BRITAIN & THE IRAQ WAR 2003

The Issue: How did Britain join the 2003 Iraq War, if there were no nuclear weapons or other ‘WMD’ in Iraq?

This question puzzles Britons, and all others concerned by the launching of the Iraq War. Sometime long before 19 March 2003 Tony Blair probably made a commitment to GW Bush that Britain would join at attack on Iraq. But at home, given opposition in his own Labour Party, Blair had seemed to accept that a ‘second UN Security Council resolution’ containing an agreed authorization of the use of force against Iraq would be necessary, a prerequisite to Britain’s joining the war.

In the end, however, there was no ‘second resolution’, because many on the UNSC thought Washington hasty, for example in not giving UNMOVIC and IAEA inspections a chance, or wrong-footed.

The row about British authorization to make war came down to these six questions:

[1] Did Prime Minister Tony Blair, before Congress and Parliament had voted to authorize war, strike a deal with GW Bush to join in an invasion of Iraq? If so, why?

[2] Did Blair make inadequately evidenced claims about Iraqi WMD, in proffers to the House of Commons and the public? If so, who should have blown the whistle, but did not?

[3] Just what was the Attorney General’s advice to Blair, especially in March 2003, about the legality of going to war in Iraq?

[4] Did Blair or his Government distort the evidence of Iraqi ‘WMD’, or advice given to him, or ‘lean on’ the Attorney General to adopt a strained interpretation of the evidence as it bore on ‘legality’?

[5] Did Blair fail to give adequate scrutiny to texts prepared for him by British intelligence, or fail to make adequate demand for the evidence that the most striking claims were true, before adopting those texts as his own?

[6] Did Blair lie to the House of Commons?

The British move to war is tracable in a number of key documents and episodes. A systematic critique is developed, for example, in the 2004.08 complaint A Case to Answer, cited below. The British Government position is amply made out in its statements and ex post facto reviews. Episodes prompting texts and explanations include

[a] the Blair government’s need to make a case before the House of Commons and the public;

[b] interviews given and testimony, and then suicide, of David Kelly, perhaps Britain’s most knowledgable expert on BW arms control;

[c] the resignation, two days before the war was launched, of Elizabeth Wilmshurst, a key British government
expert on international law.

In addition, we list key US documents, decisions and publications which are germane to the UK position.

**The Documents**

1992.03.11 The *Washington Post* reports the existence of a draft Defense Planning Guidance, which includes several possible war scenarios, including war against Iraq.1

The *Washington Post* summarises that the report “contemplates use of American military power to preempt or punish” use of nuclear, chemical, or biological weapons—then directly quoting the text —“even in conflicts that otherwise do not directly engage U.S. interests.” The Pentagon sought to dismiss the text as a draft.

1998.01.26 A private letter to President Clinton urging Saddam Hussein’s “removal from power.”

This letter advances a case for Clinton to “act decisively” to bring about “the removal of Saddam Hussein’s regime from power.” Not to do so is to “accept a course of weakness and drift.” The letter’s significance lies in the signers, among them a number who hold positions in or near the GW Bush administration: Elliott Abrams, John Bolton, Zalmay Khalilzad, Richard Perle, Donald Rumsfeld, Paul Wolfowitz, and R. James Woolsey. The writers utter a number of the arguments which were to echo in 2002 and 2003. ‘Containment’ of Saddam is eroding. Even if weapons inspections were resumed “experience has shown that it is difficult if not impossible to monitor Iraq’s chemical and biological weapons production.” “Given the magnitude of the threat, the current policy … is dangerously inadequate.”

The only acceptable strategy is one that eliminates the possibility that Iraq will be able to use or threaten to use weapons of mass destruction. … In the near term, this means a willingness to undertake military action … 2

http://www.newamericancentury.org/iraqclintonletter.htm


This document lays out a plan for future US policy, in which Iraq is mentioned 25 times in 90 pages. It argues, for example, that

the United States has for decades sought to play a more permanent role in Gulf regional security. While the unresolved conflict with Iraq provides the immediate justification, the need for a substantial American force presence in the Gulf transcends the issue of the regime of Saddam Hussein. … We cannot allow North Korea, Iran, Iraq or similar states to undermine American leadership, intimidate American allies or threaten the American homeland itself. The blessings of the American peace, purchased at fearful cost and a century of effort, should not be so trivially squandered.

http://www.newamericancentury.org/defensenationalsecurity2000.htm

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2 Ibid.
3 The authors stipulate that the report “does not necessarily represent the view of the project participants.” Among participants is Paul Wolfowitz, US Undersecretary of Defense 2001-2005 and US nominee to be head of the World Bank.

2002.09.07 Tony Blair and GW Bush Meet at Camp David, Maryland.


http://www.number-10.gov.uk/output/Page6139.asp

Released on the morning of the Tuesday, 24 September 2002 House of Commons debate, this report embodies claims and judgments of Britain’s intelligence services, but does not offer sources other than those in the public realm. It includes the ‘45-minutes’ claim. The text:

[Blair’s forward, p. 4] “And the document discloses that his military planning allows for some of the WMD to be ready within 45 minutes of an order to use them.”

[Executive Summary, p. 5] “6. As a result of the intelligence we judge that Iraq has: … ● military plans for the use of chemical and biological weapons, including against its own Shia population. Some of these weapons are deployable within 45 minutes of an order to use them;”

[Text, p. 17] “● Iraq’s military forces are able to use chemical and biological weapons, with command, control and logistical arrangements in place. The Iraqi military are able to deploy these weapons within 45 minutes of a decision to do so;”

[Text, p. 19] [Subhead] “Recent Intelligence” [Text] “● Saddam’s willingness to use chemical and biological weapons: intelligence indicates that as part of Iraq’s military planning Saddam is willing to use chemical and biological weapons, including against his own Shia population. Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.”

2002.09.24 Prime Minister Tony Blair’s speech to the House of Commons.

http://www.publications.parliament.uk/pa/cm200102/cmhansrd/vo020924/debtext/20924-01.htm#20924-01_head0


http://www.publications.parliament.uk/pa/cm200203/cmhansrd/cm030318/debtext/30318-06.htm#30318-06_head1


This well-illustrated overview covers much the same ground as the 24 September 2002 British dossier.


Issues concerning Congress’ grant of authority to undertake war in Iraq are canvassed in Bruce D. Larkin, “The Iraq War of 2003 and the Politics of Denuclearization,” for which the URL is at the end of this guide.


2003.02.05 US Secretary of State Colin Powell presented to the UN Security Council Washington’s case that Iraq was in breach of UN resolutions. [Some of the assertions he made were later shown to be wrong.]
www.whitehouse.gov/news/releases/2003/02/20030205-1.htm

2003.01.31 In a secret memorandum of this date, Frank Koza, a US National Security Agency official, called for intensified surveillance of UN Security Council member states’ delegations’ communications. A copy to NSA’s British counterpart, GCHQ, was leaked by a GCHQ employee, and Ms. Katherine Gun was charged.5 Correspondents Martin Bright and Peter Beaumont wrote, in part:

Translators and analysts at the Government’s top-secret surveillance centre GCHQ were ordered to co-operate with an American espionage ‘surge’ on Security Council delegations after a request from the US National Security Agency at the end of January 2003. This was designed to help smooth the way for a second UN resolution authorising war in Iraq.

The information was intended for US Secretary of State Colin Powell before his presentation on weapons of mass destruction to the Security Council on 5 February.

Sources close to the intelligence services have now confirmed that the request from the security agency was ‘acted on’ by the British authorities. It is also known that the operation caused significant disquiet in the intelligence community on both sides of the Atlantic.

5 The Observer, 8 February 2004. See also Martin Bright et al., The Observer, 29 February 2004:
http://observer.guardian.co.uk/focus/story/0,6903,1158679,00.html and
http://observer.guardian.co.uk/focus/story/0,6903,1158834,00.html
See also Patrick Radden Keefe, *Chatter: Dispatches from the Secret World of Global Eavesdropping* (New York: Random House, 2005), pp. 29-47, which *inter alia* reports his interviews with Katherine Gun.

The full text of Frank Koza’s memorandum is at

http://observer.guardian.co.uk/iraq/story/0,12239,905954,00.html

2003.02.03 Britain issues the paper “Iraq—Its Infrastructure of Concealment, Deception and Intimidation”. This is subsequently found to have included material plagiarized from an article by California-based Ibrahim al-Marashi, and becomes known as the ‘dodge dossier’.6

http://www.number-10.gov.uk/output/page1470.asp

2003.03.07 UK Attorney General Lord Goldsmith submits a report on the legality of initiating war against Iraq.

2003.03.17 UK Attorney General Lord Goldsmith submits a one-page nine-paragraph statement, on which the Blair Government relies, which reportedly argues that UNSC 1441 is sufficient to meet any objections that initiating war would be illegal.

2003.03.17 Notified by the United States that war is impending, the United Nations and IAEA withdraw the UNMOVIC and IAEA inspectors from Iraq after a stay of about four months.

2003.03.18 Elizabeth Wilmshurst, deputy legal adviser at the British Foreign Office, submits her letter of resignation.7

Her letter stated: “My views accord with the advice that has been given consistently in this office before and after the adoption of SCR (UN security council resolution) 1441, and with what the attorney general gave us to understand was his view prior to his letter of 7 March.”

Former British Foreign Secretary Robin Cook, who opposed the war, said “It is very difficult to avoid the conclusion that what changed … was the discovery that we were not going to get the second resolution.”8

2003.03.19 Iraq War begun.

2003.05.23 Dr. David Kelly had a conversation with Andrew Gilligan, defence and diplomatic correspondent of the Today program on BBC4.. [Hutton Report, ¶ 30.

2003.05.29 At 6.07 am on the BBC Today program the following was broadcast. ‘JH’ is John Humphreys, ‘AG’ is Andrew Gilligan. A central issue is whether David Kelly told Andrew Gilligan that the

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6 Al-Marashi testified before the House of Commons’ Foreign Affairs Committee. His graduate thesis had said that Iraq had supported foreign opposition groups. “By changing the words, they are distorting the meaning and it looks like they [Iraq] are supporting groups like al-Qaida.” Patrick Wintour, *The Guardian*, 20 June 2003.  
http://www.guardian.co.uk/guardianpolitics/story/0,3605,981256,00.html

7 Frank Millar, *The Irish Times*, 25 March 2005, writes: “[A]t the core of the current controversy is the claim in Ms Wilmshurst’s full and uncensored letter obtained by Channel 4 News that just 10 days before Lord Goldsmith gave that verdict, he shared her view that military action would be illegal without a second, specific UN resolution.”

8 Ibid.
Blair government knew its claim about Iraq 45-minute WMD readiness was not true.

JH: The government is facing more questions this morning over its claim about weapons of mass destruction in Iraq. Our defence correspondent is Andrew Gilligan. This in particular Andy is Tony Blair saying, they’d be ready to go within forty five minutes.

AG: That’s right, that was the central claim in his dossier which he published in September, the main erm, case if you like against er, against Iraq and the main statement of the British government’s belief of what it thought Iraq was up to and what we’ve been told by one of the senior officials in charge of drawing up that dossier was that, actually the government probably erm, knew that that forty five minute figure was wrong, even before it decided to put it in. What this person says, is that a week before the publication date of the dossier, it was actually rather erm, a bland production. It didn’t, the, the draft prepared for Mr Blair by the Intelligence Agencies actually didn’t say very much more than was public knowledge already and erm, Downing Street, our source says ordered a week before publication, ordered it to be sexed up, to be made more exciting and ordered more facts to be er, to be discovered.

JH: When you say ‘more facts to be discovered’, does that suggest that they may not have been facts?

AG: Well, erm, our source says that the dossier, as it was finally published, made the Intelligence Services unhappy, erm, because, to quote erm the source he said, there was basically, that there was, there was, there was unhappiness because it didn’t reflect, the considered view they were putting forward, that’s a quote from our source and essentially, erm, the forty-five minute point er, was, was probably the most important thing that was added. Erm, and the reason it hadn’t been in the original draft was that it was, it was only erm, it only came from one source and most of the other claims were from two, and the intelligence agencies say the don’t really believe it was necessarily true because they thought the person making the claim had actually made a mistake, it got, had got mixed up.

JH: Does any of this matter now, all this, all these months later? The war’s been fought and won.

AG: Well the forty five minutes isn’t just a detail, it did go to the hart of the government’s case that Saddam was an imminent threat and it was repeated four times in the dossier, including by the Prime Minister himself, in the foreword; so I think it probably does matter. Clearly, you know, if emr, if it, if it was, if it was wrong things do, things are, got wrong in good faith but if they knew it was wrong before they actually made the claim, that’s perhaps a bit more serious.

JH: Andrew, many thanks; more about this later.

2003.07.15-16 Dr. David Kelly gave evidence, separately, to the Foreign Affairs Committee and the Intelligence and Security Committee of the House of Commons.9

2003.07.18 The body of Dr. David Kelly found,10 an ‘apparent’ suicide.


The covering letter to Prime Minister Blair states: “This Report does not judge whether the decision to invade Iraq was correct. Its purpose is to examine whether the available intelligence, which informed the decision to invade Iraq, was adequate and properly assessed and whether it was accurately reflected in Government publications.”

2003.10.02 US. Central Intelligence Agency. Statement by David Kay on the Interim Progress Report on the Activities of the Iraq Survey Group (ISG) Before the House Permanent Select Committee on

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9 Hutton Report, §§ 103, §§ 111-112.
10 Hutton Report, §§ 128-130.
Intelligence, the House Committee on Appropriations, Subcommittee on Defense, and the Senate Select Committee on Intelligence. [Kay Report]


Lord Hutton was appointed by the Prime Minister to conduct this inquiry. Critics dismissed the Hutton Report as a whitewash. The Hutton inquiry site, however, contains extensive testimony and documents.

The site: http://www.the-hutton-inquiry.org.uk

The report: http://www.the-hutton-inquiry.org.uk/content/report/


The associated site also contains useful documents.

The site: http://www.butlerreview.org.uk/

The review:


Beware the hoax site at http://www.butlerreview.org

2004.08.23 Glen Rangwala and Dan Plesch. A Case to Answer: A first report on the potential impeachment of the Prime Minister for High Crimes and Misdemeanours in relation to the invasion of Iraq. Produced for Adam Price MP.

http://www.impeachBlair.org


This report, the final report of the Iraq Survey Group, follows David Kay’s interim report of 2 October 2003. The Iraq Survey Group found no evidence of significant chemical or biological agents, no evidence of nuclear weapons, and no evidence of ongoing programs to make or acquire BW, CW, or nuclear weapons.


2005.04.28 The Office of the Prime Minister releases Lord Goldsmith’s 7 March 2003 advice to PM Blair on legality of the impending Iraq War. [See entries for 2003.03.07 and 2003.03.17 for links to the two advices of Attorney General Lord Goldsmith.]

2005.05.01 The Sunday Times [London] publishes what is said to be a minute of a conference held 23 July 2002, among PM Blair and his closest advisers, on the posture to take vis-á-vis Iraq and US intentions.
The Sunday Times [London] now claims to have the (incomplete) text of a Cabinet Office briefing paper “Conditions for military action” prepared for the 23 July 2002 meeting [see entry immediately above]. The briefing paper contains a number of startling points, of which the most significant is that British Prime Minister Blair made a contingent commitment to GW Bush at Crawford, Texas in April 2002 that Britain would join the war in Iraq if three conditions were met, including that “the options for action to eliminate Iraq’s WMD through the UN weapons inspectors had been exhausted.”

Certainly many foreign ministries, and IAEA Director-General Mohamed ElBaradei and UNMOVIC head Hans Blix, did not believe that the inspections were permitted to run their course before the United States launched war on 19 March 2003.

The other important point not to be overlooked is that the commitment was to “support military action to bring about regime change.” That is regime change, not suppressing WMD, though the briefing paper also confirms that the British government was concerned about undifferentiated ‘WMD’ and appears to take its presence for granted, without registering any doubts about its intelligence or judgment on WMD. Excerpts from the text:

PERSONAL SECRET UK EYES ONLY

IRAQ: CONDITIONS FOR MILITARY ACTION (A Note by Officials) . . .

Introduction . . .

2. When the Prime Minister discussed Iraq with President Bush at Crawford in April he said that the UK would support military action to bring about regime change, provided that certain conditions were met: efforts had been made to construct a coalition/shape public opinion, the Israel-Palestine Crisis was quiescent, and the options for action to eliminate Iraq’s WMD through the UN weapons inspectors had been exhausted.

3. We need now to reinforce this message and to encourage the US Government to place its military planning within a political framework, partly to forestall the risk that military action is precipitated in an unplanned way by, for example, an incident in the No Fly Zones. This is particularly important for the UK because it is necessary to create the conditions in which we could legally support military action. Otherwise we face the real danger that the US will commit themselves to a course of action which we would find very difficult to support.11

On three web pages of the Sunday Times (London), 2005.06.12:

http://www.timesonline.co.uk/article/0,,2089-1648758_1,00.html
http://www.timesonline.co.uk/article/0,,2089-1648758_2,00.html
http://www.timesonline.co.uk/article/0,,2089-1648758_3,00.html

For an overview by Michael Smith of related events in 2002, response to publication of the briefing paper and minutes of the 23 July 2002 meeting, and steps being undertaken by US Congressman John Conyers, see “The Leak That Changed Minds on the Iraq War,” the Sunday

11 The Sunday Times, 12 June 2005. They note: “The paper, produced by the Cabinet Office on July 21, 2002, is incomplete because the last page is missing. The following is a transcript rather than the original document in order to protect the source.”
The Iraq Inquiry

The Iraq Inquiry is the third British commission to study and report on Britain’s decision to join the United States in the 2003 - .. war against Iraq.

The first, “an inquiry into the circumstances surrounding the death of Dr. David Kelly,” was undertaken by Lord Hutton.12 The second focused on the intelligence leading to the Iraq War; it was conducted by a suite of Privy Councillors, of whom the chair was Lord Butler of Brockwell.13 The third study, by a further panel of Privy Councillors and chaired by Sir John Chilcot, is to be much broader in scope:

It will consider the period from the summer of 2001 to the end of July 2009, embracing the run-up to the conflict in Iraq, the military action and its aftermath. We will therefore be considering the UK’s involvement in Iraq, including the way decisions were made and actions taken, to establish, as accurately as possible, what happened and to identify the lessons that can be learned.14

Simon Jenkins, after witnessing a number of the early sessions of the inquiry, characterized it as giving witnesses an easy time:

Well, I was fairly surprised because I was expecting what might be called a measure of toughness. Even these inquires in decorous London tend to have a few lawyers present asking some tough questions. And the people conducting the inquiry have been selected for some - with some degree of investigative skill. There was none of the rough and tumble that you'd get in even a parliamentary committee inquiry in London. The witnesses were given what could only be described as an unbelievably easy ride.15

Wikipedia16 explains the origin of the Chilcot Inquiry:


14 http://www.iraqinquiry.org.uk Chilcot was also one of the five Privy Councillors who conducted the Butler inquiry.


1. My alternative to another round of Iraq whitewashing. The Guardian. 31 July 2009
2. Investigate UK abuses in Iraq. The Guardian. 14 August 2009
3. a b c Iraq war inquiry to be in private. BBC News Online. 15 June 2009
4. UK PM announces Iraq war inquiry. Al Jazeera. 15 June 2009
The Iraq Inquiry
From Wikipedia, the free encyclopedia

The Iraq Inquiry, also referred to as the Chilcot Inquiry,[1][2] was announced on 15 June 2009 by the British Prime Minister Gordon Brown. He announced that it would look into the country’s role in the Iraq War and would be held in private,[3][4] a decision which was subsequently changed.[5] Brown stated, “no British documents and no British witness will be beyond the scope of the inquiry.”[3]

It is an inquiry by a committee of Privy Counsellors with broad terms of reference to consider the UK’s involvement in Iraq from mid-2001 to July 2009. It will cover the run-up to the conflict, the subsequent military action and its aftermath with the purpose to establish the way decisions were made, to determine what happened and to identify lessons to ensure that in a similar situation in future, the UK government is equipped to respond in the most effective manner in the best interests of the country.[6]

The announcement and nature of the inquiry was widely criticised. Conservative Party leader David Cameron dismissed the inquiry as “an establishment stitch-up”, and the Liberal Democrats threatened a boycott.[7] The open sessions of the inquiry commenced on 24 November 2009, televised from the Queen Elizabeth II Conference Centre.

It is expected to report its findings after the next UK general election on or before Thursday 3 June 2010.

From the Iraq Inquiry’s website at http://www.iraqinquiry.org.uk:

About the Inquiry

The Prime Minister announced on 15 June 2009 that an Inquiry would be conducted to identify lessons that can be learned from the Iraq conflict. The Iraq Inquiry was officially launched on 30 July 2009. At the launch the Chair of the Inquiry, Sir John Chilcot, set out the Inquiry’s Terms of Reference:

"Our terms of reference are very broad, but the essential points, as set out by the Prime Minister and agreed by the House of Commons, are that this is an Inquiry by a committee of Privy Counsellors. It will consider the period from the summer of 2001 to the end of July 2009, embracing the run-up to the conflict in Iraq, the military action and its aftermath. We will therefore be considering the UK’s involvement in Iraq, including the way decisions were made and actions taken, to establish, as accurately as possible, what happened and to identify the lessons that can be learned. Those lessons will help ensure that, if we face similar situations in future, the government of the day is best equipped to respond to those situations in the most effective manner in the best interests of the country."

The Inquiry committee members are Sir John Chilcot (Chairman), Sir Lawrence Freedman, Sir Martin Gilbert, Sir Roderic Lyne and Baroness Usha Prashar.

The Inquiry will take evidence over a number of months, with as many hearings as possible held in public. Hearings will begin in the autumn and continue into the New Year. A report of the Inquiry’s findings will be published at the end of this process, but as the Inquiry has such a complex task ahead of it the report is unlikely to be ready for publication before summer 2010. The Inquiry committee intends to include in the report all but the most sensitive information essential to our national security. The report will then be debated in Parliament.

7. ‘Anger over ‘secret Iraq inquiry’. BBC News Online. 16 June 2009
Also See

2002.12.08  Bruce D. Larkin, “Iraq: Go to War? and the Nuclear Question.”

