—by serving as a consistent and reliable channel of information. In an ideal outcome, this supply of information would see the policy-makers gain a strategic advantage in dealings with other actors, increasing the likelihood of making decisions that are in the nation's best interest. However, as with any process, the best-case scenario is not guaranteed: there are myriad factors throughout that affect the outcome.

Rationality, especially in high-pressure and high-stakes situations, cannot be considered as a constant.

What is intelligence?

It is necessary to understand what is involved in the scope of "intelligence," specifically in the context used by Western states and the Anglosphere. The beginnings of the modern Western intelligence community emerged during the World Wars, with intelligence as a service mostly as an outgrowth of the military. The concept of "intelligence"—and, most importantly, how intelligence agencies should operate—evolved significantly over the course of the First and Second World Wars, further changing with the new sociopolitical and ideological contexts of the Cold War. As intelligence had initially functioned as a way to inform the military of new developments in technology, weaponry, and troop movements, the British SIS from 1909-1949 served "primarily [as] a collection agency, responding to specific or general requests for information from customer departments," with "little or no analysis applied to this material, apart from some outline indication about the reliability of the source."[2] The formal introduction of analysis as an integral part of the intelligence cycle appears to only have occurred towards the later end of this period nearing the Cold War, when the SIS "had moved from being a tiny, one-man outfit to a recognisably modern and professional organization": a time when its US counterparts were also making their own advancements and improving upon their operational structuring, which had been essentially inherited from the British.[3]

Intelligence did not have a static, universally-understood definition, even within English-speaking countries, but changed depending on the role of the individual involved and the

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[2] Keith Jeffery, *The Secret History of MI6: 1909-1949* (Penguin, 2011), chap. Foreword.
[3] Jeffery, chap. Foreword.

sociopolitical period that they found themselves in. A policymaker, for example, would have a very different understanding of what intelligence was compared to an intelligence officer focused on collection—but then again, that officer might also disagree with the definition provided by an intelligence analyst, or even a senior director, despite the structure and processes of the intelligence cycle being relatively common knowledge. Although all of the individual actors in the process understand that the general purpose of intelligence is to locate and provide important information that would otherwise be unknown in order to potentially improve the country's future, there is more than one school of thought on how this should be carried out, and how to break down this idealistic outcome into practical goal. Debates on what constitutes "intelligence" and its distinction from "raw information," how intelligence agencies should be structured, how intelligence should be presented to policy-makers, and even the extent to which intelligence should influence policy are still ongoing today. As such, the most effective way of "defining" intelligence in a certain era is to examine how others describe its *function* and therefore its relation to policy, which ranges from merely reporting pertinent information to serving as a modern equivalent of the Oracle of Delphi.

As seen from the table below, definitions of intelligence and ideas on how intelligence should function vary significantly among both intelligence practitioners and academics, although general trends can be observed. The early founders of the modern intelligence communities of the UK and US were limited by small budgets and wartime pressures, and understandably saw intelligence as an auxiliary to the military, which was engaged in active combat against enemies with unclear capabilities and movement. The likes of Mansfield Smith-Cumming and Sherman Kent focused heavily on the need to separate intelligence and policy, and emphasized the necessity of intelligence being *actionable*, a requirement that would somewhat lose its

prominence during the Cold War, where operational actions were limited while the specific threat was clear. A common theme in pre-Cold War Western intelligence appears to be a focus on estimates and forewarning if possible, leaving politicians to "pull the trigger" and decide if, when, and how to act. These authors—along with some of those post-Cold War, such as Clark—tend to emphasize a target-driven approach, preferring to gather deeper knowledge of fewer, clearer goals over a wider range of information. As the Cold War heightened with the domino and sphere of influence theories, this reversed: Dulles championed the idea of intelligence being a predictive force, often making references to mythological and Biblical prophets and scouts and bemoaning the government's custom of "letting the intelligence function die when the war was over."[4] Although the main adversary was the Soviet Union, the US found itself in the unusual position of being unable to directly attack it, and thus resorted to intelligence to *do anything but*. Intelligence now was an end in itself, rather than simply being a means to an end, or as a support to the military: Dulles makes the claim that intelligence "could itself constitute one of the most effective deterrents to a potential enemy's appetite for attack."[5] Toward the latter end of the Cold War, this evolved yet again as intelligence forecasting became less credible in the eyes of policy-makers, who often felt that the information being provided was irrelevant given its wide range.[6] This later veered into the realm of guidance, as intelligence producers sought to bridge the gap between themselves and consumers: reports from the 1980s and even Clark's textbook stress the need for analysts and intelligence officers to establish strong links with their policy counterparts. Clark writes somewhat aggressively that after establishing "some level of trust," the analyst has to "get the customer to understand and get buy-in—that is,

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[4] Allen Dulles, *The Craft of Intelligence* (Harper & Row, 1963), 15–18, 46.
[5] Dulles, 51.
[6] Central Intelligence Agency, "Intelligence Consumer Survey," September 1, 1982, 1, 7, https://www.cia.gov/readingroom/document/cia-rdp85t00153r000200030010-6.

get the customer to accept the message and act on it."[7] Most recently and substantively, the

Office of the Director of National Intelligence categorizes intelligence into six distinct sources:

human, HUMINT; signals, communications, and electronic intelligence, SIGINT; imagery,

IMINT; measurement and signature, MASINT; open-source, OSINT; and geospatial, GEOINT.[8]

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[7] Robert M. Clark, *Intelligence Analysis: A Target-Centric Approach*, 3rd ed. (SAGE Publications, 2009), 299.
[8] "What Is Intelligence?," Office of the Director of National Intelligence, n.d.,
https://www.dni.gov/index.php/what-we-do/what-is-intelligence.

Chronological table of perspectives on the definition and function of intelligence

Author	Definition of intelligence	Function of intelligence
Mansfield Smith-Cumming *First chief of the Secret Intelligence Service (SIS), 1909-1923*	"Information of any movement indicating an attack upon this country."[9] In a 1922-1923 review prepared for the government, Cumming defined the Secret Service as the "gathering of information by means of individuals secretly paid for the purpose."[10]	To "obtain information of any movement indicating an attack upon this country."[11]
Stewart Menzies *SIS Chief, 1939-1952*	"All intelligence about the enemy, whether collected by secret means, or by open field intelligence."[12]	"Intelligence is the mainspring of Action. SIS' prime function is to obtain information by secret means which may admit or promote action. It must in the ultimate resort spell a movement of operations which result in the death of one or more enemy nationals, or the defeat of some of his projects."[13]
Sherman Kent *Chief of the Europe-Africa Division of the OSS 1942-1945, Chief of the CIA Office of National Estimates (ONE) 1952-1967*	Kent specifically chooses to focus on "high-level foreign positive intelligence": that is, "knowledge indispensable to our welfare and security… the constructive knowledge with which we can work toward peace and freedom throughout the world, and the knowledge necessary to the defense of our country and its	"Our policy leaders… need knowledge which is complete, accurate, delivered on time, and capable of serving as a basis for action. Armed with this knowledge [they] may go forward assured at least, that, if they fail, their failures will not be chargeable to their ignorance."[15] Kent's legacy—the Sherman Kent School, the training facility for CIA

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[9] Jeffery, *The Secret History of MI6*, chap. 1.
[10] Jeffery, chap. 5.
[11] Jeffery, chap. 1.
[12] Jeffery, chap. 10.
[13] Jeffery, chap. 10.
[15] Kent, 5–6.

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	ideals."[14]	analysts—aims to prepare officers to "provid[e] timely, credible, and relevant intelligence analysis for the consumer, with warning and identifying opportunities, using all source intelligence, while maintaining analytic integrity and objectivity."[16]
Allen Welsh Dulles *Director of Central Intelligence 1953-1961*	"All overt information is grist for the intelligence mill."[17] "At its simplest, espionage is nothing more than a kind of well-concealed reconnaissance."[18]	"The practical use of advance information in its relation to action."[19] "It is impossible to predict where the next danger spot may develop… it is the duty of intelligence to forewarn of such dangers, so that the government can take action… Our government must be both forewarned and forearmed."[20]
Norman Gelb *Historian*	While Gelb identifies that intelligence "can be classified in four major categories: general, political, strategic, and tactical," he focuses mainly on strategic intelligence—the "stealthy extraction of usually guarded national secrets which can be of specific use to a potential or actual enemy… concern[ing] diplomacy, long-term military strategy, weapons development, and classified technological information."[21]	"Espionage is an instrument for furthering national interests in a climate where confrontation between nations, even when not actual or imminent, is a possibility. It is the continuation of policy by other means. It is employed to strengthen a country or neutralize an adversary's advantages… Espionage is commonly employed by major powers to help maintain their spheres of influence."[22]

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[14] Sherman Kent, *Strategic Intelligence for American World Policy* (Princeton University Press, 1966), 3, https://www.jstor.org/stable/j.ctt183q0qt.

[16] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq" (United States Senate, July 9, 2004), 6, https://irp.fas.org/congress/2004_rpt/ssci_iraq.pdf.

[17] Dulles, *The Craft of Intelligence*, 56.

[18] Dulles, 58.

[19] Dulles, 9.

[20] Dulles, 50.

[21] Norman Gelb, *Enemy in the Shadows: The World of Spies and Spying* (New York: Hippocrene Books, 1976), 18–20.

[22] Gelb, 29–30.

Roy Pateman *UCLA*	"Information acquired about the plans or intentions of other countries or individuals," making a clear distinction that it is "not the same as signals that are activities undertaken by an adversary which could indicate that an attack is planned," nor "warnings which are judgements passed on by third countries or freelance agents that an attack is being planned."[23]	"The ostensible purpose of intelligence collection… is the preservation of national security."[24]
Robert Morris Clark *Former CIA senior analyst*	"Information that the opponent in a conflict prefers to conceal… the complex process of understanding meaning in available information."[25]	"Intelligence is about reducing uncertainty in conflict."[26] "A typical goal of intelligence is to establish facts and then to develop precise, reliable, and valid inferences for use in strategic decision making or operational planning."[27] Clark further emphasizes intelligence as "actionable" information, one which is "always concerned with a target" and with specific "support for operations."[28]
Jerel Rosati *University of South Carolina*	"Three broad sets of activities managed by organizations within the US government: data collection and analysis, counterintelligence, and	"The primary purpose of the intelligence community is to collect and analyze information for military and civilian policy-makers in the executive branch."[30]

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[23] Roy Pateman, *Residual Uncertainty: Trying to Avoid Intelligence and Policy Mistakes in the Modern World* (University Press of America, 2003), 1.

[24] Pateman, 1.

[25] Clark, *Intelligence Analysis: A Target-Centric Approach*, 9.

[26] Clark, 8.

[27] Clark, 9.

[28] Clark, 9–10.

[30] Rosati and Scott, 200.

James Scott *Texas Christian University*	political and paramilitary intervention."[29]	
Office of the Director of National Intelligence	"Intelligence is information gathered within or outside the US that involves threats to our nation, its people, property, or interests; development, proliferation, or use of weapons of mass destruction; and any other matter bearing on the US national or homeland security."[31]	"Intelligence can provide insights not available elsewhere that warn of potential threats and opportunities, assess probable outcomes of proposed policy options, provide leadership profiles on foreign officials, and inform official travelers of counterintelligence and security threats."[32]

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[29] Jerel A. Rosati and James M. Scott, "The Intelligence Community," in *The Politics of United States Foreign Policy*, 7th ed., 2021, 200.
[31] "What Is Intelligence?"
[32] "What Is Intelligence?"

The intelligence cycle: can intelligence be "objective"?

It is doubtful whether intelligence can *truly* be objective—that is, intelligence which is based in part on subjective human reporting. While espionage efforts were never solely limited to human intelligence (HUMINT), it is worth exploring the complex interactions and consequences that came as a result of such heavy reliance on these sources. The Office of the Director of National Intelligence even acknowledges that "until the technical revolution of the mid- to late 20th century, [HUMINT] was the primary source of intelligence."[33] This reliance on HUMINT cannot be overstated: it also suggests that the intelligence community's understanding of newer technologies and methods toward the beginning of the 21st century was relatively shallow in comparison. Much has been written on the processes of collection and analysis, but less so on how biases enter them and are upheld by them. Intelligence is not collected, processed, or disseminated in a vacuum: there is always a target, a collector, and a commissioning actor, and as such the end product will always be colored to an extent by the biases, agendas, experiences, and ideologies of all three and any in between. The United States government describes its own intelligence cycle as a "process of collecting information and developing it into intelligence for use by IC customers."[34] The steps involved in this process are:[35]

1. Direction, in which the incumbent administration tasks its intelligence agency with "respond[ing] to the climate of the times," thereby selecting a target;

2. Collection, where the agency taps into its networks of intelligence across multiple sources, ranging from satellite imaging (IMINT) to human intelligence (HUMINT);

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[33] "What Is Intelligence?"
[34] "What Is Intelligence?"
[35] Rosati and Scott, "The Intelligence Community," 200; "What Is Intelligence?"

3. Processing, which requires the "rendering of complex data into an intelligence picture." What has been gathered from the collection stage is still regarded as raw or "basic" information, and is not considered true intelligence until the end of the next stage;

4. Exploitation (also termed "production and analysis" by Rosati and Scott), where analysts interpret and synthesize the processed information into strategic intelligence. Analysts must therefore decide which information is the most pertinent for the consumers, filtering out any details that might be considered distracting or unnecessary in the interest of practicality; and

5. Dissemination, where the finished intelligence is distributed to policymakers in the incumbent administration to be used as guidance for decision-making. This end product is usually in the form of a report or brief, such as the National Intelligence Estimate (NIE), or the President's Daily Brief (PDB).

It is clear that each step is prone to subjectivity. The process itself is based on a subjective view of world events (the so-called "climate of the times") dictated by executive policy-makers, which prioritizes—or targets—certain regions, nations, or actors above others, and are often incentivized to do so as a result of domestic and international pressures detailed in Robert Putnam's two-level game theory.[36] Similarly, collection, processing, and production and analysis essentially serve as filtering mechanisms which are dependent on the discretion and opinion of the intelligence officer involved. Collectors and analysts may be inclined to disregard evidence of an unpopular opinion, which has a ripple effect on the entire process—creating a feedback loop, which has an impact on the final judgments and proposals presented to policymakers. All stages of this process are also furthermore prone to what Jamie Gaskarth calls "individual

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[36] Rosati and Scott, "The Intelligence Community," 200.

ideological motivations," which he argues can "subvert collective norms."[37] Gaskarth points to "favoritism, bullying, paranoia, a focus on pet projects rather than collectively important tasks, personal aggrandizement via empire-building, and rent-seeking" as problems that are capable of "flourishing in such bureaucracies without external scrutiny," all of which should be strongly underlined as indicators of a somewhat dysfunctional internal culture.[38] Indeed, if there are individual ideological motivations, then it is certainly possible to imagine larger-scale mental and ideological fallacies at play.

In "The Intelligence Dilemma," Beth Eisenfeld identifies a multi-dimensional model of politicization, which can also permeate the entirety of this intelligence cycle.[39] For Jerel Rosati and James Scott, politicization of intelligence occurs when "intelligence is slanted to fit the policy preferences or assumptions of key officials," with the result being "a corruption of intelligence."[40] Eisenfeld expands on this definition, positing that intelligence can be slanted not just from the top-down, with the consumers deliberately forcing an outcome or seeing only what they want to see to fit their agenda, but also bottom-up with the "coloration of products by the unconscious biases of the working analysts who produce intelligence analyses," bi-directional, inside-out, and outside-in.[41] It is important to note, however, that not all intelligence failures are due to problems of consumer politicization: much emphasis is attached to politicization given media coverage, while producer influence and bias during the process is less frequently examined. The secrecy of intelligence operations makes it incredibly difficult to assign responsibility or track "authorship" over what is in the end product. It is also nearly impossible

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[37] Jamie Gaskarth, "Accountability and Intelligence," in *Secrets and Spies*, UK Intelligence Accountability after Iraq and Snowden (Brookings Institution Press, 2020), 29, https://www.jstor.org/stable/10.7864/j.ctvktrz2t.5.
[38] Gaskarth, 29.
[39] Beth Eisenfeld, "The Intelligence Dilemma: Proximity and Politicization–Analysis of External Influences," *Journal of Strategic Security* 10, no. 2 (2017): 83.
[40] Rosati and Scott, "The Intelligence Community," 217.
[41] Eisenfeld, "The Intelligence Dilemma," 83–84.

to know what was omitted or overlooked in the process of its creation. Ultimately, while the "corruption of intelligence" can be identified, it is another matter altogether to *change* a system that is so heavily dependent on individual judgment.

Older manuals and treatises on intelligence dating from the end of World War II to the early onset of the Cold War argue strongly against the intermingling of intelligence and policy. Sherman Kent dictates that "intelligence must not be so close that it loses its objectivity and integrity of judgment," and sternly repeats that "intelligence is not the formulator of objectives; it is not the drafter of policy; it is not the maker of plans; it is not the carrier out of operations. Intelligence is ancillary to these… it performs a service function."[42] Similarly, Allen Dulles warns against prejudice as "the most serious occupational hazard in the intelligence field… the one that causes more mistakes than any foreign deception or intrigue," and presents the CIA's exclusion from policy-making and separation from "[any] particular military hardware" as an inoculation from the "bending of facts obtained through intelligence to suit a particular occupational viewpoint."[43] Robert Clark, writing in the 21st century, identifies this approach as an overall failure, describing how "in its early years the CIA attempted to remain aloof from its policy-making customers to avoid losing objectivity," resulting in analysis that had little relevance to policy-making and was therefore much less useful.[44] Clark believes that these methods changed during the 1970s, using the Yom Kippur and Falklands wars as examples of "closeness" that led to failure—although it should be noted that these were more an outcome of *consumer* pressure, rather than producer pressure.[45]

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[42] Kent, *Strategic Intelligence for American World Policy*, 180, 182.
[43] Dulles, *The Craft of Intelligence*, 51.
[44] Clark, *Intelligence Analysis: A Target-Centric Approach*, 5.
[45] Clark, 3–5.

A brief history of intelligence in the UK and US

July 4, 1909	Secret Service Bureau established by a subcommittee of the Committee of Imperial Defence under the order of Prime Minister Herbert Asquith. This department was variously referred to as the "Foreign Intelligence Service," the "Secret Service," "MI1(c)," and the "Special Intelligence Service."[46]
1920	The UK's foreign intelligence agency becomes formally known as the Secret Intelligence Service (SIS).[47]
July 7, 1936	The Joint Intelligence Committee (JIC) is founded as a sub-committee of the Committee of Imperial Defence.
July 22, 1940	Special Operations Executive (SOE) established in the UK. Its aim was to fill a niche that "ordinary departmental machinery" could not: organizing movements in enemy-occupied territory.[48]
July 11, 1941	President Franklin D. Roosevelt creates "the Office of the Coordinator of Information," an umbrella intelligence agency, in response to a proposal from William Donovan.[49]
June 13, 1942	Office of Strategic Services (OSS) established by Presidential military order of Roosevelt, under Donovan's leadership. This agency was heavily influenced by the British SOE, and its function was to "collect and analyze strategic information and secret intelligence required for military operations," as well as "plan and execute programs of physical sabotage and morale subversion against the enemy to support military operations."[50]
Summer 1943	First SIS intelligence officer training course held as an effort to increase standardization and consensus on procedure.[51]
1944	Dramatic expansion of the SIS under new chief Stewart Menzies, who increased the number of employees from 97 to 837.[52]

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[46] "Our History," Secret Intelligence Service, n.d., https://www.sis.gov.uk/our-history.html#section-1920.

[47] "Our History."

[48] Michael R. D. Foot, "Was SOE Any Good?," *Journal of Contemporary History* 16, no. 1 (1981): 169.

[49] Burton Hersh, *The Old Boys: The American Elite and the Origins of the CIA* (Scribner's, 1992), 84.

[50] OSS Schools & Training Branch, "Office of Strategic Services (OSS) : Organization and Functions.," June 1945, http://www.ibiblio.org/hyperwar/USG/JCS/OSS/OSS-Functions/index.html.

[51] "Our History."

[52] "Our History."

September 20, 1945	OSS terminated by Executive Order 9621 under President Harry Truman.
January 15, 1946	SOE dissolved by Prime Minister Clement Attlee, with 280 agents brought into SIS.[53]
January 22, 1946	Truman issues a Presidential Directive to create a National Intelligence Authority to oversee a new Central Intelligence Group (CIG), whose mission was to "accomplish the correlation and evaluation of intelligence relating to the national security, and the appropriate dissemination within the Government of the resulting strategic and national policy intelligence."[54]
September 18, 1947	CIA established with Truman's signing of the National Security Act of 1947. This also created the National Security Council and the position of the Director of Central Intelligence (DCI), as well as a thorough reorganization of the military establishment.[55]

Of course, spying and intelligence gathering has existed long before the creation of institutions such as MI6, the CIA, or even their predecessors in the Secret Service Bureau and the Office of Strategic Services (OSS). Intelligence operations have been described in the Bible, Ancient Roman texts, and Sun Tzu's *The Art of War*, with the earliest known formal record existing in the Ancient Egyptian Amarna Letters dating back to 1300 BCE.[56] Intelligence in Britain and the United States has been firmly rooted in the idea of protecting the sanctity and "core values" of the country—or empire—at any cost. As with the establishment of any intelligence agency during wartime, much of this was done through reinforcing ideals rooted in patriarchy and nationalism: ideals which have been constructed along with the mythos of the nation-state. In *Intelligence Analysis*, Robert Clark presents intelligence as a target-focused

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[53] "Churchill's Secret Army Lived On," *Today Programme* (BBC Radio 4, December 13, 2008), http://news.bbc.co.uk/today/hi/today/newsid_7780000/7780476.stm.

[54] Harry Truman, "71. Presidential Directive on Coordination of Foreign Intelligence Activities," January 22, 1946, https://history.state.gov/historicaldocuments/frus1945-50Intel/d71.

[55] The 80th United States Congress, "National Security Act of 1947," Pub. L. No. 235 (1947), https://www.dni.gov/index.php/ic-legal-reference-book/national-security-act-of-1947.

[56] Gelb, *Enemy in the Shadows: The World of Spies and Spying*, 91.

practice: it aims to "reduce uncertainty in conflict" by providing "information that the opponent

in a conflict prefers to conceal."[57] More often than not, when the country is not immediately

threatened, this opponent is decided by ideology and existing biases. Indeed, this is how the

Secret Service Bureau came to be in 1909, when a subcommittee of the Committee of Imperial

Defence was tasked with understanding "the nature and extent of foreign espionage that [was] at

present taking place within [Britain] and the danger to which it may expose us."[58] A particularly

notable example was James Edmonds, an officer in the British Army who headed MO5—the

precursor to MI5, also known as the Security Service. In a March 1909 meeting with the

Committee of Imperial Defence in which he argued for more departmental funding, he spoke at

length of German spies infiltrating Britain, centering his argument around anecdotal evidence of

Germans being seen "constantly about the country… sketching or photographing,"

"foreign-looking" men with cameras, and tabloid claims that there were "90,000 German

reservists in Britain."[59] Edmonds was heavily influenced by William Le Queux, a popular writer

who was "convinced that every country in Europe, particularly Germany, deeply envied the

British way of life and lusted after the wealth of the British Empire."[60] Although Le Queux's

conspiracy theories were not initially considered as a serious matter by senior politicians in

British government—because, ironically enough, he was looked down upon due to his

half-foreign background and lack of "proper" schooling—he was able to effectively leverage his

popularity with the public and its extremely strong xenophobic and antisemitic sentiments to

influence the structuring and targeting of the early British intelligence service. Le Queux's most

well-known work in this vein—*The Invasion of 1910*, which chronicled the fictional German

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[57] Clark, *Intelligence Analysis: A Target-Centric Approach*, 8–9.
[58] Christopher M. Andrew, *The Defence of the Realm: The Authorized History of MI5* (Penguin, 2010), chap. Introduction.
[59] Phillip Knightley, *The Second Oldest Profession: Spies and Spying in the Twentieth Century*, 1st American ed (New York: Norton, 1987), 11, https://archive.org/details/secondoldestprof00knig.
[60] Knightley, 14.

invasion of Britain—was published in March 1906; the Committee of Imperial Defence was established in 1907.

In early 1920, Mansfield Smith-Cumming, the first chief of the SIS known as "C," reflected upon the progress and evolution of the Secret Service Bureau since its founding. His notes on the "essentials of the Secret Service" included several stipulations, among them the necessity to maintain its secrecy, that "the SS at home be small, self-contained, [and with] personnel independent of any control other than of its Chief," and most significantly the functional autonomy of the Chief position, which should be afforded "sole control of all agents abroad."[61] Cumming was able to deftly navigate the bureaucracy of the British Empire, which frequently saw efforts to consolidate the Secret Service into other existing ministries or departments in the aftermath of the First World War, ultimately resulting in the British intelligence community being positioned "closer to the Foreign Office" than any other department as a reflection of the "new, peacetime situation."[62] Britain's longer, more historically established government structuring was both a blessing and a curse for Cumming's intelligence endeavors. There was certainly a niche to be filled by the Secret Service—a 1921 Treasury-chaired committee found "little or no overlap" between it and other branches—and the rigidity of the government establishment provided a legitimate, highly-organized foundation for Cumming to build upon.[63] However, the early decades of the Secret Service were rife with pressure for government spending cuts and vastly reduced budgets, and it was not until the end of the Second World War that Stewart Menzies was able to afford an increase in personnel. Cumming's 1922-1923 review of the SIS placed it as a reportee to multiple governmental departments, including all three armed service ministries, the Foreign, Home, Colonial, and India

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[61] Jeffery, *The Secret History of MI6*, chap. 5.
[62] Jeffery, chap. 5.
[63] Jeffery, chap. 5.

Offices, and the Department of Overseas Trade.[64] While he had initially envisioned an internal

structure based on geographical regions, the SIS emerged from World War I with two main

divisions: "Production," which managed overseas deployment, and "Circulation," which

managed correspondence with intelligence customers and "transmitt[ed] all information

obtained."[65] The outbreak of World War II, however, saw a rapid expansion in the British

intelligence community, with both the SIS and the Government Code and Cypher School

(GC&CS, the predecessor of GCHQ) relocating to new offices spread across the country.[66]

Problems of inconsistent processing and prioritization—separating between short-term tactical

and technical intelligence and longer-term political and strategic intelligence—became evident in

1939, with discussions of the producer-consumer beginning to surface.[67] By 1944, the function of

the SIS had been restated in the Bland Report, with its main task being to "obtain by covert

means intelligence which is impossible or undesirable for HM Government to seek by overt

means"—and as a further qualifier, that SIS "did not collect intelligence for itself but for its

clients."[68]

The precursor to the OSS—the short-lived Office of the Coordinator of Information

(COI)—was in fact strongly and directly influenced by British intelligence. William Donovan

was persuaded to accept the role by key senior figures from SIS: these included the SIS chief

himself, Stewart Menzies, and William Stephenson, codenamed Intrepid, who "enlisted the help

of several avenues of influence at the White House" to also convince Roosevelt of the need for

an "American clearinghouse."[69] In a June 1941 proposal to Roosevelt, Donovan had written that

a US intelligence organization should—and would—"conduct research and analysis and produce

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[64] Jeffery, chap. 5.
[65] Jeffery, chap. 5.
[66] Jeffery, chap. 10.
[67] Jeffery, chap. 10.
[68] Jeffery, chap. 18.
[69] Hersh, *The Old Boys*, 83–84.

propaganda," citing "scattered data and documents in the American intelligence community, as well as the lack of attention to economic, political, scientific and psychological factors."[70] This evidently worked, given that Roosevelt approved the creation of the COI a month later. The COI itself, however, was disorderly and subject to Donovan's personal whims, which were granted given his "accessibility to any recommendation," setting a pattern of rampant overreach and impunity that would linger on in its successor agency.[71] These whims included dropping pornographic flyers over Hitler's summer retreat, and large numbers of bats over Japan, based on his belief that the Japanese were "morbidly terrified of bats and would disintegrate psychologically."[72] It is evident that even in its earliest iterations, the work of intelligence agencies were not solely restricted to the office: covert operations were intrinsic to their existence. A particularly miffed US Army general complained how Donovan's agency "ignored clear restrictions, [used] language 'devoid of reference to moral considerations or standards,' and claimed the wartime right to assume 'the ethical color of its enemies in all particulars.'"[73]

The OSS itself was created in June 1942 with a vague mandate to "collect and analyze such strategic information as may be required by the United States Joint Chiefs of Staff," again with Donovan as lead.[74] Its style was "informal" and "freewheeling," "rank meant little," and with Donovan's encouragement, "no scheme was too madcap."[75] Four future Directors of Central Intelligence served as OSS officers—Allen Dulles and William Casey being chief among this

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[70] Kenneth Campbell, "William J. Donovan: Leader and Strategist," *American Intelligence Journal* 11, no. 1 (1989): 31–36.
[71] Hersh, *The Old Boys*, 86.
[72] Hersh, 86.
[73] Hersh, 86.
[74] Franklin D. Roosevelt, "Military Order: Office of Strategic Services," F. R. Doc. 42-5595 § (1942), https://www.cia.gov/readingroom/docs/Presidential_order_on_the_OSS_13_Jun_1942.pdf.
[75] Evan Thomas, "Spymaster General," *Vanity Fair*, March 3, 2011, https://www.vanityfair.com/culture/2011/03/wild-bill-donovan201103.

number.[76] Its operations were vast, with a complex organizational structure: a June 1945 handbook described the OSS as "dynamic," not just responsible for "collecting and analyzing strategic information and secret intelligence required for military operations," but also for "planning and executing programs of physical sabotage and morale subversion against the enemy to support military operations."[77] This was the first real American attempt at building a modern intelligence agency: the US had only joined World War II in December 1941, and now needed real intelligence support in its wartime strategy. The OSS pioneered many different approaches and ensured involvement in numerous foreign countries: Detachment 101 in the Special Operations branch of the OSS was a "nearly-autonomous unit" and also the earliest OSS division in the Far East, having been established in late 1942 in India for "intelligence, guerrilla, and sabotage work" behind the Japanese in Northern Burma. A December 2016 Congressional Gold Medal was given to its officers for trailblazing "the art of unconventional warfare" in Burma and being the "first United States unit to deploy a large guerrilla army deep in enemy territory, credited with the highest kill/loss ratio for any infantry-type unit in American military history."[78] The OSS handbook proudly recounts how Detachment 101 "organized, directed, equipped, and trained several thousand natives of Burma for guerrilla operations; operated a small air group for supply and liaison with field groups behind the Japs [*sic*]; and set up machinery which worked very efficiently for the rescue of downed Allied fliers."[79] 101, by "assisting conquered peoples to liberate their countries," had "proven its value in the Allied Cause."[80] This rhetoric and the OSS covert operations mindset in particular, although of wartime origin, would remain relevant in the decades—and the Cold War—to come.

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[76] The 114th United States Congress, "Office of Strategic Services Congressional Gold Medal Act," Pub. L. No. 114–269, S. 2234 (2016), 130 STAT. 1392, https://www.govinfo.gov/app/details/PLAW-114publ269.
[77] OSS Schools & Training Branch, "Office of Strategic Services (OSS) : Organization and Functions."
[78] The 114th United States Congress, Office of Strategic Services Congressional Gold Medal Act, 130 STAT. 1392.
[79] OSS Schools & Training Branch, "Office of Strategic Services (OSS) : Organization and Functions."
[80] OSS Schools & Training Branch.

Journalist Evan Thomas cites a report assembled by Colonel Richard Park, an army officer who ran the White House map room, of "scores—over 120—items accusing OSS or its personnel of incompetence, insecurity, corruption, 'orgies,' nepotism, black marketing, and almost anything else one could name."[81] The aftermath of the Donovan regime led many policymakers and the public to doubt the efficacy and legitimacy of the US intelligence community—so much so that Roosevelt's successor hesitated to even create a centralized replacement.[82] The eventual establishment of the CIA heralded a new era with the advent of the Cold War, but much remained the same: OSS long-timers stayed in senior, if not leading positions in the new agency, and retained their wartime instincts and methods as they turned to address a new threat.[83]

Who becomes involved in intelligence?

Intelligence has always been a tool of the elite. Intelligence itself—the ability to gain foresight, and get ahead of political rivals—more often than not requires secrecy, which can only be ensured by possessing extensive resources and a high budget. It is therefore unsurprising that those involved in the founding of—and in senior positions in—British and American intelligence institutions have long been upper-class, male, and white. In *The Jakarta Method*, Vincent Bevins describes Frank Wisner, one of the founding members of the Central Intelligence Agency, as a "real blue blood"—a "die-hard crusader" raised in an "insular, privileged household."[84] This profile of Wisner exactly typifies those who were involved in the early days of the CIA: Bevins states that "most of the ranks of the early CIA were from an even higher strata of American

[81] Thomas, "Spymaster General."
[82] Hersh, *The Old Boys*, 166–67.
[83] Thomas Kean et al., "Final Report of the National Commission on Terrorist Attacks Upon the United States" (The National Commission on Terrorist Attacks Upon the United States, July 22, 2004), 91, https://www.9-11commission.gov/report/911Report.pdf.
[84] Vincent Bevins, *The Jakarta Method*, 2019, chap. 1.

society," with many being "Yale men, of the type who would look down on other Yale men if they didn't come from the right boarding school or enter the right secret society."[85] The heads of the SIS, Security Service (MI5), DNI, and CIA have always been white: an especially notable statistic is that among the 17 SIS chiefs, there have been four Johns, three Richards, two Colins, and no women. In *The Old Boys*, Burton Hersh describes in salacious detail how the "ebullient" Allen Dulles would "forag[e] for diversion whenever his overbooked timetable permitted," and how he once "took up for a season" with the daughter of a renowned Italian conductor.[86] Dulles would even admit that "once one gets a taste for [the covert life] it's hard to drop."[87] It is unsurprising that impunity and misconduct have been able to run rampant as part of the core social fabric in environments led by men with nicknames such as "Wild Bill." A demographic report for 2018 supervised by the Office for the Director of National Intelligence found that women comprised 38.8% of the intelligence community workforce.[88] The Congressional Gold Medal Act which commended the wartime OSS for its work described how women "comprised more than one-third of OSS personnel and played a critical role in the organization."[89] It was not until 1973, however, that women who married were allowed to remain in the service, and "permission to marry" forms remained until the 1990s.[90] In the 70-odd years since the end of World War II, there has only been a 5% increase in female representation. Although this number is obviously a rough approximation, it is more than evident that Western intelligence agencies have no intrinsic reason to cater to a wider range of potential recruits. The 2018 demographic

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[85] Bevins, chap. 1.
[86] Hersh, *The Old Boys*, 95.
[87] Hersh, 95.
[88] "Annual Demographic Report: Hiring and Retention of Minorities, Women, and Persons with Disabilities in the United States Intelligence Community Fiscal Year 2018" (Office of the Director of National Intelligence, June 5, 2019), https://www.dni.gov/files/documents/EEOD/FY18_IC_Annual_Demographic_Report_V6_ExecSec.pdf.
[89] The 114th United States Congress, Office of Strategic Services Congressional Gold Medal Act, 130 STAT. 1392.
[90] Helen Warrell, "The Secret Lives of MI6's Top Female Spies," *Financial Times*, December 8, 2022, sec. FT Magazine, https://www.ft.com/content/741772c0-ee76-4d3d-bfcd-4fabc1fb405d.

report celebrates the representation of women in the IC workforce "increas[ing] for the first time in the last four years," from 38.5% to 38.8%—a whopping increment of 0.3%.[91] Overall minority representation similarly increased by a disappointing 0.7% from 25.5% to 26.2%, in comparison to the total Federal workforce's 36.4%.[92] This problem is reflected in the UK also, with only 20% of senior SIS officials identifying as women in a 2016 report, and all of them white.[93] The MI5 website boasted that 8% of its employees were from black and ethnic minority backgrounds—"double the percentage of 10 years ago."[94] Knightley's 1986 observation that "intelligence agencies ha[d] become wellsprings of power in our society, secret clubs for the elite and privileged" appears to remains accurate today.[95]

Evidently, there is not as much diversity of thought involved in the intelligence process as some intelligence thought leaders have claimed. Shortcomings would always be inevitable given the international and far-reaching scope of intelligence, and the limited backgrounds and experiences of those involved in understanding, analyzing, and finally presenting intelligence to similarly limited consumers.

The producer-consumer relationship

Intelligence agencies have not always held the same influential and authoritative status as they do now. Indeed, only three days after the November Armistice of 1918, Mansfield Smith-Cumming found his Secret Service Bureau under threat of being assimilated into one monolithic organization, along with MI5 under Vernon Kell.[96] This was repeated in 1943, near

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[91] "Annual Demographic Report: Fiscal Year 2018," 2.
[92] "Annual Demographic Report: Fiscal Year 2018," 2, 12.
[93] Alice Ross and Owen Bowcott, "None of MI6 and MI5's Senior Officials Are from BAME Backgrounds," *The Guardian*, July 5, 2016, sec. UK news,
https://www.theguardian.com/uk-news/2016/jul/05/none-of-mi6-and-mi5-senior-officials-from-bame-backgrounds.
[94] Ross and Bowcott.
[95] Knightley, *The Second Oldest Profession*, 8.
[96] Jeffery, *The Secret History of MI6*, chap. 5.

the end of World War II, but was ultimately dismissed under Winston Churchill's strong repudiation.[97] SIS itself was "primarily a collection agency" from 1909-1949, with its "deployment and work principally defined by the priorities and perceptions of external agencies."[98] It would "[respond] to specific or general requests for information from customer departments, principally its parent department, the Foreign Office, and the armed service ministries," serving as little more than a glorified research center; little or no analysis would be applied to the material, beyond an "outline indication" about the reliability of the source.[99] Similarly, it was not until 1946 that a US intelligence agency (in this case, the Central Intelligence Group (CIG), which was the immediate predecessor to the CIA) was granted the authority to conduct *independent* research and analysis, enabling it to "move beyond simply coordinating intelligence to producing intelligence."[100] It is clear that in spite of limited wartime resources, both UK and US intelligence communities were very much able to expand their influence and establish themselves as authorities intrinsic to state function and security. Tim Weiner, in *Legacy of Ashes*, writes that President Harry Truman's vision of the CIA as a "global news service, delivering daily bulletins" was "subverted from the start"; William Donovan's proposal for what became the CIG, and subsequently the CIA, was "its own army, a force skilfully combating communism, defending America from attack, and serving up secrets for the White House."[101] Similarly, the Special Operations Executive arose from a perceived need for a covert operations niche that could not be fulfilled by the military, or any other existing "departmental machinery": Hugh Dalton, the Minister of Economic Warfare overseeing the organization, envisioned the SOE as a new front "to coordinate, inspire, control and assist the

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[97] Jeffery, chap. 18.
[98] Jeffery, chap. Foreword.
[99] Jeffery, chap. Foreword.
[100] "History of CIA," Central Intelligence Agency, n.d., https://www.cia.gov/legacy/cia-history/.
[101] Tim Weiner, *Legacy of Ashes* (Doubleday, 2007), 3–4.

nationals of the oppressed countries who must themselves be the direct participants," with "absolute secrecy, a certain fanatical enthusiasm, willingness to work with people of different nationalities, and complete political reliability."[102] Intelligence exceptionalism thus built itself out toward the end of the Second World War, with Sherman Kent writing in 1949 that the problems which had to be dealt with for "national survival" could not be dealt with "except by the special techniques of the expert," and that "this extension in expertise is considerable."[103]

The relationship between the intelligence agency and its incumbent government is unique in its codependency and power dynamic, given that it is further enveloped in a need to maintain secrecy in the national interest. The policy-making consumer serves as a commissioner and is free to do what it will with the intelligence provided, yet if actions based on intelligence lead to negative outcomes, it is more likely that the consumer—rather than the producer—is held accountable. The government is therefore immensely reliant on the intelligence agency to operate in its best interest. The intelligence agency, however, is not so constrained. While it is true that "the whole process depends on guidance from public officials," the agency's most immediate goal is to act not in the best interest of the nation or the commissioning government, but rather to guarantee its *own* existence, relevance, and prosperity—something that, until recently, has not been a certainty.[104] Roosevelt was initially very reluctant to "risk his intelligence credibility" on the precursor to the CIA, preferring instead to rely on a journalist-led information gathering-system.[105] Allen Dulles certainly complained about there being "little official government intelligence activity except in time of combat" until after World War II, viewing it as a distinct disadvantage and even a mistake, given that "the fund of knowledge and the lessons

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[102] Foot, "Was SOE Any Good?," 169.
[103] Kent, *Strategic Intelligence for American World Policy*, vii.
[104] Central Intelligence Agency, "The Intelligence Cycle," CIA Intelligence Resource Program, n.d., https://irp.fas.org/cia/product/facttell/intcycle.htm.
[105] Hersh, *The Old Boys*, 84–85.

learned from bitter experience were lost and forgotten."[106] There were months between the dissolution of the OSS and the creation of the CIG that would have remained in memory as a time where the US lacked a coordinated, centralized intelligence agency. In Britain, the October 1944 Bland Report concluded that "SIS, however costly, is far the cheapest form of insurance in peace time against defeat in war, but to be effective it must be efficient. We must never again try to run the SIS on the starvation level of the lean years between 1920 and 1938."[107] In *The Second Oldest Profession*, Philip Knightley writes that "agencies justify their peacetime existence by promising to provide timely warning of a threat to national security," caring little "whether that threat is real or imaginary."[108] Similarly, Jamie Gaskarth posits that "at the collective level, officials may lose sight of the wider public good and seek to advance organizational goals—even where they conflict with the public interest," citing Tim Weiner in suggesting that CIA officials during the Cold War "were prepared to lie to the president to protect the agency's image."[109] It is therefore in the intelligence agency's best interest to obfuscate as much as possible or potentially bias their products to ensure their own survival and expansion when threatened, or after public failure.[110]

In the years and decades following the 1947 National Security Act, the intelligence community in the US—and the CIA in particular—found itself in a prime position to continue expanding its reach and influence via the Director of Central Intelligence, who simultaneously held positions as the chief of the CIA, the primary intelligence advisor to the President, and was a regular attendee of the National Security Council (NSC). As such, the CIA was arguably "more of a presidential organization than any other in the US government" given the sheer amount of

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[106] Dulles, *The Craft of Intelligence*, 29.
[107] Jeffery, *The Secret History of MI6*, chap. 18.
[108] Knightley, *The Second Oldest Profession*, 6.
[109] Gaskarth, "Accountability and Intelligence," 28–29.
[110] Knightley, *The Second Oldest Profession*, 6.

access it possessed at the highest level: the president was the "First Customer."[111] The 9/11

Commission Report found that the authority and influence of the DCI tended to be "directly

proportional to his personal closeness to the president, which has waxed and waned over the

years."[112] It was evidently possible for a DCI who was close enough to the president to not only

exert producer influence, but to further aggrandize the intelligence establishment. A 1990 CIA

report remarked that the increased contact between producers and consumers has resulted in

"formal and impersonal linkages of the past [becoming] more informal and personal, with oral

assessments delivered during face-to-face contacts now outnumbering written assessments…

The more senior the intelligence officer involved, the more likely that oral rather than written

assessment will be conveyed."[113] The same report rather presciently comments that policymakers

who developed confidence in the judgments of a particular intelligence producer over time

tended to maintain confidence in spite of weaker assessments made later on.[114] It becomes clear

that the rigid line between consumer and producer responsibilities drawn by Sherman

Kent—where consumers are expected to come to their own conclusions and create policy—had

eroded over time, especially during the Cold War. The incentive for the producer to take on an

extent of the consumer's responsibilities, particularly in the formation of new decisions, has

significantly increased, as has consumer reliance on intelligence to support their policies.

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[111] David S. Robard, "Directors of Central Intelligence, 1946-2005 : A Long Look Back," *Studies in Intelligence* 49, no. 3 (2005): 11, https://www.cia.gov/readingroom/docs/Misc-007.pdf.
[112] Kean et al., "The 9/11 Commission Report," 86.
[113] David D. Gries, "New Links Between Intelligence and Policy," *Studies in Intelligence* 34, no. Summer (1990): 1, https://www.cia.gov/readingroom/docs/DOC_0000624353.pdf.
[114] Gries, 2.

Impunity and the subversion of legislature in covert action: the Iran-Contra affair

The Iran-Contra affair provides a snapshot of the 1980s CIA as an amoeba-like organism

in search of opportunities to expand its scope after chafing against strident reforms, restraints,

and attempts at restructuring during the previous Carter and Ford administrations.[115] The

re-emphasis of Cold War rhetoric with the inauguration of Ronald Reagan in 1981 provided a

convenient window of opportunity. Although the fervor of McCarthyism had receded in the late

1950s, the threat of the Soviet Union and the continuation of the Cold War meant that direction

and targeting—the first stage of the intelligence cycle—was firmly focused on all communist or

potentially communist-sympathizing political movements worldwide. Malcolm Byrne describes

how Ronald Reagan's incoming foreign policy advisors "viewed Central America with alarm,

seeing the hand of Moscow as the principal agitator behind the recent growth in indigenous

support for leftist political movements in the region," despite US public opinion being in

significant disagreement.[116] Given the "cold" nature of the Cold War, a remarkable amount of

American foreign policy in this era was reliant on the CIA as its main mechanism of execution;

nuclear deterrence meant that policymakers had to resort to alternatives to conventional military

power to "contain Soviet advances around the world."[117] Of course, while "a variety of military

and non-military means" were used to further American interests abroad, the core tenet of

foreign policy was containment—avoiding the domino effect through diplomacy, proxy wars,

and covert action.[118] To effectively examine the autonomy of the CIA as the chief intelligence

institution of the United States and the extent of the interdependence occurring between the

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[115] Gerald R. Ford, "Executive Order 11905: United States Foreign Intelligence Activities" (1976), https://www.fordlibrarymuseum.gov/library/speeches/760110e.asp.

[116] Malcolm Byrne and Bruce Riedel, "Raising the Contras," in *Iran-Contra*, Reagan's Scandal and the Unchecked Abuse of Presidential Power (University Press of Kansas, 2014), 8, http://www.jstor.org.ccl.idm.oclc.org/stable/j.ctt1qft36x.7.

[117] Robert J. Pauly, *US Foreign Policy During the Cold War* (Routledge Handbooks Online, 2009), https://doi.org/10.4324/9781315613727.ch2.

[118] Pauly.

intelligence institution and its policymaking partners, it is necessary to segment the case study into at least three main areas: firstly, whether intelligence plays any role in influencing the formation of policy; secondly, the role of intelligence in the execution of foreign policy; and lastly, the degree of accountability (if any) that the agency is held to in the aftermath.

Background

The US had long been interested in the affairs of both Iran and Nicaragua. The 1914 opening of the Panama Canal had significantly increased the strategic value of Central America. The US already had a long history of involvement and manipulation in Nicaraguan political leadership prior to the Iran-Contra affair, resulting in a succession of right-wing military dictatorships. The most recent regime under President Anastasio Somoza Debayle was ended on July 17, 1979 by the socialist Sandinista National Liberation Front (FSLN), the "only force trained and capable of opposing the National Guard."[119] The Cold War context and Nicaragua's proximity to Cuba—both geographically, politically, and ideologically—alarmed an already-paranoid US, which saw the overthrow of the American-supported Somoza ruling family as a marker of insurgency and destabilization. This was further compounded by the FSLN's forwarding of Cuban weapons and equipment to rebels in El Salvador: by 1981, Nicaragua had signed treaties with the Soviet Union for advisors and "military and intelligence assistance."[120] The Contras—the domestic opposition to the new Sandinista regime—were far more heterogeneous and much less united. In fall 1981, before CIA intervention, the Contras consisted of "scattered groupings of some 250 men who had sought refuge in Honduras and Guatemala…

[119] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair" (100th Congress, 1st Session, November 1, 1987), 25–26, https://www.cia.gov/readingroom/docs/CIA-RDP89T00142R000500610001-7.pdf.
[120] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 27.

resorting to random violence and chicken theft in order to survive."[121] Most were National

Guardsmen—remnants of Somoza's personal army—but there were also anti-Somocistas, who

opposed the new Sandinista government.[122]

Following the spectacular failure of the Vietnam War, post-1969 US foreign policy

"looked to regional powers to serve as guardians of American interests in distant corners of the

world." Iran was one such guardian, and the US enjoyed a close friendship with the last Shah,

Mohammad Reza Pahlavi; Iran was not only a convenient producer of oil, but also

geographically vital to US interests given its border with the Soviet Union. The February 1979

overthrow of the Shah by the Shi'ite Ayatollah Khomenini and the November storming of the US

Embassy in Tehran that same year—resulting in 66 American diplomats being taken

hostage—"helped drive one President from office and elect[ed] another who pledged that

America would not be so humiliated again."[123] This new Iran was then abruptly launched into a

war with Iraq from September 1980 to August 1988, during which it quickly became evident that

the inventory of American weaponry supplied to the Shah had become obsolete, and required

spare and updated parts.

The Iran-Contra affair was "the biggest political and constitutional scandal since

Watergate exploded."[124] The Reagan administration and the CIA had funded, armed, and trained

the Contras against the incumbent left-wing Sandinistas in Nicaragua, the "epicenter of [the]

struggle… for hearts and minds in the US backyard."[125] They sourced their funding from arms

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[121] Peter Kornbluh and Malcolm Byrne, *The Iran-Contra Scandal: The Declassified History* (New Press, 1993), 1.
[122] Kornbluh and Byrne, 1; Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 29.
[123] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 157.
[124] Malcolm Byrne, Peter Kornbluh, and Thomas Blanton, "The Iran-Contra Affair 20 Years On," The National Security Archive, November 24, 2006, https://nsarchive2.gwu.edu/NSAEBB/NSAEBB210/.
[125] Byrne and Riedel, "Raising the Contras," 10.

sales to Iran. Intervention in *both* had been explicitly prohibited: the former by the 1982 Boland Amendment, which barred the CIA from "spending funds for the purpose of overthrowing the government of Nicaragua," and the latter by an arms embargo that had been imposed since the Carter administration and was even increased under Reagan after the outbreak of the Iran-Iraq war.[126] It is important to note that these constraints were not in name only—other branches of government viewed them as serious and crucial implementations of foreign policy, and endeavored to enforce them even after news of the CIA's involvement came to light. For instance, Congress passed a second Boland Amendment in October 1984 which further forbade "any military or paramilitary support for the Contras" until December 1985, as well as the US State Department's Operation Staunch in 1983, which oversaw a diplomatic effort to prevent "high technology weapons systems and spare parts from reaching Iran."[127]

Timeline

January 20, 1981	Ronald Reagan is inaugurated as President for his first term.
February 1981	The State Department produces highly criticized whitepaper with "definitive evidence" of Soviet influence and expansionary aims in El Salvador.
1981	Restricted Interagency Group (RIG) formed.[128]
August 1981	The Reagan administration sends Duane Clarridge to meet with Contras and sympathizers in Honduras.[129]
November 1981	Reagan signs formal finding stating that "the reason for supporting the

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[126] "CIA-Contra-Crack Cocaine Controversy," U.S. Department of Justice Office of the Inspector General, n.d., https://oig.justice.gov/sites/default/files/archive/special/9712/appa.htm; Garrett Nada, "Part 1: History of Arms Embargos on Iran," The Iran Primer, May 11, 2020, https://iranprimer.usip.org/blog/2020/may/11/part-1-us-arms-embargo.

[127] Kenneth R. Timmerman, "Fanning the Flames: Guns, Greed & Geopolitics in the Gulf War," The Iran Brief: Policy, Trade & Strategic Affairs, 1988, http://www.iran.org/tib/krt/fanning_ch7.htm.

[128] George D. Moffett III and Dennis Volman, "Contra Probe Puts Heat on State Official," *Christian Science Monitor*, May 12, 1987, https://www.csmonitor.com/1987/0512/abrams.html.

[129] Byrne and Riedel, "Raising the Contras," 18.

	Nicaraguan contra rebels was to interdict arms shipments from Nicaragua to leftist insurgents in El Salvador." Nothing was said about killing Cubans, or another unwritten goal of the covert operation: to "overthrow the Sandinistas militarily."[130]
December 1981	Reagan signs first document authorizing CIA's intervention to support the Contras.[131]
1983-1984	Operation Tipped Kettle: a US-Israeli government operation transferring Palestinian weapons seized by Israel to the Nicaraguan Contras.
Spring 1983	The Reagan administration imposes further sanctions on arms deals to Iran via Operation Staunch.
December 1, 1983	The First Boland Amendment passes, prohibiting the CIA and any other government agencies or entities involved in intelligence from using any funds "for the purpose of overthrowing the government of Nicaragua or providing a military exchange between Nicaragua and Honduras" from December 1984 to December 1985.[132] Reagan tasks the NSC with finding a way to "keep the Contras' body and soul together."[133]
January-February 1984	The CIA begins to place underwater acoustic mines in Nicaraguan harbors without informing Congress.
March 27, 1984	CIA Director William Casey suggests that McFarlane should look for funding from Israel and others, despite Secretary of State George Shultz questioning the legality of obtaining funding from other countries.[134]
Spring 1984	Congress becomes aware of the CIA's mining in Nicaragua, leading to backlash and public uproar.[135]

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[130] Parry, "Lost History: CIA-Contra Plan -- Kill Cubans."

[131] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, "Report of the Congressional Committees Investigating the Iran-Contra Affair" (United States Senate, November 1, 1987), 31–32, https://www.cia.gov/readingroom/docs/CIA-RDP89T00142R000500610001-7.pdf.

[132] Purdy.

[133] Byrne, Kornbluh, and Blanton, "The Iran-Contra Affair 20 Years On."

[134] "Nicaragua and Iran Timeline," The Iran-Contra Affairs, n.d., https://www.brown.edu/Research/Understanding_the_Iran_Contra_Affair/timeline-n-i.php.

[135] Fred Hiatt et al., "CIA Helped To Mine Ports In Nicaragua," *Washington Post*, April 7, 1984, https://www.washingtonpost.com/archive/politics/1984/04/07/cia-helped-to-mine-ports-in-nicaragua/762f775f-6733-4dd4-b692-8f03c8a0aef8/.c

May 1984	CIA-appropriated funds for Contras run out.[136]
October 12, 1984	Second Boland Amendment passes, "prohibiting any government agency from offering military and paramilitary support for the Contras" until 1987, also "banning the Reagan administration's practice of soliciting funds from third-party countries and private donors."[137]
November 6, 1984	Reagan is re-elected as president by a landslide.
August 6, 1985	David Kimche, Director-General of the Israeli Ministry of Foreign Affairs, meets with National Security Advisor Robert McFarlane. Kimche proposes that the sale of 500 TOW anti-tank missiles to Iran—with Israel acting as an intermediary—will free American hostages in Lebanon.[138]
August 20, 1985	Israel sends 96 American missiles to Iran via Iranian arms dealer Manucher Ghorbanifar. One American hostage is released by the Islamic Jihad Organization.
December 4, 1985	McFarlane resigns and North proposes a new sale plan, where the US would sell directly to the Contras via Ghorbanifar without an Israeli intermediary.
October 5, 1986	Transport aircraft HPF821 shot down by Nicaraguan Sandinista soldier, with Eugene Hasenfus—its sole survivor—claiming CIA involvement.[139]
November 3, 1986	Lebanese newspaper *Al-Shiraa* exposes the US-led arrangements.
November 26, 1986	In response to the leak, Reagan establishes the Tower Commission to investigate the circumstances surrounding the Iran-Contra affair, case studies showing strengths and weaknesses in the operation of the National Security Council system under stress, and the evolution of the

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[136] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 31.

[137] Elizabeth R. Purdy, "Boland Amendment," in *Encyclopaedia Britannica*, n.d., https://www.britannica.com/topic/Boland-Amendment.

[138] "Iran: The Beginning," Understanding the Iran-Contra Affairs, n.d., https://www.brown.edu/Research/Understanding_the_Iran_Contra_Affair/i-thebeginning.php.

[139] "IN SUMMARY; Nicaragua Downs Plane and Survivor Implicates C.I.A.," *The New York Times*, October 12, 1986, sec. Week in Review, https://www.nytimes.com/1986/10/12/weekinreview/in-summary-nicaragua-downs-plane-and-survivor-implicates-cia.html.

	NSC since 1947.[140]
January 6, 1987	The Senate passes S. Res. 23, establishing the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition.[141]
January 7, 1987	The House of Representatives passes H. Res. 12, establishing the House Select Committee to Investigate Covert Arms Transactions with Iran.[142]
February 27, 1987	The Tower Commission publishes its report.
March 6, 1987	Representative Henry Gonzalez introduces articles of impeachment against Reagan, which are almost immediately dismissed given that the House had concluded official business for the day.[143]
May 5, 1987	Congressional hearings begin.
May 6, 1987	Casey dies of a brain tumor.
August 6, 1987	Congressional hearings end.
November 1, 1987	The Congressional Committees publish their report.
March 17, 1988	North, Poindexter, Secord, and Hakim indicted on charges of conspiracy to defraud the United States.[144]
December, 24 1992	President George H. W. Bush pardons five key figures involved in the Iran-Contra affair, including Duane Clarridge, Clair George, and Robert McFarlane.

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[140] John Tower, Edward Muskie, and Brent Scowcroft, "Excerpts from the Tower Commission Report," The American Presidency Project, February 27, 1987, https://www.presidency.ucsb.edu/documents/excerpts-from-the-tower-commission-report.

[141] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," xv.

[142] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, xv.

[143] "Articles Of Impeachment Introduced, But Given No Chance Of Passage," AP NEWS, March 5, 1987, https://apnews.com/article/ce090643c85cf3c1065d06427d85e1d9.

[144] Philip Shenon and Special To the New York Times, "NORTH, POINDEXTER AND 2 OTHERS INDICTED ON IRAN-CONTRA FRAUD AND THEFT CHARGES," *The New York Times*, March 17, 1988, sec. World, https://www.nytimes.com/1988/03/17/world/north-poindexter-and-2-others-indicted-on-iran-contra-fraud-and-theft-charges.html.

1. Influence of intelligence in formation of policy

Direction and target-selection—the choice to focus on Nicaragua and Iran specifically—were not led by Reagan himself, nor solely by William Casey, his Director of Central Intelligence. Although it is disputed how involved and aware Reagan was in intelligence matters—Stansfield Turner, Casey's successor, claims that Reagan lacked interest, while CIA historian Nicholas Dujmovic argues that he was "deeply engaged with the global issues of the day that the Agency covered" and dubs him "the first customer-elect"—there was certainly a unified core surrounding him which heavily influenced his perspective.[145] Alongside Casey, Byrne identifies Alexander Haig, Reagan's Secretary of State and previously the Supreme Commander of NATO, and Jeane Kirkpatrick, the US ambassador to the United Nations, as key figures involved in the push to use the CIA and intelligence community in circumventing extant policies—furthering the autonomy and detachment of intelligence from democratic overview.[146] Kirkpatrick had notably published an essay titled "Dictatorships & Double Standards" in November 1979, in which she argued that "traditional authoritarian governments are less repressive than revolutionary autocracies, more susceptible [to] liberalization, and more compatible with US interests."[147] Similarly, in an April 1981 speech to the press, Haig had talked at length of "acting to restore confidence in American leadership" through a "more realistic approach to the dangers and opportunities of the international situation," claiming that "imaginative remedies might have prevented the current danger."[148] Such imaginative remedies were first proposed not even two months after Reagan's inauguration: Casey reportedly showed

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[145] Nicholas Dujmovic, "Reagan, Intelligence, Casey, and the CIA: A Reappraisal," *International Journal of Intelligence and CounterIntelligence* 26, no. 1 (March 1, 2013): 12, https://doi.org/10.1080/08850607.2013.732432.
[146] Byrne and Riedel, "Raising the Contras," 11.
[147] Jeane Kirkpatrick, "Dictatorships & Double Standards," Commentary Magazine, November 1, 1979, https://www.commentary.org/articles/jeane-kirkpatrick/dictatorships-double-standards/.
[148] Special to the New York Times, "TEXT OF HAIG'S SPEECH ON AMERICAN FOREIGN POLICY," *The New York Times*, April 25, 1981, sec. World, https://www.nytimes.com/1981/04/25/world/text-of-haig-s-speech-on-american-foreign-policy.html.

Reagan a memo outlining a "regional effort to expose and counter Marxist and Cuban-sponsored terrorism, insurgency, and subversion in El Salvador, Nicaragua, Guatemala, Honduras, and elsewhere."[149] At around the same time, the Associated Press reported on an internal document "debating an order that would let the CIA use break-ins, physical surveillance and secret infiltration to collect foreign intelligence from Americans and US corporations who are neither suspected of crimes or of being foreign agents"—reflecting concerns that Senator Joe Biden had expressed in Casey's confirmation hearings.[150] Although Haig and Kirkpatrick cannot be considered as direct members of the intelligence community, their proximity to and recurrent reliance on the CIA as a core mechanism of foreign policy substantiates the idea that intelligence agencies in the Cold War enjoyed a synergetic—if not codependent—relationship with senior policymakers.

It is clear that in such times of overwhelming threat, the intelligence community was incredibly close to policymakers, and as such cannot be viewed in a vacuum where consumers and producers are siloed without removing a large amount of context. However, this closeness—and the fact that many in the IC were subject to the same polarized political and ideological views as their political counterparts—is not necessarily the same as politicization, where consumers actively influence producers to fabricate intelligence or otherwise skew their judgments to support certain policies. It cannot be denied that Casey and Reagan were very close: Casey was Reagan's 1980 campaign manager, and would "regale him with stories of derring-do from his OSS days in World War II."[151] Reagan requesting a favor from Casey to contravene legislative restrictions and support the Contras—a cause he felt strongly about—is

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[149] Byrne and Riedel, "Raising the Contras," 13.
[150] Jeremy Scahill, "Biden and Reagan's CIA Director, William Casey," The Intercept, April 27, 2021, https://theintercept.com/empire-politician/joe-biden-and-reagan-cia-director-william-casey/.
[151] "Assessment of William Casey's Role in Reagan Presidency," *All Things Considered* (Washington, D.C.: NPR Network, May 7, 1987), https://www.cia.gov/readingroom/docs/CIA-RDP90-00965R000705910003-0.pdf.

certainly not beyond the realm of possibility. However, the report compiled by both House and Senate Select Committees paints a different picture: from the very beginning, Casey had recommended that Reagan consider selling weapons to Iran and would "tailor intelligence reports to the positions he advocated."[152] According to the report, the record further shows that the President believed and acted on these erroneous reports.[153] An NPR broadcast in May 1987 assessing Casey's role and influence in the Reagan administration gave him full credit for "making the Reagan Doctrine operational, arranging the arming of guerrillas in Afghanistan, and the mining of the harbors of Nicaragua."[154] It further describes how Reagan's approach to Iran "started with Casey's concern about his Beirut station chief, William Buckley… and it was Casey, in the end, who got the President to say yes to arms for Iran when Secretary Shultz and Weinberger strenuously counseled no."[155] While Robert Clark theorizes that consumer-initiated "closeness" between intelligence producers and consumers led to the failures of the Yom Kippur and Falklands wars, the Iran-Contra affair demonstrates the opposite.[156] The Iran-Contra case was a symptom of the growing autonomy of the intelligence producer and its ability to self-sustain in spite of external constraints and regulatory pressures, especially in the latter half of the Cold War. Although Congress theoretically controls the budget and legal limits of the US' intelligence community, Iran-Contra proves that neither budget nor sanctions were capable of effectively preventing the CIA from formulating and then subsequently executing goals which contravene legislation. This perspective furthermore fails to account for the fact that the CIA—a somewhat rational entity with its own survival and interests in mind, which includes the

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[152] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 17–18.

[153] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 18.

[154] "Assessment of William Casey's Role in Reagan Presidency."

[155] "Assessment of William Casey's Role in Reagan Presidency."

[156] Clark, *Intelligence Analysis: A Target-Centric Approach*, 3–5.

endurance of the nation in which it resides—would never intentionally suggest policy actions

that would endanger itself or provoke animosity from the executive office.

A 1982 survey of 133 intelligence consumers within the Carter administration found that

senior policymakers "tended to know relatively little about intelligence or the intelligence

process and relied on staffs or internal intelligence offices to obtain and present the products they

needed"—the exception being State, Defense, and NSC staff, who were "were regular users of

intelligence and often influenced by it."[157] Nearly 70 percent of respondents claimed that

"intelligence frequently influenced their policy decisions," with the vast majority of complaints

about the producer-consumer relationship centering around obstacles in communication and

distribution instead of intelligence quality or relevance.[158] It becomes evident that the CIA was

more than capable of leveraging its own proximity to the executive branch to amplify its own

power, capability, and reach—even when severely limited by restrictions on its operations.

Dujmovic's impassioned defense of Reagan as "a careful, studious, and diligent reader of

intelligence, who went over intelligence items deliberately and with considerable concentration,"

ironically reinforces the case that Reagan was heavily—if not easily—influenced by the direction

of those in the CIA itself.[159] It is certain that Reagan was an intelligence *consumer*, but the extent

to which he was a *commissioner* of intelligence and had control over the institution that he had

so ardently defended against Carter's criticisms is questionable.[160] The official US government

description of its intelligence cycle does not include prescriptive outcomes in the final stages of

analysis and dissemination, but given the sheer volume of information needed to be conveyed to

policy-makers in these reports it is unsurprising that recommendations for action would be

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[157] Central Intelligence Agency, "Intelligence Consumer Survey," September 1, 1982, 1,
https://www.cia.gov/readingroom/document/cia-rdp85t00153r000200030010-6.
[158] Central Intelligence Agency, 4.
[159] Dujmovic, "Reagan, Intelligence, Casey, and the CIA," 12.
[160] Dujmovic, 11.

included at some level—usually by seniors close to the Executive.[161] A 1994 progress report in

the CIA's *Studies in Intelligence* journal described policy officials using intelligence officers "as

sounding boards, relying on their discretion to protect policy ideas in the formulation stage,"

while stressing a need for "actionable intelligence" and "a preference for 'opportunity analysis'

that helps implement established policies or develop new ones."[162]

Collusion with the CIA appeared to be greatly beneficial for both parties. For a president

paranoid of the domino effect of Communism in Central American countries and eager to gain

any advantage possible in the Cold War, the CIA provided a discreet, relatively cheap option for

an easy win on the international front: Casey reputedly said that "it is much easier and much less

expensive to support an insurgency than it is for us and our friends to resist one."[163]

Domestically, moderate Democrats strongly opposed any action that came near incitement, let

alone regime change altogether: the anonymity of the CIA would serve to carry out presidential

objectives no matter voting outcomes, and any accountability would be far less effective

following the successful implementation of the new regime.[164] Plausible deniability was key on

both the international and domestic level, given the strong Democratic resistance to intervention

in Nicaragua. The most damning piece of evidence, however, comes from the creation of what

The New York Times—reporting on the aftermath in 1987—called "the core group."[165] This core

group—a "small cadre of committed officials at the Pentagon, the White House, the State

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[161] Central Intelligence Agency, "The Intelligence Cycle," CIA Intelligence Resource Program, n.d., https://irp.fas.org/cia/product/facttell/intcycle.htm.
[162] James A Barry et al., "Bridging the Intelligence-Policy Divide," *Studies in Intelligence* 37, no. 3 (1994): 2, 6, https://www.cia.gov/resources/csi/studies-in-intelligence/archives/vol-37-no-3/bridging-the-intelligence-policy-divide.
[163] Byrne and Riedel, "Raising the Contras," 13.
[164] Byrne and Riedel, 13.
[165] Stephen Engelberg, "U.S. and the Nicaraguan Rebels: Six Years of Questions and Contradictions," *The New York Times*, May 3, 1987, sec. World, https://www.nytimes.com/1987/05/03/world/us-and-the-nicaraguan-rebels-six-years-of-questions-and-contradictions.html.

Department and the Central Intelligence Agency," also later known as the "Restricted Interagency Group" (RIG)—created their own policy and program proposals to submit to Reagan, given his well-known "personal interest" in supporting the Contras.[166] Clarridge served as one of the ringleaders for the RIG, and would later write in his autobiography that his plan was "simple": to "1. Take the war to Nicaragua," and then "2. Start killing Cubans."[167] The RIG's first draft did not secure Reagan's approval and was not implemented *until* its members actively persuaded Reagan with the rhetoric that the Contras were the American answer to the Soviet domino effect.

2. Role of intelligence in the execution of foreign policy

It is easy enough to point to key documents and their signatories to piece together an understanding of the events which unfolded over the course of the Iran-Contra plan, especially following the thorough 1987 Congressional Committee report in the aftermath. However, it would be inaccurate to view them as the sole representatives of the ongoing political dynamics: it is likely that many pieces of relevant information were never made public or even shared to others beyond certain circles within the National Security Council (NSC). For instance, a memo reportedly written by Casey to an unknown addressee in the White House "describing secret arms sales to Iran as a swap for hostages and detailing how President Reagan would explain the deal if it became public" was conveniently never found again, with the high-level government official who reported it to *The New York Times* being incapable of "recall[ing] to whom it was addressed."[168] The documents that *did* surface publicly should be critically evaluated not merely

[166] Engelberg.
[167] Robert Parry, "Lost History: CIA-Contra Plan -- Kill Cubans," The Consortium, 1997, https://consortiumnews.com/archive/lost14.html; Byrne and Riedel, "Raising the Contras," 18.
[168] "CIA Director William Casey Wrote a Memo Describing Secret...," United Press International, December 24, 1986,

for what they comprise, but what they may be omitting—deliberately or otherwise. While the

Congressional Committee report attributes the initiative to Reagan's dissatisfaction with the

Boland Amendment and disregard of public backlash against intervention in Central America

("still, the President felt strongly about the Contras and he ordered his staff to find a way to keep

the Contras 'body and soul together'"), other sources place less emphasis on the role of the

executive as the directing force behind the events which followed. As the Committee describes,

"the shredding of documents by Poindexter, North, and others, and the death of Casey, leave the

record incomplete."[169] The RIG itself was formed long before Reagan had issued the order

rallying the NSC around continued support for the Contras. Casey's "broad-gauged plan" calling

for regional efforts to counter Communist movements in Central America was shown to Reagan

and discussed at an NSC meeting as early as February 1981.[170]

The prevalence of Casey's personal preferences ensured a tendency toward cronyism

over technocracy in choosing those who would lead covert action. The report of the Select

Committees wryly observed that "Casey's passion for cover operations—dating back to his

World War II intelligence days—was well known."[171] The CIA had been used to execute covert

action and "influence developments by means short of war" ever since its foundation in 1947:

from the perspective of the CIA, these operations saved Europe and the "Old World" from the

"communist abyss."[172] This attitude certainly carried over in Casey's attitude: many remembered

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https://www.upi.com/Archives/1986/12/24/CIA-Director-William-Casey-wrote-a-memo-describing-secret/6486535784400/.

[169] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, "Report of the Congressional Committees Investigating the Iran-Contra Affair" (United States Senate, November 1, 1987), 21, https://www.cia.gov/readingroom/docs/CIA-RDP89T00142R000500610001-7.pdf.

[170] Byrne and Riedel, "Raising the Contras," 13.

[171] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 20.

[172] Trevor Barnes, "The Secret Cold War: The C.I.A. and American Foreign Policy in Europe, 1946-1956. Part I," *The Historical Journal* 24, no. 2 (1981): 402.

Casey for single-handedly "reincarnat[ing] the activist CIA" and "stressing hands-on CIA workers over analysts."[173] Casey was not alone in these endeavors: his staff reportedly also appreciated the "untethering," with one magazine making the certainly exaggerated claim that "morale and efficiency both have skyrocketed."[174] Byrne describes how Duane Clarridge, the CIA's operations chief for Latin America, was much like other Reagan-era appointees in that he "had no direct experience in the region and spoke little or no Spanish."[175] Clarridge had impressed Casey, as "a real doer, a real take-charge guy, willing and able to slash through congressional or bureaucratic roadblocks" in his monocle and Italian silk safari suits.[176] For Casey, this was more than enough evidence of his competency, and perhaps a recollection of his own days at the OSS with the "old boys," who shared a "can-do" attitude.[177] This marks—or perhaps highlights the paradox in Dulles' view of the "ideal" intelligence officer as one who avoids "rigidity and close-mindedness," is not "overambitious" and also "[has] an understanding for other points of view… even if they are quite foreign to his own," while also being "ideological" enough to be motivated by a desire "to see the downfall of a hated regime."[178]

Byrne and Riedel identify the NSC meeting on November 10, 1981 as the "real jump start for the program to undermine the Sandinistas and the event that initiated the plunge into secretive policy making."[179] Casey had already sent Clarridge to Honduras to meet with Contra sympathizers and military allies three months beforehand, and had already begun escalating US covert involvement. While Casey's proposals for action remain redacted from the minutes of the meeting, the general tone is clear: Haig and Kirkpatrick believed "the situation was

[173] John McLaughlin, "Spies Out In the Cold," *National Review*, March 13, 1987,
https://www.cia.gov/readingroom/docs/CIA-RDP99-01448R000301290012-1.pdf.
[174] McLaughlin.
[175] Byrne and Riedel, "Raising the Contras," 18.
[176] Byrne and Riedel, 18.
[177] "Assessment of William Casey's Role in Reagan Presidency."
[178] Dulles, *The Craft of Intelligence*, 174, 183–84.
[179] Byrne and Riedel, 15.

deteriorating" and that action "must be taken" immediately with El Salvador as the main target—but Casey's insistent focus on Nicaragua was what stuck and shaped the course of the operations to come.[180] This is consistent with other accounts of Casey's influence and persistence in urging for some form of direct, yet non-public intervention: Thomas Enders, a career diplomat and the chair of the RIG, was reportedly pushed out for not being hard-line enough despite supporting the Contras.[181] Clarridge taking point over Enders marked an increased presence of CIA operatives around Contra camps—Byrne and Riedel relate an anecdote that there were so many that the rebels started calling them "Garcia," with the last three letters mocking the intelligence agency.[182]

These senior figures in the Reagan administration were willing to prop up foreign authoritarian governments through both overt and covert action as a key part of their foreign policy, but they were unable to openly do so from 1984 onward. The individual that received the most attention in the Congressional Committee report and is widely attributed as the mastermind behind the funneling of arms deal funds to the Contra came from a military—rather than political or intelligence—background. Oliver North, a lieutenant colonel and a decorated veteran of the Vietnam War, joined Reagan's National Security Council as a staff member in 1981 and became essential to its function in "secretly [running] the Contra assistance effort and later the Iran initiative," eventually taking charge of both operations by July 1985.[183] It was North who proposed an alternative method of selling arms following the resignation of NSC chair Robert

[180] NSC Executive Secretariat, "NSC 00024 11/10/1981 [Strategy toward Cuba and Central America, El Salvador] (2 OF 2)," November 10, 1981, 3, https://www.reaganlibrary.gov/public/2022-03/40-750-80627194-002-002-2021.pdf.
[181] Byrne and Riedel, "Raising the Contras," 19.
[182] Byrne and Riedel, 19.
[183] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 4.

McFarlane, knowingly subverting the Second Boland Amendment.[184] It would be inaccurate to interpret this solely as a product of ambition or careerism: one could perhaps cynically view it as a strategic arrangement for a less senior member of the Council to take the fall for the public controversy that would begin just over a year later in November 1986. North was not an integral part of the initial operation: the report documents how it was *Casey* who suggested that North partner with Richard Secord, an experienced major with a history in special operations; they would go on to create a private organization known as "The Enterprise," which acted covertly to aid the Contras with their own airplanes, operatives, and funds.[185] The Enterprise essentially "functioned as a secret arm of the NSC staff in conducting the covert program in Nicaragua," with North enlisting support from "an Ambassador, CIA officials, and military personnel" to resupply jet fuel for the Contras and the planes they themselves owned.[186]

Academics across the board seem to concur that Casey had significant control over how the operation was run: Richard Slatta describes his hand in the North-Secord approach to the Iran arms sales, and how his "unswerving support of President Reagan's Contra policies and of the Iran arms sales encouraged some CIA officials to go beyond legal restrictions in both operations."[187] A broadcast from NPR Radio's "All Things Considered" program in May 1987 argued that it was Casey's credentials "that made North the most powerful lieutenant in the world… It was Casey who decided to evade the CIA's responsibility to report to Congress, to set up an alternate mechanism under North and ordered CIA officers to cooperate with it."[188] The

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[184] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, 40.

[185] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, 4.

[186] U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran and U.S. Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, 59.

[187] Richard W. Slatta, "More Details of the Iran Contra Scandal," NC State University College of Humanities and Social Sciences, n.d., https://faculty.chass.ncsu.edu/slatta/hi216/documents/contrasmore.htm.

[188] "Assessment of William Casey's Role in Reagan Presidency."

broadcast further claimed that both heads of the NSC—Robert McFarlane and John Poindexter—"would [often] be uncomfortably aware that North was getting his orders from elsewhere, and elsewhere usually turned out to be Casey."[189] In any circumstance, even though "CIA officers were unclear about just what assistance they could legally provide to the private resupply efforts," Casey was able to use this ambiguity to his own—and the CIA as an organization's—advantage.[190] Covert operations need not be sanctioned to be carried out: he set a precedent where he was able to "go outside channels and set up his own lines of authority," in effect leading a covert operation against the US government.[191]

3. Accountability in the aftermath?

The immediate response of the Reagan administration after the *Al-Shiraa* leak was to establish the Tower Commission, led by Senator John Tower. The Tower Board found multiple systemic flaws with the apparatus of the NSC, but emphasized from the start that its review "validate[d] the current National Security Council system," and that despite the problems in the case of Iran-Contra causing "deep concern," their solution "[did] not lie in revamping the system."[192] While it displays remarkable acuity in its assessment that "not all major problems can be solved simply by rearranging organizational blocks or passing new laws," it is significantly lacking in perspective.[193] This is likely due to the fact that it had only three months to compile a report, while the Congressional Committees had around seven: indeed, it was not until the early 1990s that the full extent of the Iran-Contra dealings became public. The majority report of the Congressional Committees investigating the Iran-Contra affair was published in November 1987,

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[189] "Assessment of William Casey's Role in Reagan Presidency."
[190] Gary Thatcher, "CIA Had Big Role in Contra Aid," *Christian Science Monitor*, May 7, 1987, https://www.cia.gov/readingroom/docs/CIA-RDP90-00965R000706660003-7.pdf.
[191] "Assessment of William Casey's Role in Reagan Presidency."
[192] Tower, Muskie, and Scowcroft, "Excerpts from the Tower Commission Report."
[193] Tower, Muskie, and Scowcroft.

coming to the conclusion that the events that occurred and the impunity exhibited "carried serious implications for US foreign policy and for the rule of law in a democracy."[194] In the aftermath, there were only 14 indictments, the majority of which were private third-party operatives.[195] Five of these were overturned by George H. W. Bush in 1992, and ultimately only one of the 14—Thomas Clines, a former CIA grunt who had joined The Enterprise as a businessman—served prison time. Rather bizarrely, the report focused more on the need to patch leaks and the "leaky Congress" than the intrinsic problems of the "inefficiencies and opposition [of the] entrenched bureaucracy" which led Casey and other senior figures to bypass due process in the first place.[196] Casey was hospitalized in December 1986 as preliminary Senate hearings began, and died on May 6, 1987—a day after the now-formalized Congressional Committees began their joint investigation. This complicated the process, frustrating the Committees who complained that although the process yielded over 300,000 documents and more than 500 interviews and depositions, "nothing could restore the documents that had been destroyed before the investigation began; nor could any amount of investigation compel witnesses to recall what they professed to have forgotten or overcome the death of CIA Director William Casey."[197]

Ultimately, both the Tower Commission and the report of the Congressional Committees came to the rather disappointing conclusion that the underlying cause of the Iran-Contra Affair "had to do with people rather than with laws."[198] While the joint Committees specify that it is

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[194] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," xv.
[195] "The Legal Aftermath: Prosecutions," Understanding the Iran-Contra Affairs, n.d., https://www.brown.edu/Research/Understanding_the_Iran_Contra_Affair/prosecutions.php.
[196] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, "Report of the Congressional Committees Investigating the Iran-Contra Affair," 575–78, 677.
[197] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 685.
[198] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 583.

errors in judgment that led to the NSC and Casey's deception of Congress, they dismiss the indications of the "excessive power" they held as the exception rather than the rule, ultimately placing fault with Reagan for not exerting appropriate control over proposals for covert action.[199] The report snidely remarks that "Presidents would be well advised to choose people who are known for their independent skills at understanding the strategic politics of international relations, both domestically and abroad," with no further recommendation on how structural changes could be made to avoid repetition.[200] It should be noted that Reagan was in no real position to implement sweeping reforms: he was suffering from health problems, and it appears that the consensus among the legislature was that it would simply be better to wait out the two remaining years of Reagan's second term.[201] The CIA, and Casey's legacy, remained largely untouched. The Independent Counsel assigned to investigate and prosecute crimes arising from the Iran-Contra affair dedicated an entire chapter to Casey's role in his 1993 report, but wrote that there was no reason to conduct his investigation "with an eye toward establishing Casey's guilt or innocence," considering Casey's inability to "answer questions arising from the evidence."[202] A 2013 retrospective on Casey's—and by proxy, the CIA's—influence on the Reagan administration found that "agency officers today widely believe that Casey gets the credit for resurrecting the CIA with expanded resources and a renewed mission, thanks to his personal relationship, even intimate friendship, with the President."[203]

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[199] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 532–34.

[200] Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition and House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 536.

[201] David Johnston, "Meese Testifies That Impeachment Was a Worry," *The New York Times*, March 29, 1989, sec. U.S., https://www.nytimes.com/1989/03/29/us/meese-testifies-that-impeachment-was-a-worry.html.

[202] Lawrence Walsh, "Final Report of the Independent Counsel for Iran/Contra Matters" (United States Court of Appeals for the District of Columbia Circuit, August 4, 1993), chap. 15, https://irp.fas.org/offdocs/walsh/.

[203] Dujmovic, "Reagan, Intelligence, Casey, and the CIA," 20.

Intelligence failure in Iraq: Saddam Hussein's invisible weapons of mass destruction

On March 18, 2003, the United Kingdom's House of Commons voted by 412 to 149 to pass a motion by Tony Blair recognizing "that Iraq's weapons of mass destruction and long range missiles, and its continuing non-compliance with Security Council Resolutions, pose a threat to international peace and security," arguing that "the United Kingdom should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction."[204] Two days later, on March 20, the invasion of Iraq began, spearheaded by the US and UK military, leading to a nearly nine-year-long war—during which it became clear that Iraq did not possess any weapons of mass destruction (WMDs), nor had plans to activate a nuclear weapon program. George W. Bush, in his now-infamous "Mission Accomplished" address of May 1, 2003, boasted that "no terrorist network will gain weapons of mass destruction from the Iraqi regime, because the regime is no more," without ever mentioning the fact that the US had yet to discover any usable or active Iraqi WMDs.[205]

Multiple participants in the March 18 Parliamentary debate mention intelligence, including the Prime Minister himself. Blair's speech introducing the motion claims that "all members of the UN Security Council" believed that Iraqi documentation of WMD capability was false, and that "Iraq continues to deny that it has any weapons of mass destruction, although no serious intelligence service anywhere in the world believes it."[206] MP Alan Howarth even "[reminds] the House what was in the dossier published by the Government last October," surmisably referring to the September 2002 dossier, contending that "it is not the dossier that was

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[204] "House of Commons Hansard Debates for 18 March 2003," March 18, 2003, col. 907, https://publications.parliament.uk/pa/cm200203/cmhansrd/vo030318/debtext/30318-48.htm#30318-48_div118; "Iraq in the House of Commons on 18th March 2003," March 18, 2003, col. 760, https://www.theyworkforyou.com/debates/?id=2003-03-18.760.0.

[205] George W. Bush, "President Bush Announces Major Combat Operations in Iraq Have Ended" (USS Abraham Lincoln, May 1, 2003), https://georgewbush-whitehouse.archives.gov/news/releases/2003/05/20030501-15.html.

[206] "Iraq in the House of Commons on 18th March 2003," col. 760.

submitted for a PhD; it is the dossier based on the findings of the intelligence community."[207] MP Steve McCabe, advocating for UK intervention, also rather ironically remarks that "either the Prime Minister is misleading the House whenever he comes to the Dispatch Box to talk about his fear of those weapons of mass destruction and about the intelligence reports that he has been reviewing, or the intelligence community is deliberately misinforming him. We must draw those conclusions if we say that the story about WMD is utterly wrong."[208] How, therefore, did the intelligence community lead the policymakers to such incorrect conclusions? What exactly was the role of intelligence in shaping the decision to invade Iraq?

Background

The Iran-Iraq war ran from 1980 to 1988, precipitated by an invading Iraqi force led by Saddam Hussein. Hussein's possession and use of chemical weapons and the following Gulf War of 1990-1991, where Iraq invaded Kuwait, made Western states increasingly wary of the Ba'athist Iraqi government. Following Iraq's defeat by a coalition of members primarily led by the United States, Saudi Arabia, and the United Kingdom, the United Nations Security Council passed Resolution 687 in April 1991, which called for Iraq to not only "unconditionally accept the destruction, removal, or rendering harmless, under international supervision, of all chemical and biological weapons, all ballistic missiles with a range greater than 150 kilometers," but also to accept and cooperate with "a Special Commission, which shall carry out immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself," working in tandem with the International Atomic Energy Agency (IAEA).[209]

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[207] "Iraq in the House of Commons on 18th March 2003," col. 789.
[208] "Iraq in the House of Commons on 18th March 2003," col. 825.
[209] UN Security Council, "Resolution 687 (1991) / Adopted by the Security Council at Its 2981st Meeting, on 3 April 1991" (UN, April 3, 1991), 5, https://digitallibrary.un.org/record/110709.

This Special Commission (UNSCOM) was given unrestricted freedom of movement in Iraq, although its inspection efforts were ended by US and UK bombing beginning December 16, 1998[210] UNSCOM was eventually replaced by the United Nations Monitoring, Verification and Inspection Committee (UNMOVIC) after the UN Security Council adopted Resolution 1284 in December 1999. Resolution 1284, in comparison to 687, more clearly defines the roles and responsibilities of an inspection task force, and explicitly states that "Iraq shall allow UNMOVIC teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC."[211] Despite these stipulations, Iraq rejected 1284 entirely, preventing UNMOVIC from sending inspectors to Iraq and therefore making them entirely reliant on "non-inspection sources of information," using both "open source material" and satellite imagery.[212] All UNMOVIC quarterly reports—with the last two being notable exceptions—tend to be four or five pages at maximum. Hans Blix, the executive chairman of UNMOVIC, remarks rather crabbily in the fourth quarterly report on 27 February 2001 that "UNMOVIC will be able to assess Iraq's compliance with respect to its obligations under the relevant Security Council resolutions only when the reinforced system of ongoing monitoring and verification is in operation and there is cooperation by Iraq."[213]

Open dialogue with Iraq about cooperation with the UN only really began in September 2002, and it was not until the passing of UN Resolution 1441 in November— essentially an

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[210] "Basic Facts," United Nations Special Commission (UNSCOM), n.d., https://www.un.org/Depts/unscom/General/basicfacts.html.
[211] UN Security Council, "Resolution 1284 (1999) / Adopted by the Security Council at Its 4084th Meeting, on 17 December 1999," December 17, 1999, 3, https://www.un.org/Depts/unscom/Keyresolutions/sres99-1284.htm.
[212] Hans Blix, "Seventh Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission under Paragraph 12 of Security Council Resolution 1284 (1999)" (United Nations Security Council, November 29, 2001), 3, https://www.un.org/depts/unmovic/documents/1126eng.pdf.
[213] Hans Blix, "Fourth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission under Paragraph 12 of Security Council Resolution 1284 (1999)" (United Nations Security Council, February 27, 2001), 4, https://www.un.org/depts/unmovic/documents/S-2000-177.PDF.

ultimatum, given its warning to Iraq that "it [would] face serious consequences as a result of its continued violations of its obligations"—that UNMOVIC inspectors were able to actually begin work in Iraq towards the end of the month.[214] In UNMOVIC's twelfth and penultimate report, Blix held off on giving any concrete indictments, choosing to be cautiously optimistic on the prospect of Iraqi cooperation, despite continuing to express some frustration with delays: he reported that "more than 200 chemical and more than 100 biological samples have been collected at different sites… the results to date have been consistent with Iraq's declarations [that they did not possess WMDs]."[215] The inspectors did find components for missile projects, but UNMOVIC directed Iraq to destroy the systems and their casting chambers, with destruction to begin by the start of March—an order which Iraq ultimately complied with.[216]

Blix's last report, released May 30, 2003—two months after UNMOVIC was officially withdrawn following the start of the Iraq War—accounted for a total of 731 inspections across 411 sites. UNMOVIC had concluded that "examination of [cluster] munitions revealed that most if not all were manufactured prior to 1991. No evidence was found that suggested that they were of more recent origin."[217] Indeed, UNMOVIC details how "the major part of Iraq's proscribed missile items and capabilities that remained after the 1991 Gulf War were destroyed by Iraq unilaterally and without international supervision… A significant portion of Iraq's ballistic missile production capabilities was also destroyed or heavily damaged during the Gulf War."[218]

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[214] UN Security Council, "Resolution 1441 (2002) / Adopted by the Security Council at Its 4644th Meeting, on 8 November 2002" (UN, November 8, 2002), 5, https://digitallibrary.un.org/record/478123.
[215] Hans Blix, "Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in Accordance with Paragraph 12 of Security Council Resolution 1284 (1999)" (United Nations Security Council, February 28, 2003), 3, https://www.un.org/depts/unmovic/documents/2003-232.pdf.
[216] Blix, 7, 13.
[217] Hans Blix, "Thirteenth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in Accordance with Paragraph 12 of Security Council Resolution 1284 (1999)" (United Nations Security Council, May 30, 2003), 22, https://www.un.org/depts/unmovic/documents/S-2003-580.pdf.
[218] Blix, 39.

Similarly, although several of its studies and reports were scientifically flawed, "Iraq made considerable effort in terms of providing scientific data, documentation and further explanations to try and resolve the outstanding issues concerning VX and VX precursors."[219] Intelligence that

The largest indictment against Iraq was the "long list of proscribed items unaccounted for": while Iraqi contributions were "valuable," it still remained exceedingly difficult to verify claims, which would serve as the main sticking point for more hawkish policymakers.[220] Blix later recalled that UNMOVIC "went to sites [in Iraq] given to [them] by intelligence, and only in three cases did [they] find something": a stash of nuclear documents, some Vulkan boosters, and several empty warheads for chemical weapons.[221]

In short, Iraq possessed no WMDs, and had no capability to produce them in the short term. There is a clear divergence between the findings of the UNMOVIC and those of the intelligence communities of the UK and the US, despite evidence of US intelligence services having successfully infiltrated UNSCOM—UNMOVIC's predecessor—for three years.[222] In a 2004 talk, Blix attributed the intelligence failure to American and British over-reliance on and lack of critical examination of certain primary sources: "Iraqi defectors with their own agendas for encouraging regime change."[223]

Timeline

April 3, 1991	UN Security Council Resolution 687 is adopted, setting up the United Nations Special Commission (UNSCOM), ended in December 1998 by Operation Desert Fox air strikes

[219] Blix, 25.
[220] Blix, 5.
[221] Bonnie Azab Powell, "U.N. Weapons Inspector Hans Blix Faults Bush Administration for Lack of 'Critical Thinking' in Iraq," UC Berkeley News, March 18, 2004, https://newsarchive.berkeley.edu/news/media/releases/2004/03/18_blix.shtml.
[222] Barton Gellman, "U.S. Spied on Iraq Via U.N.," *The Washington Post*, March 2, 1999, https://www.washingtonpost.com/wp-srv/inatl/daily/march99/unscom2.htm.
[223] Powell, "U.N. Weapons Inspector Hans Blix Faults Bush Administration for Lack of 'Critical Thinking' in Iraq."

December 17, 1999	UN Security Council Resolution 1284 is adopted, replacing UNSCOM with the United Nations Monitoring, Verification and Inspection Committee (UNMOVIC), although its inspectors are unable to enter Iraq.
September 11, 2001	Terrorist attacks are carried out by al-Qaeda against the United States.
October 30, 2001	Office of Strategic Influence created by the US Department of Defense.
September 2002	Office of Special Plans created in the US DoD as "a shadow agency of Pentagon analysts staffed mainly by ideological amateurs to compete with the CIA and the DIA," led by Douglas Feith.[224]
September 10-11, 2002	The claim that Iraqi "military planning allows for some of the WMD to be ready within 45 minutes of an order to use them" appears in a new draft of the September dossier. This 45-minute claim is mentioned four times in the final dossier.[225]
September 24, 2002	"Iraq's Weapons of Mass Destruction: The Assessment of the British Government," a 50-page document also known as the September Dossier, is published and made public. Parliament is recalled to discuss its contents.
October 1, 2002	The National Intelligence Council publishes a classified 92-page long National Intelligence Estimate (NIE) titled "Iraq's Continuing Programs for Weapons of Mass Destruction."
October 4, 2002	George Tenet, the Director of Central Intelligence, publishes an unclassified, public-facing whitepaper titled "Iraq's Weapons of Mass Destruction Programs" drawing from the NIE, removing all original expressions of uncertainty.
October 16, 2002	Joint Resolution 114, "Authorization for Use of Military Force Against Iraq Resolution of 2002," is signed into law by President George W. Bush after being passed in the House by 296 to 133, and the Senate by 77 to 23.

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[224] Julian Borger, "The Spies Who Pushed for War," *The Guardian*, July 17, 2003, sec. World news, https://www.theguardian.com/world/2003/jul/17/iraq.usa.

[225] UK Joint Intelligence Committee, "Iraq's Weapons of Mass Destruction: The Assessment of the British Government" (HM Government, September 24, 2002), 4, 5, 17, 19, https://nuke.fas.org/guide/iraq/iraqdossier.pdf.

November 8, 2002	UN Security Council adopts Resolution 1441, giving Iraq "a final opportunity to comply with its disarmament obligations" after not allowing UNMOVIC inspection.
November 27, 2002	UNMOVIC inspectors arrive in Iraq.
December 8, 2002	Iraq provides a declaration on its weapons of mass destruction—its most thorough report yet, numbering more than 11,000 pages and 12 CD-ROMs—to UN inspectors in Baghdad.[226]
February 3, 2003	"Iraq—Its Infrastructure of Concealment, Deception and Intimidation," also known as the February or "Dodgy" Dossier, is released to journalists by Alastair Campbell.
February 5, 2003	Secretary of State Colin Powell gives a speech arguing in favor of a war with Iraq to the UN Security Council. He cites intelligence from a key source which he claims confirms that Iraq possesses mobile biological weapon production units.
March 18, 2003	The House of Commons approves Blair's invasion of Iraq after lengthy debate, with the motion that "HM Government should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction."[227] 412 are in favor, with 149 against.
March 20, 2003	Invasion of Iraq begins.

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[226] Nic Robertson et al., "Iraq Hands over Arms Declaration," CNN, December 8, 2002, https://www.cnn.com/2002/WORLD/meast/12/07/sproject.irq.inspections/.
[227] "Iraq in the House of Commons on 18th March 2003."

1. Events leading to the Iraq War

Both UK and US intelligence communities believed that Iraq retained weapons of mass destruction. Although they did not agree on the extent to which they thought that Iraq had nuclear capabilities, they both unwaveringly came to the consensus that Saddam Hussein had biological (BW) and chemical weapons (CW), and was able to produce more. These beliefs were unequivocally incorrect—a result of their complacency and overconfidence, which led to shortcuts being taken in the intelligence cycle. The ICs thus inaccurately presented Iraq under Saddam Hussein as a present and critical threat, which was reinforced by the lack of new information and a paralyzing attachment to particular HUMINT sources which later turned out to be unreliable. The key problem which plagued intelligence was lack of information—information that specifically was:

a) Up-to-date: The 1998 withdrawal of UNSCOM and the absence of UNMOVIC until November 2002 meant that intelligence products disseminated both among the IC and to policymakers pulled heavily from previous, outdated information ("layering"), and;

b) Reliable: Both UK and US ICs had depended heavily on UN inspectors as sources, and had not planned extensively for contingencies in the event of Iraq's refusal to cooperate. This meant that the Western IC turned to far less reliable sources, in a manner similar to the UN's "non-inspection sources of information." HUMINT became a significant factor, with both the UK and US relying on the testimony of one particular source—an Iraqi defector, Rafid Ahmed Alwan, known as Curveball. However, the US IC's poor handling of HUMINT due to systemic failures led to further inconsistencies that were never realized.

The consequences of this negligence cannot be overstated: policymakers were led to believe that Iraq was actively armed and deliberately flaunting UN Security Council resolutions. The vast majority of policymakers in both the UK and the US believed that Iraq did possess at least *some* WMDs. Although a not insignificant number of these policymakers chose to vote against military intervention in Iraq, many of those who did publicly cited intelligence findings in their reasoning; those who were skeptical of intelligence findings tended to question the nuclear claim, but not the BW or CW.

While both the UK and the US were part of the March 2003 invasion of Iraq and the subsequent Iraq War, the reasons for their involvement were subtly different. In his address to Parliament, Blair described his rationale for intervention as a calculated, necessary response to Iraq being "in material breach" of UN resolution 1441, defying "clear benchmarks" and a "clear ultimatum," despite knowing that action would follow.[228] Blair's public statements paint the picture that war was the only reasonable course of action in holding Saddam Hussein to account for his contempt of the UN, which he saw as an "authority" to be "upheld."[229] Bush, however, had a wider range of intentions in mind: in a radio broadcast three days after the invasion, he announced that the "cause [was] just: the security of the nations we serve and the peace of the world," with the US mission being threefold—"to disarm Iraq of weapons of mass destruction, to end Saddam Hussein's support for terrorism, and to free the Iraqi people."[230] The UK was far more focused in its objective—a disparity which multiple MPs pointed to in the debate on March 18, before the vote to approve war. Malcolm Bruce, a Liberal Democrat MP, criticized Bush's approach, contending that "[Parliament has] been confused about whether the US objective is

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[228] "Iraq in the House of Commons on 18th March 2003," col. 760, Tony Blair.
[229] "Iraq in the House of Commons on 18th March 2003," col. 760, Tony Blair.
[230] "President Discusses Beginning of Operation Iraqi Freedom," March 22, 2003, https://georgewbush-whitehouse.archives.gov/news/releases/2003/03/20030322.html.

regime change, the defeat of international terrorism or the elimination of weapons of mass destruction… we can all recognise that the only legitimate reason for the United Nations to back action in the case of Iraq would be to deal with weapons of mass destruction. That position should have been sustained throughout."[231]

Blair and the British Parliament

It can be argued that UK and US executive policymakers would have found a *casus belli* even if intelligence had indicated that Saddam Hussein had no WMDs, but it is undeniable that the primary—and overwhelming—reason why the *UK* went to war in Iraq was the belief that there was an active and expanding WMD program, in contravention of the UN agreement. Most—if not all—of those who declared their support for the intervention in the House of Commons specifically mentioned the necessity of addressing Hussein's possession of WMDs, regardless of party affiliation. The most notable example is the Leader of the Opposition and the Conservative Party, Iain Duncan Smith, who infamously stated in the same debate that Hussein "ha[d] the means… and ha[d] absolutely no intention whatsoever of relinquishing the weapons that he developed… Those who believe otherwise are living in cloud cuckoo land."[232] Very few opponents of the motion challenged the notion that Iraq even had WMDs, instead dissenting because they felt uncomfortable justifying the moral basis of a war with Iraq, or because they felt that the threat was not "immediate."[233] The predominant view of the MPs who spoke in favor tended to view Iraq as a revisionist state under Saddam Hussein, who would "have been given the all-clear to keep his weapons of mass destruction" if the UK and the US did not take action; there appeared to have been a "paradox" in previous attempts to disarm Hussein Saddam in that Hussein "was not going to disarm voluntarily, and any moves made in that direction would

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[231] "Iraq in the House of Commons on 18th March 2003," col. 807, Malcolm Bruce.
[232] "Iraq in the House of Commons on 18th March 2003," col. 775, Iain Duncan Smith.
[233] "Iraq in the House of Commons on 18th March 2003," cols. 796, 816, Douglas Hogg and Malcolm Savidge.

happen only if he believed that massive force would be used against him if he did not comply."[234] This rhetoric continues Blair's line of argument from the 2002 Parliamentary presentation of the September dossier, where he maintained that "if we know that someone has weapons of mass destruction, if they have used them before and if the international community has said that they must be disarmed of those weapons, surely the greatest risk is letting them carry on developing those weapons and not doing anything about it."[235] As Labour MP Donald Anderson put it in a March 2003 House debate, "do we seriously expect Saddam Hussein to make concessions and to cooperate with the weapons inspectors now that the pressure has been taken off him?"[236] This core fear of inaction was almost certainly a product of the political and ideological environment during the War on Terror; the 9/11 attacks had a significant, far-reaching impact on both intelligence producers and consumers, creating an inadvertent feedback—or pressure—loop resulting from previous producer failure to anticipate or adequately warn consumers: a set of failures resulting from other failures.

Congress and the Bush administration

The US had numerous reasons to be interested in intervention in Iraq, with the threat of WMDs primary among them. Joint Resolution 114, which was passed by Congress and signed into law by President George W. Bush on October 16, 2002, states as its second point that Iraq had "unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism."[237] This is followed up by the sixth paragraph, which argues that Iraq—in defiance of its agreement—"continues to possess and develop a significant chemical and

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[234] "Iraq in the House of Commons on 18th March 2003," cols. 843, 845, Wayne David and David Trimble.
[235] "Iraq and Weapons of Mass Destruction in the House of Commons on 24th September 2002," September 24, 2002, col. 22, https://www.theyworkforyou.com/debates/?id=2002-09-24.1.0, Tony Blair.
[236] "Iraq in the House of Commons on 18th March 2003," col. 830, Donald Anderson.
[237] Dennis Hastert, "Authorization for Use of Military Force Against Iraq Resolution of 2002," Pub. L. No. H.J.Res.114, Public Law 107-243 (2002), https://www.congress.gov/bill/107th-congress/house-joint-resolution/114.

biological weapons capability, actively seeks a nuclear weapons capability," therefore "posing a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region."[238]

It cannot be denied that the US moved remarkably fast in executing policy after receiving "new" intelligence. Only three days after the classified NIE was released by the National Intelligence Council on October 1, Director of Central Intelligence George Tenet created a declassified, public-facing whitepaper titled "Iraq's Weapons of Mass Destruction Programs"—condensing the 92-page report into one below 30 pages, removing all expressions of doubt and uncertainty. Congress discussed the new reports less than a week after Tenet's publication: it took only six days after that to pass Joint Resolution 114, which gave George W. Bush authorization to use military force in Iraq. Members in both the House of Representatives and the Senate expressed doubt, but *not* regarding the accuracy of the conclusion that Iraq possessed weapons of mass destruction, nor the intelligence provided by the IC; rather, those who opposed the motion to militarily intervene believed that Iraq had WMDs, but that the direct threat posed by the WMDs was minimal. Barbara Lee, for example, began by referring to intelligence findings that "there is currently little chance of chemical and biological attack from Saddam Hussein on US forces or territories… but they emphasize that an attack could become much more likely if Iraq believes that it is about to be attacked."[239] It is likely that Lee was referring to the NIE or the whitepaper in her speech—both of which came to the consensus that Iraq did, in fact, have WMDs, but were not necessarily planning to use them on the US. She would later co-sponsor a resolution in June 2003 "demanding the release of US intelligence that

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[238] Hastert.
[239] "Congressional Record for the House of Representatives, October 10, 2002" (Congressional Record, October 10, 2002), H7739, https://www.congress.gov/107/crec/2002/10/10/CREC-2002-10-10-house.pdf.

provided supposed justification for the invasion of Iraq."[240] Carolyn Kilpatrick similarly argued

that "our CIA, our intelligence agency, has reported to this Congress and this Nation that there is

no imminent threat that Saddam Hussein will attack America": the debate was not *whether* Iraq

had WMDs, but whether they were dangerous enough to necessitate military action.[241] As Dennis

Moore concluded, "there is no question that Saddam Hussein possesses weapons of mass

destruction in the form of chemical and biological weapons… there is also no question that he is

working to develop a nuclear capability."[242]

The situation in the Senate was similar: both opponents and proponents of a war in Iraq

leveraged intelligence to support their argument. While Hillary Clinton, for example, put forth

that "intelligence reports show that Saddam Hussein has worked to rebuild his chemical and

biological weapons stock, his missile delivery capability, and his nuclear program" as a reason

for action, Joe Biden in his rebuttal referenced "our own intelligence community, in testimony

that has been declassified," as evidence to suggest that "the probability of Iraq initiating an attack

against the United States with weapons of mass destruction [was] 'low,'" and that "Baghdad for

now appears to be drawing a line short of conducting terrorist attacks with chemical or biological

weapons against the United States."[243] It might also be noted that the House barely mentioned the

al-Qaeda links pushed by the administration; the Senate, however, appeared to be far more

receptive, and Hillary Clinton directly ties these links to the "intelligence reports" she mentions

prior. For Clinton, Saddam Hussein "ha[d] also given aid, comfort, and sanctuary to terrorists,

[240] "Congresswoman Barbara Lee Co-Sponsors Resolution of Inquiry to Demand Release of U.S. Intelligence on Iraqi Weapons of Mass Destruction Programs," Barbara Lee - Congresswoman for the 12th District of California, June 4, 2003,
https://lee.house.gov/news/press-releases/congresswoman-barbara-lee-co-sponsors-resolution-of-inquiry-to-demand-release-of-us-intelligence-on-iraqi-weapons-of-mass-destruction-programs.
[241] "Congressional Record for the House of Representatives, October 10, 2002," H7742 .
[242] "Congressional Record for the House of Representatives, October 10, 2002," H7796.
[243] "Congressional Record for the Senate, October 10, 2002" (Congressional Record, October 10, 2002), S12088, S12092, https://www.congress.gov/107/crec/2002/10/10/CREC-2002-10-10-senate.pdf.

including al-Qaeda members… this much is undisputed," but for Biden, "the reports of al-Qaeda in Iraq are much exaggerated."[244] The smoking gun which perhaps shows the extent to which policymaker-consumers are overwhelmingly reliant on intelligence as a tool of legitimacy—therefore increasing its impact—is Susan Collins' Senate statement, which is largely composed of direct quotes and findings from both UK and US intelligence communities.[245] She even restates the notorious claim that "some of the weapons are deployable within 45 minutes of an order to use them"; having attentively read intelligence reports, Collins' understanding is that "evidence of Iraq's pursuit of biological and chemical weapons is overwhelming" and that "Saddam Hussein does not regard these weapons of mass destruction as only weapons of last resort… he is ready to use them and determined to retain them."[246]

2. The October 2002 National Intelligence Estimate and factors which led to US intelligence failure

The October 2002 National Intelligence Estimate (NIE) was released by the National Intelligence Council (NIC), which served under the auspices of the Director of Central Intelligence before the establishment of the Director of National Intelligence office in 2004. The NIC comprised thirteen senior members, known as National Intelligence Officers, of varied backgrounds across the government, non-governmental organizations, and the intelligence community; chief among their responsibilities was the drafting of NIEs.[247]

"Iraq's Continuing Programs for Weapons of Mass Destruction" was comprised of five main chapters, three of which include qualifiers that express an alarming amount of confidence

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[244] "Congressional Record for the Senate, October 10, 2002," S12088, S12092.
[245] "Congressional Record for the Senate, October 10, 2002," S10299–300.
[246] "Congressional Record for the Senate, October 10, 2002," S10299–300.
[247] Greg Bruno and Sharon Otterman, "National Intelligence Estimates," Council on Foreign Relations, May 14, 2008, https://www.cfr.org/backgrounder/national-intelligence-estimates.

bordering on the dramatic: "Chemical Warfare (CW) Program—Rebuilt and Expanding," "Biological Warfare (BW) Program—Larger than Before," and "Delivery Systems—Iraq Increasing Its Options."[248] A subheading from the latter reads "The Iraqi Ballistic Missile Program—Rising from the Ashes."[249] The contents of the report are equally sensational: indeed, the very first statement is the NIC's judgment that "Iraq has continued its weapons of mass destruction programs in defiance of UN resolutions and restrictions… Baghdad has chemical and biological weapons as well as missiles with ranges in excess of UN restrictions; if left unchecked, it probably will have a nuclear weapon during this decade."[250]

The NIE is not devoid of doubt, however: somewhat contradictorily, it states on the same first page that "we lack specific information on many key aspects of Iraq's WMD programs," but attributes this lack of knowledge to "Baghdad's vigorous denial and deception (D&D) efforts."[251] It is here that the intelligence failure is the most evident: rather than viewing this dearth of information as a crucial point necessitating further examination, US intelligence saw it as confirmation of its existing—and erroneous—suspicions that Iraq retained WMDs all along. Almost everything else, however, is presented *pro forma*: the NIC adds scope to its intelligence, and elements of uncertainty which juxtapose its confidence. The NIC "judges that all key aspects—R&D, production, and weaponization—of Iraq's offensive BW program are active and that most elements are larger and more advanced than they were before the Gulf War," but has "low confidence in [its] ability to assess when Saddam would use WMD."[252] The only four bullet points where the NIC expressed "high confidence" were that:

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[248] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction" (National Intelligence Council, October 1, 2002), 3–4, https://documents2.theblackvault.com/documents/cia/iraq-wmd-nie-01-2015-Dec2018Release-highlighted.pdf.
[249] National Intelligence Council, 3.
[250] National Intelligence Council, 5.
[251] National Intelligence Council, 5, 11.
[252] National Intelligence Council, 6–7.

1. Iraq continued, and in some areas expanded, its chemical, biological, nuclear and missile programs contrary to UN resolutions;

2. The US intelligence community did not detect portions of these weapons programs;

3. Iraq possessed proscribed chemical and biological weapons and missiles;

4. and that Iraq could make a nuclear weapon in months to a year once it acquired sufficient weapons-grade fissile material.[253]

All of these claims were, of course, proven incorrect in the aftermath with the findings of the Iraq Survey Group: the second point would have been explained by the fact that Iraq simply did not have active weapons programs. The Senate Select Committee on Intelligence found that the IC "had a tendency to accept information which supported the presumption that Iraq had active and expanded WMD programs more readily than information which contradicted it."[254] The Committee report frequently reiterates that although it was reasonable for intelligence analysts to be concerned over potential threats posed by Iraq's capabilities, either "the reporting did not substantiate" or they "did not have enough information to state with certainty" to make the claims that ended up in the published NIE.[255] While it is unlikely that the IC deliberately lied with the intention to incite US intervention in Iraq, the alternative—that the IC was completely unaware of its sheer inaccuracy—is not much more heartening. While the NIE frequently expresses doubt and explicitly states that those compiling the report have "limited understanding," and "little specific information," the conclusion reached is never that Iraq might

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[253] National Intelligence Council, 9.
[254] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq" (United States Senate, July 9, 2004), 19, https://irp.fas.org/congress/2004_rpt/ssci_iraq.pdf.
[255] Senate Select Committee on Intelligence, 14–15.

be *less* of a threat than imagined: rather, the CIA and other IC analysts involved chose to interpret this as evidence to the contrary, seeing lack of discovery as proof.[256]

The investigations and conclusions of the legislature in the aftermath reveal four significant, interrelated failures in the handling of the Iraq case. There were deep systemic, structural problems within the intelligence community where practice drastically diverged from theory; the IC post-9/11 was more presumptive, less thorough, and more prone to reporting false positives; the CIA and the Director for Central Intelligence used their prominent positions in the IC to silence dissenters; and the CIA was complacent, negligent, and disorganized in their handling of sources.

1. *Deep systemic and structural problems within the US intelligence community*

There were at least three major flaws in the extant structuring and execution of the intelligence cycle, particularly on the analytic end. The IC suffered from groupthink (although this was in a somewhat different context from that of the Cold War), layering, and seniority bias in unscrutinized chains of command. The report succinctly describes how "most, if not all, of these problems stem from a broken corporate culture and poor management, and will not be solved by additional funding and personnel."[257] There were multiple mechanisms in place to circumvent such a colossal failure, but none were effectively triggered.

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[256] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 46, 28; Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 17.

[257] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 24.
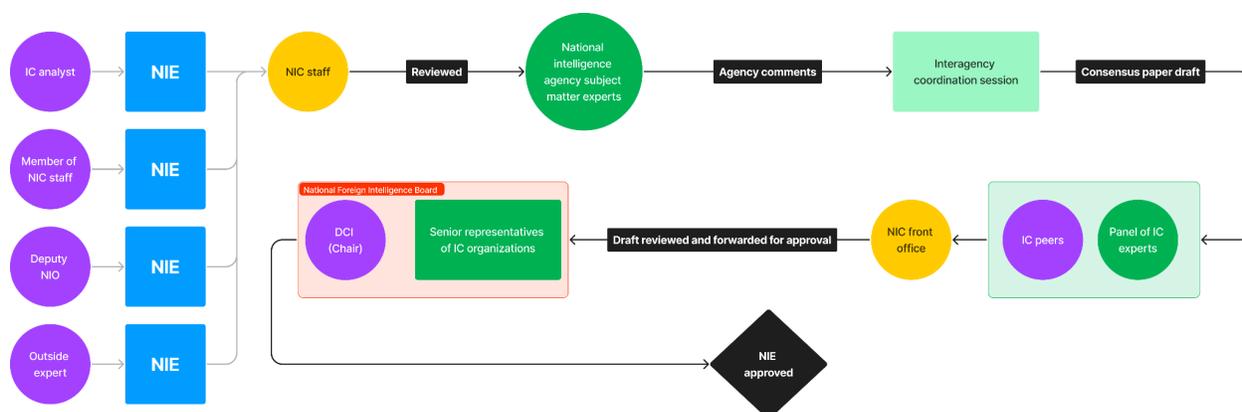
NIE drafting guidelines as outlined by a 1994 National Intelligence Council (NIC) paper, referenced in Senate Report 108-331.[258]

Target selection for this NIE was clear and directed by the consumers. The DCI and the office of the President received letters from Senators Richard Durbin, Bob Graham, Diane Feinstein, and Carl Levin from September 9-17 urging the preparation of an NIE regarding Iraq and the magnitude of its potential threat to the United States.[259] The NIO for Strategic and Nuclear Programs began preparing the NIE on September 12 after receiving the official DCI go-ahead, with a draft given to IC agencies for review on the 23rd and the coordination session taking place on the 25th.[260] At least some of the flaws that would emerge in the final product resulted from its hurried production, which enabled further disregard of the systems and checks in place, with authorization for these actions being given from the top. The Senate Committee found that the short time period meant that NIOs "[drew] language from twelve existing agency and interagency papers," which appears evident given its frequent, self-admitted reliance on nearly 20-year-old information.[261] This practice is commonly known as layering, where

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[258] Senate Select Committee on Intelligence, 10–11.
[259] Senate Select Committee on Intelligence, 12.
[260] Senate Select Committee on Intelligence, 13.
[261] Senate Select Committee on Intelligence, 13; National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 62.

"assessments [are] built on previous judgments without carrying forward their uncertainties."[262]

The NIE's statement that "Saddam probably has stocked at least 100 metric tons (MT) and possibly as much as 500 MT of CW agents—much of it added in the last year" was in fact "largely based on another assessment" in early 2002, which in turn was "largely based on yet another assessment."[263] The most damning indictment, however, was the NIC's failure to "submit the draft for peer review or to a panel of outside experts"—inaction explicitly encouraged by the Vice Chairman of the NIC, who argued that there had already been a "virtual peer review" because preparation involved four NIOs.[264] Indeed, he was so certain of the intelligence conclusions—and the absolute consensus of the intelligence community—that he claimed he could have "called an amen chorus."[265] If anything, this is indicative of a lack of sufficient imagination, or even projection: the IC assumed that Iraq would follow realist logic as a revisionist state, with the rational choice being to retain at least some of its WMDs. It did not even consider elements of irrationality or implausibility. Only a week had passed since the coordination session when the NFIB approved and published the NIE on October 1, 2002. NIOs told the Senate Committee that in ideal circumstances, an NIE would take around three months to produce.[266]

Layering is further compounded by the lack of rigorous review of drafts written by more senior analysts.[267] Seniority bias reduced scrutiny of actions taken by leaders and well-known analysts: the Senate report found that "one analyst's views [had been] presented to high-level

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[262] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 22.

[263] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 6; Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 22–23.

[264] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 13.

[265] Senate Select Committee on Intelligence, 13.

[266] Senate Select Committee on Intelligence, 11.

[267] Senate Select Committee on Intelligence, 8.

officials, including the President of the United States, without having been reviewed by other analysts with the same depth of knowledge," and that this case was not isolated.[268] The behavior of the Vice Chairman and the NIC in general is labeled as groupthink in the Senate report, but academics such as Mark Phythian and Robert Jervis have challenged this terminology. The Senate posits that the vast scale of groupthink in the intelligence community meant that tools—such as "devil's advocate" and "red teaming"—were never used, or even considered necessary.[269] There was certainly a unanimous sentiment that Saddam Hussein still possessed weapons of mass destruction, which matches Irving Janis' original definition of "when people [are so] deeply involved in a cohesive in-group, when members' strivings for unanimity override their motivation to realistically appraise alternative courses of action."[270] Phythian argues that "groupthink cannot explain the full range of underlying pressures that might lead to compliance… the existence of such underlying pressures would go some way toward proving the charge of politicization," although he does acknowledge that another investigation—the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, chaired by Laurence Silberman and former Senator Charles Robb—also found "no evidence of 'politicization' of the IC's assessments concerning Iraq's reported WMD programs."[271] The Commission concludes that the IC "did not make or change any analytic judgments in response to political pressure to reach a particular conclusion," nor could "circumstantial pressure to produce analysis quickly" be considered politicization; what *did* affect the analytic process was "the pervasive conventional wisdom that Saddam retained

[268] Senate Select Committee on Intelligence, 8.
[269] Senate Select Committee on Intelligence, 21.
[270] Mark Phythian, "The Perfect Intelligence Failure? U.S. Pre-War Intelligence on Iraqi Weapons of Mass Destruction," *Politics & Policy* 34, no. 2 (2006): 400–424, https://doi.org/10.1111/j.1747-1346.2006.00019.x.
[271] Phythian; Laurence Silberman et al., "Report to the President, March 31, 2005" (Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, March 31, 2005), https://govinfo.library.unt.edu/wmd/report/report.html.

WMD."[272] Jervis further emphasizes that the notion that Iraq had active WMD programs appeared to be "held by *all* intelligence services, even those of countries that opposed the war."[273]

2. A hypersensitive intelligence community post-9/11

It is undeniable that the September 11 attacks had a considerable impact on the intelligence community, which was widely blamed for underestimating the threat posed by al-Qaeda and not providing sufficient warning to consumers. The intelligence failure of 9/11—one of underestimation—led to overcompensation, which in turn engendered another failure. The Senate report remarks that "analysts now feel obligated to make more conclusive assessments regardless of the quality of the available intelligence," although the overall nature of the intelligence cycle has "not chang[ed] dramatically in the past decade."[274] Rather perturbingly, the report further notes that "analysts lack a consistent post-September 11 approach to analyzing and reporting on terrorist threats," being "encouraged to 'push the envelope' and look at various possible threat scenarios that can be drawn from limited and often fragmentary information."[275] It is not difficult to see how this envelope-pushing has led to seeing threats that had yet to manifest: at the time of the NIE's drafting, the IC "based their analysis more on their expectations than on objective evaluation."[276] The IC had already come to the conclusion that Iraq had retained prohibited weapons of mass destruction: it saw its own lack of sufficient evidence as a confirmation, creating a convenient—and deeply flawed—loop of assumptions. It could not afford to underestimate Saddam Hussein: Iraqi refusal to comply with UN-mandated inspections

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[272] Silberman et al., "Report to the President, March 31, 2005."
[273] Robert Jervis, "3. The Iraq WMD Intelligence Failure: What Everyone Knows Is Wrong," in *Why Intelligence Fails* (Cornell University Press, 2010), 134, https://doi.org/10.7591/9780801458859-004.
[274] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 31.
[275] Senate Select Committee on Intelligence, 32.
[276] Senate Select Committee on Intelligence, 18.

and its use of denial and deception tactics effectively proved to the IC that they were guilty, therefore mitigating any incentive to investigate further. Due diligence was unnecessary in an environment which assumed the slightest hint of a threat could balloon into a disaster, and the primary aim of the intelligence institution—survival—was to avoid another failure via underestimation. The IC thus resorted to cherry-picking evidence and informants which supported its hypothesis.

While it is possible to argue that this was ultimately a result of political pressure—public scrutiny, increased visibility and awareness that intelligence was not always effective or accurate—placed on the intelligence community in the aftermath of 9/11, this attitude is more of a product of the internal environment than external factors. The Iraq Intelligence Commission found that the failure to pursue alternative views "was likely due less to the political climate than to poor analytical tradecraft, a failure of management to actively foster opposition views, and the natural bureaucratic inertia toward consensus."[277] While politicization can certainly be a factor in intelligence failures, the Iraq case indicates that underlying systemic flaws are most often to blame: less a case of external pressure than internal dysfunction. In fact, it perhaps proves that external pressure can only go so far: the SSCI report calls upon the "actionable findings and recommendations" in at least six "seminal" documents prior examining intelligence failures and describes how, "although it is apparent that the Intelligence Community did undertake some attempts at asset validation, it is clear that these efforts were uneven."[278]

3. *Impunity, authority, and CIA exceptionalism in silencing dissenters*

The CIA held—and continues to hold—the most prestige and the most autonomy within the US IC. The only independent intelligence agency within the IC, its "number one customer is

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[277] Silberman et al., "Report to the President, March 31, 2005."
[278] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 145, 147.

the President, who also has the authority to direct it to conduct covert operations."[279] The Senate

is quick to point out the "unique position" of the CIA and its proximity to the DCI, who

simultaneously serves as the head of the CIA, the head of the IC, and the principal intelligence

advisor to the President.[280] This clout was reflected in the consensus ruling of the NIE: rather

than seriously considering other explanations put forth by the State Department's Bureau of

Intelligence and Research (INR), the IAEA, and the Department of Energy, there was deliberate

obfuscation, negligence, and overlooking of all evidence that indicated otherwise. This was the

most evident regarding dual-use materials—components that had both conventional and military

use cases.[281] The most prominent example of this was the aluminum tube controversy, where CIA

analysts believed Iraq's "aggressive attempts to obtain high-strength aluminum tubes" provided

"compelling evidence" that nuclear operations had resumed.[282] Intelligence exceptionalism

affected the IC both internally and externally: the CIA "discount[ed] the UN's findings as the

result of the inspectors' relative inexperience in the face of Iraqi denial and deception," and

responded to IAEA analysis "by producing their own intelligence reports which rejected the

IAEA's conclusions."[283] This exceptionalist belief that *only* the intelligence institution was able

to provide reports with a high level of accuracy for consumers serves to further establish the

conditions for impunity. The NIE does acknowledge internal dissenting opinions, as protocol

dictates: the Director of Intelligence, Surveillance, and Reconnaissance at the US Air Force, for

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[279] Thomas Kean et al., "Final Report of the National Commission on Terrorist Attacks Upon the United States" (The National Commission on Terrorist Attacks Upon the United States, July 22, 2004), 86, https://www.9-11commission.gov/report/911Report.pdf.

[280] Senate Select Committee on Intelligence, "Report of the Select Committee on Intelligence on Postwar Findings About Iraq's WMD Programs and Links to Terorrism and How They Compare with Prewar Assessments" (United States Senate, September 8, 2006), 27, 2005/2006, https://www.congress.gov/109/crpt/srpt331/CRPT-109srpt331.pdf.

[281] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 19.

[282] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 6.

[283] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 20.

instance, is shown to disagree with the judgment that Iraq "[was] developing UAVs primarily intended to be delivery platforms for chemical and biological warfare agents," but the overall consensus remained unchanged and strongly biased.[284] The CIA further limited information access and sharing within the IC, "excessively compartment[alizing]" intelligence, analysis, and access to sources for other agencies.[285] Through the connections and office of the DCI, the CIA was able to singlehandedly control the narrative presented to consumers. This was a highly influential position: consumers had limited context and attention (only 22 of the 69 senators who voted for the war had read the NIE in full), and were unlikely to remember less emphasized caveats and nuances included in the footnotes.[286] A December 17, 2002 CIA review of Iraq's recent account of its weapon stock and capabilities "passed to the President without INR or the DOE having an opportunity to review or comment on the draft," with alternative views ultimately not being included in the review at all.[287] The INR had previously disagreed with almost every nuclear assessment made in the final NIE—so much so that it had to be made into a separate subsection—but its accurate judgment that documents indicating a uranium deal between Iraq and Niger were forged was overlooked, and the CIA continued to practice layering by building upon incorrect conclusions.

4. *Poor handling of sources*

Ultimately, the greatest failure of the US intelligence community in the Iraq case was its reliance on second-hand sources, due to its sheer lack of updated, on-the-ground information. The NIE references "an array of clandestine reporting" and various "credible" Iraqi defectors,

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[284] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 7.

[285] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 271.

[286] Manu Raju, Elana Schor, and Ilan Wurman, "Few Senators Read Iraq NIE Report," Text, *The Hill* (blog), June 19, 2007, https://thehill.com/homenews/news/12304-few-senators-read-iraq-nie-report/.

[287] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 129.

but also admits that it is severely restricted in reach: their understanding of current BW delivery systems is "limited, based primarily on pre-Gulf War capabilities and Iraqi claims to the UN," and their assessment of doctrine for using WMD "drawn largely from Iraq's battlefield use of chemical weapons during the Iran-Iraq War in the 1980s."[288] When asked why there was not a single human intelligence (HUMINT) source collecting information on WMDs in Iraq after 1998, a senior CIA officer responded that "it [would be] very hard to sustain… it takes a rare officer who can go in… and survive scrutiny for a long time."[289] Yet despite knowing that this "HUMINT blind spot could not be overcome by reliance on imagery intelligence," the CIA took no active measures to acquire new sources of information.[290] The Senate report noted that the IC had previously depended on having "an official presence in-country," such as a consulate, or ambassador, to "mount clandestine HUMINT collection efforts."[291] It appears that without an official US presence to establish a base foundation for further outreach efforts, the CIA was rendered incapacitated and in need of a "significant increase in funding and personnel" to penetrate such a difficult HUMINT target—yet the conclusion of the Senate was that the problem was "less a question of resources than a need for dramatic changes in a risk averse corporate culture."[292] Jervis notes that few members of the IC spoke Arabic, had lived in Iraq, or were familiar with its culture, with regional analysts being "involved but not central" in the NIE drafting process.[293] It remains unclear whether the CIA was genuinely unable to find a source, or simply did not invest their full effort given the far-reaching consensus that Iraq still had WMDs.

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[288] National Intelligence Council, "National Intelligence Estimate: Iraq's Continuing Programs for Weapons of Mass Destruction," 6, 43, 62, 46.
[289] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 25.
[290] Phythian, "The Perfect Intelligence Failure?"
[291] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 24.
[292] Senate Select Committee on Intelligence, 25.
[293] Jervis, "3. The Iraq WMD Intelligence Failure," 145.

The Robb-Silberman Commission remarked that "50 years of pounding away at the Soviet Union resulted in only a handful of truly important human sources," but this is less of a defense than a criticism of the CIA continuing to rely on Cold War-style HUMINT gathering methods.[294]

The IC—whether as a result of difficulty, disinterest, or otherwise—tended to rely on one major source at a time in Iraq. This source would then be used as a baseline for evaluating other sources, with more scrutiny being applied to these than the original: a dangerous combination of primacy bias and layering. The IC had always been heavily dependent on the reporting of the UN, and the withdrawal of UNSCOM marked a period of near-blindness for US and UK intelligence as they resorted to collection from second-hand sources in the absence of reliable updates.[295] One of these was Rafid Ahmed Alwan, an Iraqi defector in German custody that the US IC had codenamed "Curveball." Alwan claimed that he had been involved in the design and production of biological weapons in Iraq, under Rihab Rashid Taha—a microbiologist known as "Dr. Germ," who had been caught red-handed by UNSCOM in the 1990s—and thus had firsthand information about BW capabilities.[296] Reliance on Alwan's reporting and other HUMINT sources that the IC "believed corroborated his reporting" was instrumental in the IC shifting its characterization of Iraq.[297] Iraq no longer just had *plans* to produce BW in mobile facilities: Iraq now *had* active mobile BW production, even though a key secondary source—known as INC, a defector who was associated with the Iraqi National Congress—never even mentioned mobile BW units.[298] This claim would appear as the cornerstone in Secretary of State Colin Powell's infamous February 2003 speech to the UN, which also featured a number of

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[294] Silberman et al., "Report to the President, March 31, 2005."
[295] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 19.
[296] Senate Select Committee on Intelligence, 149.
[297] Senate Select Committee on Intelligence, 148–49.
[298] Senate Select Committee on Intelligence, 148–49.

other erroneous assertions.[299] Most astoundingly, the American IC arrived at this conclusion

without ever having any direct contact with Alwan. German intelligence refused to grant the US

access to the informant, meaning that Curveball's debriefs led to "some misunderstandings":

Alwan spoke in English and Arabic, which was translated into German and then translated *back*

into English by officers from the Department of Homeland Security (DHS), before being sent to

the IC for analysis.[300] Ironically, the only American official ever to have met Curveball before the

US invasion of Iraq—an employee of the Department of Defense—raised several concerns about

his sobriety and reliability, but these were evidently overruled.[301] Throughout the entire

intelligence cycle, both CIA collectors and analysts purposefully disregarded HUMINT sources

that suggested that Iraq did not have WMDs on the basis that they were simply repeating Iraqi

propaganda or not well-connected enough.[302]

3. The September Dossier

The Joint Intelligence Committee (JIC) is the British counterpart of the National

Intelligence Council, having oversight of the Secret Intelligence Service (SIS), the Security

Service (MI5), GCHQ, and Defence Intelligence. It is "at the heart of the British intelligence

machinery," chaired by the Cabinet Office and is composed of the chiefs of the UK intelligence

community, as well as "senior officials from key government departments."[303] It meets weekly,

and its primary function is to provide ministers and senior officials with "coordinated

intelligence assessments on a range of issues of immediate and long-term importance to national

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[299] Colin Powell, "U.S. Secretary of State Colin Powell Addresses the U.N. Security Council" (United Nations Security Council, New York, February 5, 2003), https://georgewbush-whitehouse.archives.gov/news/releases/2003/02/20030205-1.html.

[300] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 152.

[301] Senate Select Committee on Intelligence, 154.

[302] Senate Select Committee on Intelligence, 21.

[303] UK Joint Intelligence Committee, "Iraq's Weapons of Mass Destruction: The Assessment of the British Government" (HM Government, September 24, 2002), 3, https://nuke.fas.org/guide/iraq/iraqdossier.pdf.

interests, primarily in the fields of security, defense and foreign affairs": unlike the US model, which relies more on written memos and communication, the meetings of the JIC provide a "robust process" through direct producer-consumer interaction, making the intelligence-policy divide more of a spectrum.[304]

The September 2002 dossier—formally titled "Iraq's Weapons of Mass Destruction: The Assessment of the British Government"—was published by the JIC a month before the US NIE. It found that Iraq not only possessed substantial numbers of WMDs, but that it was "preparing plans to conceal evidence of these weapons, including incriminating documents, from renewed inspections," confirming that "despite sanctions and the policy of containment, Saddam has continued to make progress with his illicit weapons programmes."[305] The second point of the executive summary makes the claim that Iraq continues to possess chemical and biological agents and weapons produced before the Gulf War, and that its capability to continue producing them remains intact—its evidence being that "much information about Iraq's weapons of mass destruction is already in the public domain from UN reports and from Iraqi defectors."[306] The report appears to be written with full confidence—as statements of fact, with the JIC stamp of authority attached. "Significant additional information is available to the Government from secret intelligence sources… it provides a fuller picture of Iraqi plans and capabilities"; "in the last six months, the JIC has confirmed its earlier judgments"; "intelligence has become available from reliable sources which complements and adds to previous intelligence and confirms the JIC assessment" are but a few instances of this form of phrasing, which is completely devoid of expressions of ambiguity.[307] The dossier states that although "much of the publicly available

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[304] Robin Butler et al., "Review of Intelligence on Weapons of Mass Destruction" (House of Commons, July 14, 2004), 13, https://irp.fas.org/world/uk/butler071404.pdf.
[305] UK Joint Intelligence Committee, "Iraq's Weapons of Mass Destruction: The Assessment of the British Government," 5.
[306] UK Joint Intelligence Committee, 5.
[307] UK Joint Intelligence Committee, 5, 18.

information about Iraqi capabilities and intentions is dated, [the JIC] also has available a range of

secret intelligence about these programmes and Saddam Hussein's intentions" via the UK

intelligence community, as well as "intelligence from close allies"—most likely the German IC,

which had a key HUMINT source in its custody.[308] Summarized, its most noteworthy claims

were that:[309]

- Iraq had a useable chemical and biological weapons capability, in breach of UNSCR 687,

  which included recent production of chemical and biological agents;

- Iraq continued to work on developing nuclear weapons, in breach of its obligations under

  the Non-Proliferation Treaty and in breach of UNSCR 687. It sought uranium from

  Africa, which had no civil nuclear application in Iraq;

- Iraq's military forces were able to use chemical and biological weapons. The Iraqi

  military were able to deploy these weapons within 45 minutes of a decision to do so;

- Iraq was starting to produce biological warfare agents in mobile production facilities.

Some of these claims are specific to the British report, and are missing from the NIE that would

be published one month later: specifically, that they would be able to deploy within 45 minutes.

It remains unknown where this assertion originated: a BBC journalist claimed in 2003 that it

originated from a Blair administration official who had "sexed it up," but was ultimately

disproved by the 2004 Hutton Inquiry.[310] When questioned on reliability, Sir Richard Dearlove,

the Chief of the SIS, referred to the 45-minute claim as "a piece of well sourced intelligence

from an established and reliable source equating a senior Iraqi military officer who was certainly

in a position to know this information."[311] In 2009, MP Adam Holloway came forward with new

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[308] UK Joint Intelligence Committee, 6.
[309] UK Joint Intelligence Committee, 17–18.
[310] Julia Day, "Kelly 'Said Government Sexed up Iraq Dossier,'" *The Guardian*, August 12, 2003, sec. Media, https://www.theguardian.com/media/2003/aug/12/bbc.iraqdossier.
[311] Brian Hutton, "Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G." (House of Commons, January 28, 2004), 112, https://irp.fas.org/world/uk/huttonreport.pdf.

information which purportedly pointed toward the source as an Iraqi taxi driver who overheard two military commanders talking about Iraq's weapons of mass destruction.[312] Ultimately, it did not matter—the claim was published in the final dossier without any hint of doubt, and had a profound impact on consumers' decisions.

The September dossier was a fairly rare UK intelligence report, given that it was made available for public reading immediately. Tony Blair, introducing the document to Parliament, said that although the work of the JIC is "obviously secret," the situation called for the government to "explain concerns about Saddam to the British people," and therefore "disclose its assessments."[313] Blair clearly wanted to emphasize the legitimacy of the British intelligence institution and its findings: whether he believed it was true or not, he declares that "the intelligence picture that [the JIC] paints is one accumulated over the last four years… it is extensive, detailed and authoritative," and that in the preparation of the dossier there was "a real concern not to exaggerate the intelligence that we had received."[314] It is interesting that Blair does acknowledge that "intelligence is not always right," but then refers to the "accumulated, detailed intelligence available" with "highly rated credibility": again, while it is completely possible that Blair bought into his own lie, the fact that the dossier was written with such certainty—and with unique claims not found in any other report—suggests that a large part of this confidence came from the IC itself, rather than being edited in secondhand, like Tenet's whitepaper.[315]

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[312] Michael Evans, "Gossiping Taxi Driver Source of Iraq 45-Minute WMD Claim," *The Times*, December 8, 2009, https://web.archive.org/web/20110429094252/http://www.timesonline.co.uk/tol/news/uk/article6948283.ece.

[313] "Iraq and Weapons of Mass Destruction in the House of Commons on 24th September 2002," col. 1, Tony Blair.

[314] "Iraq and Weapons of Mass Destruction in the House of Commons on 24th September 2002," cols. 1, 13, Tony Blair.

[315] "Iraq and Weapons of Mass Destruction in the House of Commons on 24th September 2002," cols. 1, 13, Tony Blair.

4. Intelligence vs policy: the search for a tool of legitimacy

The al-Qaeda link

The Iraqi link to al-Qaeda was very much fabricated by both Bush and Blair administrations—it was by no means a byproduct of intelligence. While intelligence certainly failed in obtaining an accurate overview of the situation in Iraq, the IC cannot be faulted for this particular misrepresentation: neither the NIE, the CIA whitepaper, nor the British Joint Intelligence Council indicate that Saddam Hussein's regime had ties to terrorism, with the latter not containing a single mention of "al-Qaeda" or "terrorism." Responsibility for this claim lies with the Office of Strategic Influence (OSI) and the Office of Special Plans (OSP) under Douglas Feith, and can also be linked to former members of the neoconservative think tank The Project for the New American Century (PNAC)—an organization which had called for regime change in Iraq since 1998.[316] A UK JIC assessment from November 2001 had assessed that Iraq had no responsibility or knowledge in advance of the 9/11 attack, with cooperation and WMD technology transfer between Iraq and al-Qaeda being "unlikely" given Saddam Hussein's refusal to "permit any al-Qaeda presence in Iraq."[317] Similarly the October 2002 NIE wrote that "Saddam has not endorsed al-Qaeda's overall agenda and has been suspicious of Islamist movements in general" and that "details on training and support are second-hand or from sources of varying reliability," assigning low confidence to the judgment that collaboration between Iraq and al-Qaeda might potentially occur if "Saddam was desperate."[318] The general consensus among the intelligence community was that although the Iraqi regime had not completely discarded their consideration of "terrorism as a policy tool," there was little evidence of direct

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[316] William Kristol and Robert Kagan, "Opinion | Bombing Iraq Isn't Enough," *The New York Times*, January 30, 1998, sec. Opinion, https://www.nytimes.com/1998/01/30/opinion/bombing-iraq-isn-t-enough.html.
[317] John Chilcot et al., "The Report of the Iraq Inquiry" (House of Commons, July 6, 2016), 353–54, https://webarchive.nationalarchives.gov.uk/ukgwa/20171123122743/http://www.iraqinquiry.org.uk/the-report/.
[318] UK Joint Intelligence Committee, "Iraq's Weapons of Mass Destruction: The Assessment of the British Government," 67–68.

contact and cooperation between Hussein and al-Qaeda, and therefore no significant threat of WMDs in the hands of terrorists.[319] This was certainly contrasted by the rhetoric of policymakers: by March 2003, Blair was confidently announcing that "Iraq ha[d] been supporting terrorist groups… although I said that the associations were loose, they are hardening."[320]

The creation of the February 2003 document that would later be known as the "dodgy dossier" was a manifestation of this policymaker need to publicly legitimize and reinforce claims with "intelligence." It was only 19 pages long, with the bulk of its content plagiarized from an article written by an unsuspecting postgraduate student.[321] This particular dossier did not come from the British intelligence community: despite claiming that it "[drew] upon a number of sources, including intelligence material," it was in fact directly issued to journalists from the office of Alastair Campbell, Blair's inaugural Director of Communications and Strategy.[322] "Iraq—Its Infrastructure of Concealment, Deception and Intimidation" was nothing more than a propaganda document which bore little similarity to the Joint Intelligence Committee's September dossier, painting an overtly alarmist picture of Iraq under Saddam Hussein. Campbell would later claim that it was "intended as a briefing paper for journalists to inform them of the way in which the Iraqi state was dominated by its security apparatus and therefore well placed to conceal WMD," after "new SIS intelligence material came to light."[323] Ultimately, this was a

[319] Chilcot et al., "The Report of the Iraq Inquiry," 354.
[320] "Iraq in the House of Commons on 18th March 2003," col. 770, Tony Blair.
[321] Glen Rangwala, "Memorandum from Dr Glen Rangwala, Written Evidence Ordered by the Select Committee on Foreign Affairs" (Select Committee on Foreign Affairs, June 16, 2003), https://publications.parliament.uk/pa/cm200203/cmselect/cmfaff/813/813we18.htm.
[322] Paul Hamill et al., "Iraq—Its Infrastructure of Concealment, Deception and Intimidation" (Iraq Communications Group, 10 Downing Street, January 30, 2003), 1, http://image.guardian.co.uk/sys-files/Guardian/documents/2003/02/07/uk0103.pdf.
[323] Alastair Campbell, "Memorandum from Alastair Campbell, Written Evidence Ordered by the Select Committee on Foreign Affairs" (Select Committee on Foreign Affairs, June 24, 2003), https://publications.parliament.uk/pa/cm200203/cmselect/cmfaff/813/813we06.htm.

consumer-originated product which sourced its legitimacy from brief references to the intelligence community, and cannot be considered as intelligence itself. Campbell's operation was paralleled in the US by the Office of Special Plans. Led by Douglas Feith, it was established in September 2002 as "a shadow agency of Pentagon analysts staffed mainly by ideological amateurs to compete with the CIA and the DIA"—a separate endeavor, rather than as a CIA-led subversion. Its function was to further twist and propagandize what the CIA reported on, which was already incorrect—the "main" element of the spin was al-Qaeda's link to Saddam Hussein, rather than his possession of WMDs. However, examining the further politicization of the situation by Bush administration figures, Douglas Feith, and the neo-conservative think tank Project for a New American Century is beyond the scope of this thesis, which aims to focus on the more immediate and internal machinations of the IC that led it to its initial conclusions.

Politicization?

Both the 2004 SSCI *and* the 2005 Robb-Silberman Commission "found no evidence that the IC's mischaracterization or exaggeration of the intelligence on Iraq's WMD capabilities was the result of political pressure," or that "anyone even attempted to coerce, influence or pressure analysts to do so."[324] Of the over 200 members of the US intelligence community interviewed by the SSCI, "not a single analyst answered 'yes' when asked if they were pressured in any way to alter their assessments or make their judgments conform with Administration policies on Iraq's WMD programs."[325] Of course, this does not necessarily prove that there was no politicization at all—it could occur at a more informal level, or be so integrated that it is not viewed as unusual. Although the committee did not regard any of these as substantial proof of politicization, it is

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[324] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 16, 273.
[325] Senate Select Committee on Intelligence, 273.

worth viewing these conclusions with a critical eye—as Phythian points out, the report itself was "a negotiated political product on a topic likely to be at the center of campaigning in a presidential election year," and would have incentive to downplay the administration's involvement.[326] Jervis similarly remarks that both Republicans and Democrats benefited from "putting the onus on intelligence": the former from critique of the Bush administration, and the latter from public opinion on supporting the war.[327] It is clear however, that in the case of Iraq, intelligence failure and policy failure were deeply interlinked, making it incredibly difficult to completely untangle.

Blair had been in contact with George W. Bush regarding the possibility of Iraqi regime change since July 2002, where in letters he was "frequently blunt about the lack of public and political support in Britain and elsewhere for an invasion of Iraq" and "seemed confident he could eventually win public backing by emphasizing the threat posed by Saddam."[328] It is unknown how much personal influence Blair had over the findings created by the JIC, but it is likely to have been very little, given the extent to which Blair misrepresented its findings in public. In this correspondence with Bush, Blair argues that the only viable way that he would be able to convince the public and the Commons to intervene in Iraq was by approaching the UNSC and using a more heavy-handed approach to persuade Iraq to let the UN inspectors in.[329] He also mentions the necessity of the UK and the US being united in their messaging, and the need to "recapitulate all the WMD (weapons of mass destruction) evidence"—suggesting that he already believed with a certainty that Iraq had WMDs by then, and was being reliably informed by intelligence that there was a strong likelihood that Iraq had kept WMDs, which ultimately

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[326] Phythian, "The Perfect Intelligence Failure?"
[327] Jervis, "3. The Iraq WMD Intelligence Failure," 125.
[328] "Letters: Tony Blair Made Early Iraq Invasion Commitment To Bush," CBS News, July 6, 2016, https://www.cbsnews.com/miami/news/letters-tony-blair-made-early-iraq-invasion-commitment-to-bush/.
[329] "Letters."

remains an intelligence failure.[330] It is also possible to argue that it is unknown if it was

intelligence that made Blair confident that Iraq had WMDs, but unlike Bush, who emphasized

the al-Qaeda connection early on, Blair's administration waited until *after* major intelligence

reports were released—reports which judged that there was no terrorist linkage.

5. Accountability in the aftermath?

When the Duelfer Report was released by the Iraq Survey Group in September 2004, it

became abundantly clear that Iraq did not, in fact, possess any weapons of mass destruction. That

same month, Senator Susan Collins introduced the Intelligence Reform and Terrorism Prevention

Act, which was signed into law by December, establishing the position of the Director of

National Intelligence (DNI).[331] This Act was the most significant restructuring of the US

intelligence community since the creation of the CIA: it saw the effective elimination of the

Director of Central Intelligence title, prohibited the new DNI from "dual service" as head of any

intelligence agency, and ensured that the DNI was not located within the executive office.[332] This

essentially served to mitigate one of the systemic problems that led to the Iraq intelligence

failure: the overwhelming concentration of power in the DCI as the chief intelligence advisor to

the President, the head of the CIA, and the head of the US intelligence community as a whole

meant that indiscretion was likely to occur at some point. The separation of these powers

between the new DNI role and the Director of the CIA aimed to directly address conflicts of

interest, as well as effectively demoting the on-paper prominence of the CIA: while it still

remained the most influential agency in the US IC, it no longer enjoyed the same unmitigated

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[330] "Letters."
[331] The 108th Congress, "The Intelligence Reform and Terrorism Prevention Act," Pub. L. No. 108–458, S. 2845 (2004), https://www.govinfo.gov/content/pkg/STATUTE-118/pdf/STATUTE-118-Pg3638.pdf.
[332] The 108th Congress, 118 STAT. 3644.

direct access to the President or exclusivity as it once did. To this end, there was some

accountability: Jervis writes that "a significant part of the reason why George Tenet adopted the

more alarming interpretation of Saddam Hussein's purchase of aluminum tubes" was because

"DCIs tended to give CIA views greater weight," reducing the quality of the final judgments.[333]

Tenet resigned in July 2004, the month of the SSCI's report, supposedly as "a personal decision"

to focus on the wellbeing of his family.[334] There were no other significant resignations in the US

IC, nor any other individually-targeted recommendations made by any of the reports that were

released in the aftermath investigating the role of intelligence. The Robb-Silberman report

recommended that the new DNI "hold accountable the organizations that contributed to the

flawed assessments of Iraq's WMD programs," but fell short of explaining how this might be

executed.[335] It acknowledges that "almost every organization in the Intelligence

Community—collectors, analysts, and management—performed poorly on Iraq" and even

mentions the National Intelligence Council for "falter[ing] badly in producing the flawed NIE,"

but ultimately for some reason recommends that only three small departments within the IC—the

National Ground Intelligence Center (NGIC), the Defense HUMINT Service, and the CIA's

Weapons Intelligence, Nonproliferation, and Arms Control Center (WINPAC)—be

"reconstituted, substantially reorganized, or made subject to detailed oversight."[336]

The SSCI report itself contains no recommendations, with Chairman Pat Roberts

reasoning that "the issues involved are so complex and of such import" that further deliberation

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[333] Robert Jervis, "4. The Politics and Psychology of Intelligence and Intelligence Reform," in *Why Intelligence Fails* (Cornell University Press, 2010), 184, https://doi.org/10.7591/9780801458859-005.

[334] Suzanne Malveaux, "Tenet: Resigning with Head 'Very, Very High,'" CNN, June 3, 2004, https://edition.cnn.com/2004/ALLPOLITICS/06/03/tenet.resigns/.

[335] Laurence Silberman et al., "Report to the President, March 31, 2005" (Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, March 31, 2005), https://govinfo.library.unt.edu/wmd/report/report.html.

[336] Silberman et al.

on reform was needed from the Committee and Congress.[337] While this deliberation yielded the

Intelligence Reform and Terrorism Prevention Act, there was no significant enforcement of

systemic changes in process or approach to the intelligence cycle. The SSCI had observed that IC

analysts, collectors, and managers had failed to use formalized mechanisms to challenge such as

"red teaming" and other forms of alternative and competitive analysis, but paints this failure as a

case-specific problem rather than an indication that these mechanisms are simply inadequate as

accountability checks in the context of the unelected and highly secretive intelligence agency.[338]

Jervis also criticized the approach taken by both Commissions, contending that they came to

their conclusions and recommendations far too easily, and that it was convenient and comforting

"to believe that feasible reforms could avoid false conclusions like the finding that Iraq had

active WMD programs."[339] To admit otherwise would "not only would have been met with

incredulity but would have defeated the political purposes and undercut the

recommendations."[340]

  In the UK, the 2004 Butler Review came to the conclusion that there need not be any

change in the membership of the Joint Intelligence Council, nor any restructuring that was as

significant as the Intelligence Reform and Terrorism Prevention Act.[341] While this report also

accepted that there were large-scale problems with how the British IC arrived at its final

consensus, the most substantial recommendation it issued was that the post of JIC Chairman be

held by "someone with experience of dealing with Ministers in a very senior role who is

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[337] Senate Select Committee on Intelligence, "Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq," 446–47.

[338] Senate Select Committee on Intelligence, 21.

[339] Robert Jervis, "3. The Iraq WMD Intelligence Failure: What Everyone Knows Is Wrong," in *Why Intelligence Fails* (Cornell University Press, 2010), 154, https://doi.org/10.7591/9780801458859-004.

[340] Jervis, 154.

[341] Robin Butler et al., "Review of Intelligence on Weapons of Mass Destruction" (House of Commons, July 14, 2004), 144, https://irp.fas.org/world/uk/butler071404.pdf.

demonstrably beyond influence, and thus probably in his last post."[342] Rather ironically, it also recommends borrowing from the practice of American NIEs through the attachment of degrees of confidence and notes of dissent, suggesting in a rather oblivious manner that these "may help to prevent readers from attaching more certainty to judgements than is justified and intended."[343] While it is certainly a problem that JIC convention at the time did not include expressions of confidence and alternative or minority hypotheses, it is difficult to believe that "formal records of concerns in relation to assessments brought to the attention of the JIC Chairman" would have actually shifted the incredibly firm consensus on Iraq at the time, nor that small additions to wording would do any better at drawing the attention of "the untutored or busy reader."[344] The 2016 Chilcot Inquiry comes much closer to the core of the issue: it advocates for a "clear separation of the responsibility for analysis and assessment of intelligence from the responsibility for making the argument for a policy," and suggests that intelligence that has publicly been used to support a policy decision be subject to "subsequent scrutiny by a suitable, independent body such as the Intelligence and Security Committee."[345]

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[342] Butler et al., 159.
[343] Butler et al., 145–46.
[344] Butler et al., 143, 145–46.
[345] John Chilcot et al., "The Report of the Iraq Inquiry" (House of Commons, July 6, 2016), 131–32, https://webarchive.nationalarchives.gov.uk/ukgwa/20171123122743/http://www.iraqinquiry.org.uk/the-report/.

Conclusion

The Butler Review of 2004 wrote in its introduction that "intelligence merely provides techniques for improving the basis of knowledge. As with other techniques, it can be a dangerous tool if its limitations are not recognised by those who seek to use it."[346] It is evident that there were many flaws in the structural foundation of the Western intelligence institution, and it is certain that many of these still remain today. While the twentieth century and early 2000s were marked by reliance on human intelligence and basic signal intelligence sources, rapid advances in technology have afforded even more capabilities and resources to the intelligence community in the modern era. While the OSS and its covert operations in the style of William "Wild Bill" Donovan are long gone, there are indications that its underlying fabric remains. Secrecy invites impunity, and impunity can be weaponized by an organization which remains dominated by elitism. A Financial Times feature from as recently as 2022 described how the stereotype of an MI6 officer remains as "an upper-class white man in beige chinos and desert boots."[347] Increasing the number of those from marginalized backgrounds is not a convenient or effective solution to an inherently systemic and institutional problem which affects the US government as a whole. However, it should be recognized that there are significant issues with the white, male-dominated status quo in intelligence, and that regional and local experts should be prioritized when assessing judgments in countries that are not in the West—that is to say, the majority of all countries. The "unfortunate lack of empathy" displayed in the assessment of Iraqi weapons of mass destruction cannot be easily fixed through reform or restructuring.[348]

There is a tendency for intelligence accountability and oversight to wax and wane depending on the existence and scale of external threats. The pattern appears to be that while

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[346] Butler et al., "Review of Intelligence on Weapons of Mass Destruction," 14.
[347] Warrell, "The Secret Lives of MI6's Top Female Spies."
[348] Jervis, "4. The Politics and Psychology of Intelligence and Intelligence Reform," 195.

controls are more often than not increased after the mitigation of an external threat, supervision in the midst of an ongoing war or crisis is decreased due to consumer reliance on producers. CIA officials during the Cold War "were prepared to lie to the President to protect the agency's image," and were protected by the absolute, impenetrable layer of secrecy which surrounded the intelligence community.[349] For a long time, the IC viewed their secrecy almost as a divine right, which had severe repercussions on consumers' ability to fully hold them accountable. As Gaskarth puts it, "the final factor constraining intelligence accountability is the fact that it is almost entirely retrospective."[350] This secrecy has certainly also affected the ability of this thesis to thoroughly analyze the activities and conclusions of the intelligence community: while several large-scale intelligence failures have been made public, many other intelligence successes and routines remain classified. Any academic—or even legislative—attempt to review the institutional affairs of the intelligence community will always fall somewhat short of the entire truth, which ultimately serves to benefit the intelligence agency. Who, indeed, will watch the watchmen?

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[349] Gaskarth, "Accountability and Intelligence," 29.
[350] Gaskarth, 26.

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