

Unknown Knowns

How the Bush Administration Traded Failure for Success in Iraq

By David Cortright, George A. Lopez, and Alistair Millar

Introduction

This is the story of a road not taken, how the United States discarded a proven system of United Nations weapons inspections and multilateral sanctions and opted for an unnecessary war in Iraq. The saga of what happened twenty years ago may seem like ancient history to some, but many negative consequences are still evident. From the imposition of sanctions on Iraq in 1990 until the calamitous invasion in 2003, our research team produced a steady stream of reports and publications documenting the most significant policy failure by the United States since the Vietnam War.¹ With the twentieth anniversary of the invasion approaching, it is time for a fresh look at those events to assess the strategic and ethical implications of the decisions made then and their relevance for today.

George W. Bush was gripped by a messianic zeal to overthrow Saddam Hussein by force.² The president and his advisers were determined to implement a policy of armed regime change regardless of all evidence, logic, or reason.³ The White House concocted a false narrative of weapons of mass destruction in the hands of a dictator with supposed links to al-

¹ See, for example, David B. Cortright, Alistair Millar, George A. Lopez, and Linda Gerber, “Unproven: The Controversy Over Justifying War in Iraq,” Joan B. Kroc Institute for Peace Studies, University of Notre Dame and the Fourth Freedom Forum, June 2003, <https://sanctionsandsecurity.org/publications/unproven-the-controversy-over-justifying-war-in-iraq/>.

² Michael Mazaar, *Leap of Faith: Hubris, Negligence and America’s Greatest Foreign Policy Tragedy* (New York: Public Affairs, 2019).

³ Andrew Bacevich, *After the Apocalypse: America’s Role in a World Transformed* (New York: Metropolitan Books, 2021), 40-41; Steven R. Weisman, “A New Doctrine; Pre-emption: Idea With a Lineage Whose Time Has Come,” *New York Times*, 23 March 2003, p. B1; Joseph Cirincione, “Origins of Regime Change in Iraq,” Carnegie Endowment for International Peace, *Proliferation Brief* 6, no. 5 (2003).

Qaida.⁴ Bush ignored the unequivocal conclusion of the U.S. intelligence community that Iraq had nothing to do with either 9/11 or al-Qaida.⁵

The result of the administration's campaign of deception was a costly war of choice that ended in "strategic defeat," to cite the conclusion of the U.S. Army history of the war.⁶ Many studies have examined what went wrong in Iraq,⁷ but few have looked at the alternative security approaches that were available at the time. We examine those alternatives here to document that the war was unnecessary and to highlight the policy advantages of multilateral nonmilitary security strategies.

Flouting Cooperative Containment

When Donald Rumsfeld was asked at a Pentagon news briefing in February 2002 about the reliability of claims regarding Iraqi weapons of mass destruction, the Secretary of Defense famously avoided the question with musings and linguistic contortions about knowns and unknowns. He spoke of distinctions between "known knowns, known unknowns and unknown unknowns."⁸ He failed to mention what was arguably the most relevant option, "unknown knowns." It's easy to understand why. His was a situation in which verified information about Iraqi weapons of mass destruction (WMDs) was available and thoroughly documented but was intentionally ignored. The facts were rendered "unknown" through the neglect and dismissal of publicly available knowledge.

The White House claimed the purpose of the war was to disarm the dictator, but the UN weapons inspections program had already effectively disarmed Iraq before the war began. UN weapons inspectors in the 1990s located and dismantled what was left of Iraq's nuclear weapons program

⁴ For example, in a speech before the Veterans of Foreign Wars in Cincinnati on 7 October 2002, Bush proclaimed: "Saddam Hussein is harboring terrorists and the instruments of terror, the instruments of mass death and destruction. ... Knowing these realities, America must not ignore the threat gathering against us. Facing clear evidence of peril, we cannot wait for the final proof—the smoking gun—that could come in the form of a mushroom cloud." Quoted in Marc Sandalow, "Record shows Bush shifting on Iraq war / President's rationale for the invasion continues to evolve," *San Francisco Chronicle*, 29 September 2004, <https://www.sfgate.com/politics/article/NEWS-ANALYSIS-Record-shows-Bush-shifting-on-2690938.php>.

⁵ Bruce Riedel, "9/11 and Iraq: The making of a tragedy," *Lawfare*, 11 September 2021, <https://www.lawfareblog.com/911-and-iraq-making-tragedy>.

⁶ The term is drawn from the official U.S. Army report on the Iraq War. See Joel D. Rayburn and Frank K. Sobchak, eds., *Surge and Withdrawal*, vol. 2, *The U.S. Army in the Iraq War*, (Strategic Studies Institute and U.S. Army War College Press, 2019), 619, 622, and 627; see also Tom Ricks, *Fiasco: The American Military Adventure in Iraq, 2003-2005* (Penguin Books, 2007).

⁷ Recent accounts include Robert Draper, *To Start a War: How the Bush Administration Took America into Iraq* (New York: Penguin Books, 2020); and Spencer Ackerman, *Reign of Terror: How the 9/11 Era Destabilized America and Produced Trump* (New York: Viking, 2021).

⁸ Julian Borger, "History unlikely to forgive Donald Rumsfeld's Iraq warmongering," *The Guardian*, 30 June 2021, <https://www.theguardian.com/us-news/2021/jul/01/history-unlikely-to-forgive-donald-rumsfelds-iraq-warmongering>.

after the 1991 Gulf War and destroyed or verified the absence of the regime's other prohibited weapons systems.

In making the case for military action in 2002-03, U.S. and British decision-makers dismissed and ignored the UN's record of success in eliminating Saddam Hussein's arsenal of deadly weapons. They also failed to consider the impact of UN Security Council sanctions in containing the military threat from Iraq.

The UN inspection system operated in two phases. In the initial period, 1991-1998, the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) located and destroyed vast amounts of WMDs, including nuclear, chemical, and biological weapons systems and ballistic missiles. In the second phase, December 2002-March 2003, the IAEA and an enlarged United Nations Monitoring and Verification Commission (UNMOVIC) re-entered the country in search of alleged WMDs and found no evidence of the existence of such weapons.

Weapons inspections in Iraq worked in tandem with UN sanctions. The Security Council imposed a general trade embargo on Iraq in 1990 in response to the invasion of Kuwait. The sanctions slashed Iraqi oil exports and government revenues by more than 90 percent.⁹ These measures led to severe humanitarian hardships in Iraq, which prompted the Security Council to adopt more targeted sanctions and create the Oil-for-Food Programme. The restructured sanctions system allowed limited oil sales for the purchase of humanitarian and nonmilitary goods, while maintaining UN control over Iraqi oil revenues. A strict embargo on all weapons and military-related imports remained in place. These measures led to sharp reductions in Iraqi military expenditures during the decade, according to U.S. State Department estimates, and progressively degraded the regime's military capacities.¹⁰

Both systems—weapons inspections and Security Council sanctions—benefited from significant international cooperation. The United States and other countries aided UNSCOM and IAEA inspectors, established naval interdiction and sanctions enforcement missions, and supported efforts in the Security Council to apply pressure on Saddam Hussein to cooperate with UN monitors. International enforcement of the sanctions

⁹ William H. Webster, "Iraq: Domestic Impact of Sanctions," testimony of the director of the Central Intelligence Agency before the House Armed Services Committee, 5 December 1990, reprinted in *Congressional Record*, 10 January 1991, S 123-24.

¹⁰ U.S. Department of State, *World Military Expenditure and Arms Transfers 1998* (Washington, D.C.: U.S. Government Printing Office, April 2000).

against Iraq was unprecedented and effectively cut off the country from sources of weaponry and WMD-related imports.

This multilateral system of UN weapons inspections and targeted sanctions contained the Iraqi military threat. It was functioning at the time of the invasion and constituted a viable alternative to the use of force.

Among the lessons to be learned from the Iraq War, this is one of the most important but least recognized. UN weapons inspections and multilateral sanctions are effective means of limiting the threat of WMD proliferation and can help to contain threats of military aggression. If the goal is to disarm dictators, avoid war, and prevent proliferation, cooperative containment options are available.

International Implications

The presence and operation of these alternatives to war were a major factor in the reluctance of the UN Security Council to authorize the use of military force. In the months before the invasion in March 2003, as the United States and Great Britain ramped up pressure for military action, many UN member states argued for giving inspectors more time to complete their work. For that reason and because of strong public opposition to war in many countries, Security Council members refused on two separate occasions to authorize the use of force.

The first time was in the fall of 2002 as the Council debated a resolution requiring Iraq to accept the return of UN weapons inspectors. In an initial draft of the resolution, the United States and the United Kingdom included a provision to approve “all necessary means,” arguing that the explicit threat of force was necessary to compel Iraqi compliance. Member states supported provisions of the resolution demanding renewed inspections, but they rejected any reference to language that might imply approval for military action. Resolution 1441 was approved unanimously in November without an authorization to use force.

To the surprise of many, Baghdad immediately accepted the terms of the resolution, at least partially, and opened its doors to UN weapons monitors. Inspectors from UNMOVIC and the IAEA poured into the country and quickly began extensive operations to search for WMDs. The Executive Chairman of UNMOVIC, Hans Blix, briefed the Security Council and reported receiving full cooperation from Iraqi authorities and access to hundreds of suspected WMD sites. He reported to the Council in February 2003: “So far, UNMOVIC has not found any such

weapons.”¹¹ IAEA Director Mohamed ElBaradei gave a similar report, “We have to date found no evidence of ongoing prohibited nuclear or nuclear related activities in Iraq.”¹²

The United States and Britain were not satisfied with the inspections and returned to the Security Council in February and March 2003 for a second attempt to seek authorization for the use of force. They proposed a resolution declaring Iraq in breach of its obligations under Security Council resolutions and authorizing all necessary means to compel its compliance. The measure was decisively rebuffed. Not only France, Russia, and China, but seven nonpermanent members—Chile, Germany, Mexico, Cameroon, Guinea, Angola, and Pakistan—refused to support the proposal. Lacking the votes for approval, the United States and Britain withdrew the proposed resolution, sweeping aside further diplomatic efforts and proceeding with the invasion.¹³

In the view of respected analysts, the decision to wage war without Security Council approval did not meet widely accepted ethical and legal standards for the use of force.¹⁴ These ethical principles include just cause, legitimate authority, right intention, and last resort. The most important for this analysis is last resort, the requirement to exhaust all viable nonmilitary means before using force. Because alternative means of addressing the WMD threat and containing Iraq were available and functioning effectively at the time, the choice of military action did not meet the standard of last resort.

This issue became a topic of concern at the official 2016 British inquiry into the Iraq War known as the Chilcot Report. The final summary of the Chilcot inquiry addressed the decision to disregard viable alternatives to the use of force and famously concluded: “at the time [March 2003], diplomatic options had not been exhausted. The point had not been reached where military action was the last resort.”¹⁵

The International Commission of Jurists, the Dutch Inquiry Report, and other legal authorities argued that the decision to use force in Iraq had no

¹¹ “Hans Blix’s briefing to the Security Council,” text reprinted, *The Guardian*, 14 February 2003, <https://www.theguardian.com/world/2003/feb/14/iraq.unitednations1>.

¹² International Atomic Energy Agency, “The Status of Nuclear Inspections in Iraq,” by Mohamed ElBaradei, 14 February 2003, <https://www.iaea.org/newscenter/statements/status-nuclear-inspections-iraq-14-february-2003-update>.

¹³ See the analysis by James P. Rubin, “Stumbling into War,” *Foreign Affairs* 82, no. 5 (September/October 2003): 56.

¹⁴ See the pre-war analysis of Michael Walzer, “The Right Way,” *New York Review of Books*, 13 March 2003.

¹⁵ Quoted in James R. Strong, *Public Opinion, Legitimacy and Tony Blair’s War in Iraq* (London: Routledge, 2017), 66; see “Chilcot report: key points from the Iraq inquiry,” *The Guardian*, 6 July 2016, <https://www.theguardian.com/uk-news/2016/jul/06/iraq-inquiry-key-points-from-the-chilcot-report>.

basis in international law and was a violation of the UN Charter.¹⁶ Article 2(4) of the Charter prohibits states from using force against other sovereign states except when necessary for self-defense against an attack or when authorized by the Security Council. Neither condition applied in the case of Iraq. UN Secretary-General Kofi Annan stated in 2004 that the U.S. and British use of force without Security Council approval was “not in conformity with the UN Charter. From our point of view and from the Charter point of view it was illegal.”¹⁷

Adapting the Model Today

These observations about inspections and sanctions in Iraq twenty years ago have relevance today to the challenge of containing Iran’s nuclear program and restoring the 2015 Joint Comprehensive Program of Action (JCPOA), the multilateral agreement that placed limits on Tehran’s nuclear production activities. Iran accepted the agreement in 2015 in exchange for the lifting of nonproliferation sanctions imposed by the UN Security Council, the European Union, and the United States starting in 2007. Sanctions pressures against Iran were severe, targeting major Iranian financial institutions and blocking the country’s access to the SWIFT system of transnational bank communications. These pressures and continued diplomacy brought Iran to the bargaining table, and the offer to lift those sanctions induced Tehran to accept negotiated restrictions on its nuclear program.

The JCPOA contained the most rigorous on-site verification and monitoring provisions ever negotiated. The agreement functioned well for more than two years, as documented by IAEA reports confirming that Iran had shut down its nuclear production sites, curtailed its enrichment facilities, and removed most of its stockpile of higher enriched uranium. The agreement effectively contained the potential threat posed by Iran’s nuclear program.

The United States unilaterally reneged on the JCPOA in 2018 and re-imposed sanctions, while also adding further “maximum pressure” measures. No other major country joined the United States in rejecting the agreement and re-imposing sanctions. A few months later the Iranian regime ended its compliance with the JCPOA and resumed the enrichment of uranium. Since then Iran’s stockpile of higher grade nuclear fuel has increased significantly.

¹⁶ International Commission of Jurists, “Iraq – ICJ Deplores Moves Toward a War of Aggression on Iraq,” 18 March 2003, https://web.archive.org/web/20030407232423/http://www.icj.org/news.php3?id_article=2770&lang=en.

¹⁷ Ewen MacAskill and Julian Borger, “Iraq war was illegal and breached UN charter, says Annan,” *The Guardian*, 15 September 2004, <https://www.theguardian.com/world/2004/sep/16/iraq.iraq>.

Diplomatic efforts to restore the JCPOA have been underway over the past year, with initial reports of partial progress toward an agreement, but Russia's war against Ukraine cast a shadow over the talks, and the Biden administration has been unwilling to lift all of the sanctions Iran has demanded.

The diplomatic strategy for restoring the JCPOA involves a return to the original formula that led to success in reaching the agreement: a U.S. commitment to remove proliferation-related sanctions, and Iranian action to close and disassemble its reactivated enrichment facilities and transfer its stockpile of higher enriched uranium out of the country.¹⁸

Conclusion

The war in Iraq began nearly twenty years ago but the costs and consequences are still evident. Many civilians and military veterans continue to suffer from injuries and the trauma of war. The invasion provoked significant increases in terrorist violence, as al-Qaida grew and spurred sectarian violence and carnage in Iraq and then morphed into ISIS and spread to Syria, causing further devastation and suffering.

The United States' disdain for the UN Security Council and rejection of multilateral cooperative security mechanisms inflicted lasting damage on the architecture of global peace and undermined the principles of international law. The goal of achieving a genuine "rules-based international order" requires acknowledging the damage caused by unprovoked war in Iraq and returning to the road not taken: military restraint and reliance on multilateral diplomacy for conflict prevention.

ABOUT THE PROJECT

The New Paradigm project, sponsored by the Fourth Freedom Forum, assesses the costs and consequences of overly militarized U.S. policies that led to strategic failure in Iraq, Afghanistan, and other countries, and diverted trillions of dollars from needed investment at home. The project examines the advantages of cooperative multilateral approaches to international security based on principles of human rights and military restraint.

¹⁸ Steven Erlanger, "U.S. and Iran Agree on Path Back to Nuclear Deal," *New York Times*, 10 June 2021, <https://www.nytimes.com/2021/04/06/world/europe/iran-nuclear-deal.html>.