

Talking Points Memo

by Joshua Micah Marshall

(January 30, 2004 – 11:41 PM EDT)

There's just so much to say about this new bubbling-up of the WMD controversy. And I plan to say a lot of it. But, for the moment, let's see if there's any way to get the media and various other members of the capital's elect to avoid another round of self-administered bamboozlement.

For months we have known with increasing degrees of certainty that there were, contrary to expectations, no weapons of mass destruction in Iraq. Yet the fact that David Kay has now stated this baldly has suddenly put this reality at the center of the national debate in a way it wasn't only a couple weeks ago.

He has also said two other things.

First, he's said that the CIA was not pressured to reach its erroneous conclusions. Second, he has said that rather than the president owing an explanation or apology to the American people, the CIA owes an explanation or apology to the president.

As to the first point, how would he know?

To the best of my knowledge, Kay wasn't involved in any of the relevant inter-agency processes and he hasn't investigated this question after the fact. So how would he know? I think the answer is clear: he doesn't.

The second point is a classic example of that phenomenon we've become so familiar with in the Bush years: up-is-downism.

Let me explain.

First, a stipulation. There's no question that it was widely believed within the US intelligence community that Iraq had on-going weapons of mass destruction efforts and probably had at least a chemical and probably a biological weapons capacity.

Clearly, that assumption was wrong.

There is a subsidiary issue here. Intelligence assessments like this often include worst case scenario or pessimistic case scenario judgments based on incomplete evidence. And a lot of the misjudgments seem to have been of that sort—a point which we need to get further into. But for the moment let's stipulate that the US intelligence community got some major facts wrong and that we need to find out why and make improvements.

Having said that, let's outline the ridiculousness of Kay's judgment.

We didn't go to war because Iraq had mustard gas or nerve gas or even anthrax. The threat, as presented by the White House, went far beyond that. All WMD are not created equal. Indeed, the catch-all phrase 'weapons of mass destruction' obscures much more than it clarifies. It groups together things like mustard gas, which is really a battlefield weapon, with nuclear weapons, which really are weapons of mass destruction.

The White House was well aware of this. And for that reason it repeatedly pressed the argument that Iraq was close to creating *nuclear warheads*—a point over which there was very real disagreement within the Intelligence Community. The other component of the argument for war was Iraq's supposed ties with international terrorist organizations like al Qaida. It was this nexus between illicit weapons and connections to non-deterrable terrorist organizations that was the essence of the White House's case for war.

On the question of ties to al Qaida one can't say there was a great deal of disagreement within the Intelligence Community, because the White House had real difficulty finding any intelligence professionals who believed that this was true. This, after all, is why administration officials at the Pentagon set up their own intelligence analysis shop—because most people in the Intelligence Community didn't buy their argument about the connections between the Iraqi regime and al Qaida.

Now, Kay is saying, in essence, that the CIA sold the president a bill of goods. And they owe him an explanation.

But let's review what we know.

We know that after 9/11 there were intense battles pitting the Intelligence Community against political appointees in the administration and that those battles were over almost every aspect of the Iraqi threat: nuclear weapons capacity, ties to terrorism, whether Saddam would use his arsenal against the United States, degrees of certainty about the state of Saddam's chemical and biological programs, everything.

To the best of my knowledge there is not one single instance we know of in which any portion of the Intelligence Community pressed for a more ominous view of the threat in the face of skepticism from the political appointees at DOD, the Office of the Vice President, the White House or anywhere else in the administration. Not one.

We know of many points of controversy. And, to the best of my knowledge, *every last one* involved administration politicals pressing for more extreme and ominous interpretations of the Iraqi threat against skeptical members of the Intelligence Community. *Every last one.*

This is hardly even a controversial point. The hawks themselves made the same argument endlessly. They only stopped when the evidence came in and they were shown to have been wrong in almost every particular.

An internal review at the CIA conducted by Richard J. Kerr, a retired senior CIA official, has now also concluded that there is no evidence the CIA shaded its estimates to support the administration's case for war. But even if we grant the accuracy of that judgment it really doesn't get at the true question.

Why? Because we know that there were numerous cases in which people in the Intelligence Community tried to stop the White House from making various hyperbolic or unsubstantiated claims, precisely because they were not supported by the Intelligence Community's consensus estimates.

What we have here is a serious intelligence failure, but one that in itself would almost certainly not have led to war, at least not on the grounds of there being an imminent threat to the United States. Recognizing that it was an insufficient *casus belli* the White House then hyped it up with all manner of unsubstantiated mumbo-jumbo.

And for this the Intelligence Community owes the president an apology?

Just as the president did last summer when he forced an apology from George Tenet over the Niger-uranium claims and then tried to put the matter to rest without firing Tenet or asking for any kind of investigation, he now wants to pocket the blame being heaped on the Agency (because it absolves him politically) without having any sort of investigation to get to the heart of what happened.

Why? Simple. Because any truly independent investigation of how this all unfolded would expose the administration's systematic exaggeration of what we knew about the threat Iraq posed and, almost certainly, its willful deception of the American people.