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**The Iraq War and the procedural mechanics of policy failure:
Complex decision-making and the intersection between Bounded
Rationality and Path Dependence**

Doctoral Thesis

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Abstract

The post-war failure in Iraq (2003) has elicited a plethora of accounts that describe the unfolding of events, but most fail to do so within an empirical explanatory framework. Equally, many accounts have focused on infield policy and implementation failures in the post-war period rather on the pre-war process of decision-making. This research addresses both of these limitations. It does so by locating a particular aspect of the Iraq failure within the procedural mechanics of complex decision-making that occurred during the planning phase (2002-3) and by incorporating aspects of path dependence into the mechanics of how boundedly rational actors make decisions in complex task environments. Rather than the failure in general, this research focuses on a particular aspect of policy failure, the construction of post-war planning that was predicated on a number of flawed assumptions. The analytical puzzle the research seeks to unpack is how these faulty assumptions were able to embed themselves as to ascend to the point of being the basis of post-war policy given the availability of information that contested their basis. Building on Herbert Simon's emphasis on the procedural (rather than substantive) dimension of rational decision-making, this research adds path dependence as an explanatory framework for better understanding how the salience of information is assessed in bounded, complex decision-making environments. This temporal dimension of path dependence reflects that time-primed information often appears more salient to actors when adopting weak heuristic procedural mechanics of decision-making. The research establishes that path dependence provides a useful and pre-existing framework for explaining these processes. Intersecting these two literatures helps add explanatory power to the processes of policy failures by assessing how complex decisions are made and too often made badly. Policy failures such as the Iraq War are strongly reflective of a nexus between bounded rationality and path dependence.

Declaration of Authorship

I, Matthew James Barr, declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

I confirm that:

1. This work was done wholly or mainly while in candidature for a research degree at this University;
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated;
3. Where I have consulted the published work of others, this is always clearly attributed;
4. Where I have quoted from the work of others, the source is always given. With the exception of such quotations, this thesis is entirely my own work;
5. I have acknowledged all main sources of help;
6. Where the thesis is based on work done by myself jointly with others, I have made clear exactly what was done by others and what I have contributed myself;
7. None of this work has been published before submission.

Signed:

Date: 24.09.15

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I would like to openly acknowledge that whilst I believe I have worked determinedly and studiously and have made significant sacrifices to undertake this project, the key determinants in being able to do so and successfully complete this research were all elements that I did not earn. As proud as I am of my contribution to this project, it pales in comparison to the privilege I have been granted through no action of my own.

In loving memory of my late father, Michael Barr. I miss you and hope you would be proud.

List of Abbreviations

BBC	British Broadcasting Corporation
BW	Biological Weapon(s)
CBS	Columbia Broadcasting System
CDS	Chiefs of the Defence Staff (UK)
Centcom	Central Command (US)
CFLCC	Coalition Forces Land Component Command
CIA	Central Intelligence Agency
CIC	Coalition Information Centre
COIN	Counterinsurgency
CPA	Coalition Provisional Authority
CW	Chemical Weapon(s)
DFID	Department for International Development (UK)
DIA	Defense Intelligence Agency (US)
DoD	Department of Defense (US)
FCO	Foreign and Commonwealth Office (UK)
GWAPS	Gulf War Air Power Survey
HMG	Her Majesty's Government
IAEA	International Atomic Energy Agency
IIA	Iraqi Interim Authority (also referred to as Iraqi Interim Administration)
INA	Iraqi National Accord
INC	Iraqi National Congress
IPU	Iraq Planning Unit (UK)
JIC	Joint Intelligence Committee (UK)
KRG	Kurdish Regional Government
MEPP	Middle East Peace Process
MP	Member of Parliament
MoD	Ministry of Defence (UK)
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organisation
NSA	National Security Agency (US)
NSC	National Security Council (US)

NSPD	National Security Presidential Directive
OP	Operational Paragraph
OPLAN	Operational Plan
ORHA	Office of Reconstruction and Humanitarian Assistance
PBS	Public Broadcasting Service
PJHQ	Permanent Joint Headquarters
PLP	Parliamentary Labour Party
PNAC	Project for the New American Century
PS	Permanent Secretary
SIGIR	Office of the Special Inspector General for Iraq Reconstruction
SIS	Secret Intelligence Service
UN	United Nations
UNICEF	United Nations Children's Fund
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNSCOM	United Nations Special Commission
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
WMD	Weapons of Mass Destruction

Contents Page

Title Page	1
Abstract	2
Declaration of Authorship	3
Acknowledgements	4
List of Abbreviations	5
Contents Page	7
Chapter 1: Introduction	11
1.1: Research Puzzle and Hypothesis	11
1.2: The Illustrative Case: Iraq 2003	13
1.2.1: Decapitation Thesis	13
1.2.2: The Cognitive-Temporal Explanatory Framework	15
1.2.2: The Crawford Moment	15
1.3: Thesis Outline	17
1.3.1: Establishing the Foundations: (Chapters 3 and 4)	18
1.3.2: Establishing the Environment: Bounded Rationality (Chapter 5)	19
1.3.3: Applying the Hypothesis (Chapters 6 and 7)	21
1.4: Summary	22
Chapter 2: Existing Frameworks and the Methodological Approach	24
2.1: Prevailing Explanations of Failure	24
2.1.1: Troop Numbers	25
2.1.2: Inter-Department Turf War	28
2.1.3: Alternative Explanations of Failure	29
2.2: Path Dependence	35
2.3: Bounded Rationality	38
2.4: The Explanatory Framework	42
2.4.1: A Procedural Focus	43
2.4.2: Incorporating Path Dependence into Bounded Rationality	45
2.4.3: Application to Iraq	47

2.5: Methodological Test of the Cognitive-Temporal Approach	49
2.4.1: Methodological Problems	51
2.4.2: A Waltzian Approach: Analysing Systemic Pressures	52
2.4.3: Empirical Data Collection	53
 Chapter 3: Information Limits	 55
3.1: The Decapitation Thesis	55
3.1.1: British ‘Hold’ Assumptions	58
3.2: The Iraq State and its Transformation.....	61
3.2.1: Institutions under Ba’athism.....	62
3.2.2: The Shadow State	63
3.2.3: Shadow State and Decapitation	64
3.2.4: A Lack of Information?.....	66
3.3: Chapter Summary	69
 Chapter 4: The Crawford Moment.....	 70
4.1: Background: Regime Change	71
4.2: Crawford: The Documentary Record.....	72
4.3: Offering Support	73
4.4: The Threat Calculus.....	76
4.4.1: Intent	80
4.4.2: A Unique Threat?	82
4.4.3: Four Nation WMD Dossier.....	84
4.5: Other Critical Junctures	85
4.6: Impact of withdrawing support.....	86
4.7: Chapter Summary	87
 Chapter 5: A Bounded Task Environmnet: Legality and Public Persuasion	 89
5.1: Seeking Political Cover	91
5.1.1: Pressurised Task Environment.....	92
5.1.2: Political Costs	93
5.1.3: Crawford Inertia.....	93
5.2: Regime Change Focus	94
5.2.1: No Legal Route Currently Exists.....	95

5.3: US resistance to the UN Route	97
5.3.1: UNSCR 1441	99
5.4: Revival argument, material breach and an unreasonable veto.....	99
5.4.1: Material Breach.....	101
5.4.2: An Unreasonable Veto	101
5.4.3: The Final Legal Authority.....	105
5.5: Call and Response Rebuttals.....	107
5.5.1: Rejecting Legal Advice.....	108
5.6: A Campaign of Political Persuasion.....	111
5.7: Public Opinion	112
5.8: Managing Public and Parliamentary Opinion.....	113
5.8.1: Post-Crawford: The Rolls Royce Information Campaign	115
5.9: The September Dossier	116
5.9.1: Need to Harmonise and Recalibrate	116
5.10: Chapter Summary.....	119
 Chapter 6: Post-war Planning	 120
6.1: A phase 4 UN role.....	120
6.2: Untested assumptions and the lateness of detailed post-war planning	123
6.3: Insufficiency of Planning.....	125
6.3.1: Awareness of lack of planning	127
6.3.2: Path Dependence and Oval Office Meeting.....	128
6.3.3: Inertia and the Inside Man	131
6.4: Chapter Summary	133
 Chapter 7: Applying and Testing the Explanatory Model	 135
7.1 Rise of the Regime Change Doctrine: Realist Origins	137
7.2: Sanctions Release Mechanism.....	141
7.2 Position of Blair's Government: Pre-Crawford	145
7.2.1: Comprehensive Review	147
7.2.2: Material Change and Intent.....	150
7.3: Humanitarian Impact of Sanctions	156
7.4: Chapter Summary	158
 Chapter 8: Conclusion.....	 160

8.1.1: The Cognitive-Temporal Explanation of Post-war Planning Failure	162
8.2: A Liberal Explanation of Failure	163
8.2: Research Limitations	165
8.3: Ameliorative Actions to a Procedural Approach.....	167
 List of References	 170
Hansard	192
Government Documents	193
Iraq Inquiry Oral Testimony	200
Written Testimony, Iraq Inquiry	202

Chapter 1

Introduction

The Iraq War is widely seen as a significant policy failure but the prevailing accounts of this failure are largely atheoretical and often simply describing the unfolding of events (Dodge 2009: 257) meaning, whilst notable exceptions exist, significant gaps still remain in providing a sufficient explanatory framework for this policy failure. Rather than focusing on infield and implementation issues within the occupation itself, this research unpacks the decision-making process and environment prior to the war in which post-war policy was constructed. It analyses the resultant cognitive and temporal pressures on the processes of policy-making themselves with a specific focus on flawed assumptions about the viability of Iraq's governance structures to administer post-war Iraq that underpinned the initial policy for the post-war period.

Using a procedural analysis, this research proposes that the rise of these flawed assumptions about Iraq's institutional capacity were not simply the product of a lack of post-war planning or a lack of access to relevant information. Instead, it is hypothesised that they were partly a result of the combination of the nature of the complex decision-making environment in which policy was constructed and simplified pre-existing, time-primed understandings about Iraq and its leader. The research then establishes an explanatory framework of how these flawed assumptions could have become the bedrock of coalition post-war policy that emphasises a coming together of notions of path dependence and bounded rationality.

1.1: Research Puzzle and Hypothesis

The research puzzle this project seeks to address is how the flawed assumptions about the functionality of Iraq's governance structures became the foundations of post-war policy when they were predicated on understandings of Iraq that were demonstrable false. The transformation of the Iraqi state, the hollowing out of its institutions, and the presence of a well-entrenched shadow state, were well understood amongst academics (Chapter 3.2) meaning that the flawed assumptions were not the result of a lack of accurate information. Despite this, this information seemingly played little or no part in the construction of post-

war policy. Whilst not necessarily common knowledge, information was nonetheless available if it were sought out that would have critiqued the underlining basis for the initial post-war policy. Indeed, a counterfactual look at the post-war planning stage might reveal that had this information been considered to be sufficiently salient by key decision-makers, then the policy that was taken forward into Iraq would have been very different and not based on these flawed assumptions.

The task environment complexity meant that time-poor, cognitively limited policy-makers were bounded in their abilities to fully process information and assign limited cognitive resources. To ease complexity-induced cognitive loads, actors likely adopted procedural mechanics in the form of time-primed weak heuristics that helped navigate them through the task at hand. These weak heuristics were prevailing notions about Iraq that were easily accessible and influenced the processing of information and what appeared salient. The rise of the regime change doctrine (Burgos 2008) and dealings with Iraq regarding the economic sanctions imposed on the country (Cockburn 2006: 86; Ross 2007) meant that leading figures in the Blair and Bush governments saw Saddam as the ‘problem’ and his removal as the only viable policy ‘solution’. Primed and institutionally embedded over time, it is hypothesised that this particular (readily available) understanding of Iraq influenced how planners thought about the post-war environment and helped insulate the resultant policy formations from sufficient scrutiny, the consequence of which was the rise of untested policy assumptions that belied empirical reality.

By arguing that this particular understanding of the Iraq ‘problem’ was path dependent, set in motion during the Gulf War (see Chapter 7), there is explanatory power in invoking the literature on path dependence when analysing the cognitive mechanics that actors adopt during complex political decision-making.

In positing such, the hypothesis sets out a procedural understanding of the Iraq failure that incorporates the conceptions of bounded rationality and path dependence as part of an analytical framework to explain the procedural dynamics of post-war decision-making and subsequent policy failure.

Applying notions of path dependence to such procedural mechanics is then particularly useful because they can help provide an explanatory framework for why certain pieces of information are incorporated into the decision-making processes and why others are not, or the degrees thereof.

1.2: The Illustrative Case: Iraq 2003

1.2.1: Decapitation Thesis

During the planning stages, post-war policy was built on the assumption that key political institutions would hold in Iraq following the invasion and the removal of the regime from power. With these institutions remaining, following light reforms to remove the top tier of Baptists, the US would be able to take them over in an essentially functional condition and use them to administer post-Saddam Iraq (Fineman et al 2003; Dodge 2005, 2009: 264). US National Security Advisor Condoleezza Rice stressed days before the war that she believed Iraqi “institutions would hold” following military victory, continuing that, “You would be able to bring new leadership but that we were going to keep the body in place” (Gordon 2004). Similarly, in early February 2003 both Douglas Feith and Under Secretary of State Marc Grossman told the US Senate Foreign Relations Committee that Iraq’s governmental structures would hold after any war and be available to the coalition to help administer the post-war period.

The decapitation approach, gained either by direct military intervention or through a US-inspired Iraqi coup, saw the ruling elite within Iraq as entirely separate from the wider Iraqi society. Due to this perceived separation, it was believed that Saddam Hussein and Ba’athism “could be ‘surgically’ removed from the apex of the state” relatively easily (Dodge 2009: 264). By using “a broadly liberal understanding of dictatorship”, Dodge (2005: 711) argues that coalition policymakers saw Iraq’s Ba’athist government as being “extremely vulnerable and unstable”. These planners saw the ruling elite in Iraq as relying on a small group of people to maintain its hold on power and to provide organisational coherence to government structures and that the regime had “no ideological or institutional roots within Iraqi society”. Such an understanding of governance structures in Iraq meant that targeting a military strike against the leadership “would force the government to collapse” relatively easily, “leaving the institutions of the state in place for US forces to utilise.” (Dodge 2005: 711)

Such a decapitation approach crucially failed to incorporate the reality that Iraq’s political institutions had been transformed and hollowed out since the 1970s, particularly so since the imposition of economic sanctions and the onslaught of the Gulf War (Dodge 2003, 2005), and failed to understand the prevalence and implications of a shadow state in Iraq (Tripp 2002a, 2002b, 2004), a reality of Iraq’s governance that re-emerged during Prime

Minister Nouri al-Maliki's time in office between 2006 and 2014 (Dodge 2013: 245). Consequently, these pre-war planning assumptions "proved to be a radically inappropriate basis upon which to plan for post-regime change in Iraq". The implication of this was that the policy "quickly disintegrated as it collided with Iraqi realities" as US troops arrived in Baghdad and necessitated a significant change in approach that would see the coalition formally occupy the country until June 2004 (Dodge 2009: 2267). After major combat operations were declared over, even leading Bush administration officials involved in the Iraq project subsequently admitted that it was revealed that there was a "gap between reality and expectations" (Bremer 2006: 112) and that Iraq's infrastructure had been found to be in a far worse condition than had been expected (Simpson 2003: 376-377).

An Extended Occupation

One consequence of the flawed assumptions underpinning the initial post-war planning was that they fed into an overall concept of regime change that was conceived to be only a limited exercise in state reform rather than a major state-building undertaking, meaning it was considered unnecessary to undertake a long-term, large-scale occupation or coalition military presence in post-war Iraq (Dodge 2006: 188; Dodge 2005: 711). When these assumptions collided with empirical reality (Dodge 2009: 267), in order to achieve their goals in Iraq coalition officials decided that it would in fact be necessary to directly occupy the country and administer it themselves.

There existed a brief window of opportunity in the early months of the occupation in which to clearly demonstrate to Iraqis that that life would be better and that the coalition where in Iraq not as occupiers (Wright and Reese 2008). This meant that there was a need to rapidly start to improve conditions and maintain law and order following regime change, however, the flawed post-war assumptions meant that upon arriving in Iraq the coalition was instead rapidly have to adjust to a situation it was not prepared for and was woefully under resourced for. In this context, the coalition quickly found itself in a position whereby it was not in control and was unable to determine the course of events. Once this ability was lost, it was incredible difficult to recapture.

The problems that the occupation helped create and the impact they had on the fragmentation of political authority in Iraq (Herring and Rangwala 2006) means that the research puzzle is not just analytically interesting in terms of the procedural dynamics of policy-making but historically important as it can add to the overall explanation of post-war failure in Iraq.

1.2.2: The Cognitive-Temporal Explanatory Framework

In terms of path dependence and weak heuristics, these planning assumptions about Iraq's political infrastructure held a particular, simplified view of the Iraqi state that had been primed over time but was both inaccurate and an inappropriate basis for post-war governance. The time-primed information was an institutionally ingrained view of Iraq that saw Saddam Hussein as being the 'problem', the solution to which was simply his removal from power, a notion that has been process-traced to be in existence (in the US) from at least 1998 onwards (Burgos 2008).

British government officials also considered that economic sanctions were not the cause of the humanitarian crisis in Iraq (1990-2003) but was the result of Saddam's administration of them (Ross 2007; Herring 2004, 2009; Cockburn 2006). If the humanitarian crisis is not seen as stemming from the impacts of the Gulf War and economic sanctions but rather from Saddam's governance, then all that is required to alleviate the crisis is to remove Saddam as the humanitarian impediment.

It is argued that given the complexity of the task environment, particularly so following the Crawford summit in April 2002, time-primed weak heuristics were adopted by time-poor, cognitively limited policy-making operating in a task environment of bounded rationality. In this context, with attentional dynamics limited, the information that appeared salient to decision-makers was that which was easily accessible, helped ease cognitive loads and helped actors navigate through the complex task at hand. Information that had been institutionally ingrained and primed over time grabbed actors' limited attention and biased what appeared salient, whilst also helping to filter out information that was inconsistent with the simplified mental models that actors were adopting. In such an understanding of the decision-making process, it was not a lack of information that led policy-makers towards failure but rather an inappropriate weighing of available information due to the adoption of time-primed weak heuristics that helped bias how information was processed.

1.2.2: The Crawford Moment

There is another path dependent effect that constrained decision-making and likely resulted in increasing the role of weak heuristics in the planning for the post-war period. This was the offer of support that Blair gave to President Bush at his ranch in Crawford, Texas in April 2002. This offer of support was sufficiently strong to act as a critical juncture that set a course in motion that subsequently bounded the scope of future government policy choices. Blair's

early offer of support to stand shoulder-to-shoulder with the President in dealing with the Iraq subsequently necessitated attempts to gain legitimacy for the potential course of future actions that Blair had committed to, including military induced regime change. At the time the offer was made, no legal route existed to use military force against Iraq, no legal authority could be gained for a policy objective of regime change and the public and parliament were deeply sceptical about military action.

The path dependent effects of this offer of support were two-fold: Firstly, it helped amplify the complexity of the task environment in which actors were making decisions by further pressurising the need to gain legitimacy for any course of action. Secondly, rather than presenting a potential reason not to go to war that could feedback into a future decision about military action, post-war difficulties were transformed into simply being hurdles to be overcome. As such, due to the temporal ordering of decision-making, post-war considerations largely did not act as inhibitors to the war decision in the manner they might have done had this temporal ordering been different.

Having made this commitment, the serious and negative costs and implications of then not following through on it were made clear to the Prime Minister, all of which further suggests that the need to acquire legal cover and public legitimacy was additionally pressurised. It is argued that the decision-making task environment was one naturally of complexity but also one that was then additionally complicated and pressurised by the 'Crawford Moment'.

The prime attentional focus of the British government became domestic politics in terms of gaining public and parliamentary legitimacy for the military action to which the government was, effectively speaking, committed following Crawford. Whilst the post-war period was clearly a concern of policy makers that garnered a large amount of attention, it was still relatively low on a hierarchy of immediate tasks when compared to the British need to gain a legal and legitimising basis for war that was missing through the planning stage. This suggests that attentional resources were likely diverted to more immediately prioritised tasks at a cognitive cost to post-war planning. The result, it is argued here, was that inaccurate pre-existing institutionalised notions about Iraq disproportionately influenced policy outcomes as those weak heuristics were the best available tools to time-poor, cognitively limited actors operating in a task environment of extreme complexity. These engrained notions also likely helped to block empirical realities that deviated from these established beliefs from duly influencing the policy planning process. The consequence of

which was that available and accurate information that challenged the premise of post-war planning was not sufficiently factored into the policy calculus.

1.3: Thesis Outline

Stylistically the outline of this research project is presented in a slightly non-traditional format, often it is the case that the empirical and theoretical elements intersect in the same chapter rather than always appearing in separate and distinct chapters. This was done for two main reasons: firstly, the overall coherence of the research was easier to present in a sustained manner in this way and, secondly, the two elements are not easily separated so rather than use repetition a stylistic choice was made to bring the empirical and theoretical together where it made sense to do so.

The main focus of this research is to establish the structural pressures (internal and external) under which policy-makers were operating and to then empirically test the role that pre-existing, time-primed understandings of Iraq had on the post-war planning process. The argument is when acting as a time-primed weak heuristic in a complex task environment these understandings of Iraq helped override empirical reality and limit informational searches by disproportionately making certain pieces of information appear salient whilst making others less so. Breaking this down into the thesis's chapters, prior to the analysis in Chapters 6 and 7 there is first a need to demonstrate four key premises of the hypothesis:

1. That the decapitation thesis and 'hold' assumptions were the basis of post-war policy (Chapter 3).
2. That post-war planning failures were not simply the product of a lack of relevant information (Chapter 3).
3. That the 'Crawford Moment' sufficiently bound future government actions and policy choices (Chapter 4).
4. That the task environment was one characterised by significant complexity (Chapter 5).

A further element is then added in Chapter 6 that assesses the impact of the 'Crawford Moment' and the nature of the task environment on post-war planning.

Therefore, after the introduction and overview of the existing literature in Chapter 2, the thesis is separated into three parts:

1. Establishing the foundations of the hypothesis (Chapters 3 and 4).
2. Establishing an environment of bounded rationality (Chapters 5)
3. Applying the hypothesis and explanatory framework (Chapters 6 and 7).

1.3.1: Establishing the Foundations: (Chapters 3 and 4)

Chapter 3

An underlining aspect of the hypothesis is that the assumption that Iraq's governance structures would hold after an invasion and be available to help govern post-war Iraq was in fact part of British government policy. The first part of Chapter 3 describes the 'decapitation thesis' and then establishes that it was part of the initial post-war. For the cognitive-temporal argument to stand it must first be demonstrated that the post-war planning failure was not simply the result of a lack of relevant information. Whilst there were informational constraints placed on policy-makers by the authoritarian nature of the Iraqi state that impeded access to accurate and contemporary information about the internal workings of the Ba'athist government, there was information available that could have questioned the validity of the assumptions upon which post-war planning was made. Primarily this relates to how the Iraqi state had been transformed since the 1970s and details that after the Gulf War the Iraqi state became hollowed out and the shadow-state became well-entrenched in Iraqi society. Regarding post-war planning assumptions, the implications of this were twofold:

1. It led to the hollowing out of Iraq's governing institutions meaning there would not be sufficient indigenous capacity to govern the country during the post-war in the manner envisioned by coalition planners.
2. It meant that Ba'athism was significantly more entrenched in wider society than planners assumed, which meant it would also be much harder to separate the old regime from civil society in the post-war period than pre-war planning assumed.

Chapter 4

Although no direct documentary account of the meeting has been declassified, this chapter establishes that at the Crawford meeting in April 2002, Blair made an offer of support to President Bush that bound future British government policy options. In this sense, the chapter established the ‘Crawford Moment’ as a critical juncture that instigated a process akin to path dependence that limited future policy options. Crucially, the chapter also demonstrates that the level of support Blair gave was significant enough to then necessitate and pressurise a process of gaining legitimacy for the likely future course of action, that of military induced regime change.

Given the current lack of a primary record of the Crawford meeting, the demonstration of a sufficient level of support to bind future government decisions is based on other parts of the documentary record, public statements, Iraq Inquiry testimony, and a deductive argument about the threat calculus and intent argument that Blair used to justify the use of force. This deductive argument establishes that, despite claims to the contrary, the threat assessment was based on a calculus that almost invariably meant the only policy option considered sufficiently viable for dealing with Iraq was regime change and was one that was based on pre-existing understandings of Iraqi disarmament behaviour.

Finally, the chapter addresses a potential contradiction between the threat calculus used to justify the decision to use military force by Blair and the centrality of the ‘threat’ posed by Iraq in the government’s public case for war.

1.3.2: Establishing the Environment: Bounded Rationality (Chapter 5)

Chapter 5

The hypothesis posits that post-war planning was conducted in a task environment of complexity and bounded rationality, but that this was further pressurised by the ‘Crawford Moment’. Chapter 5 is where the main original empirical archival research is undertaken to establish that the post-war planning task environment was indeed one of significant complexity brought on, in part, by the path dependent effects of the Crawford decision; consequently, Iraq policy was being constructed under conditions of bounded rationality.

This is achieved by focusing on the two legitimising elements that stemmed from Crawford, legal cover and a public persuasion campaign.

The presence of a detailed legality and information campaign prior to military action is not surprising in of itself in a liberal democracy so where unpacking these two aspects gains analytical weight is to link them back to the 'Crawford Moment'. The chapter demonstrates that following Crawford, the resultant need to gain legitimacy saw a prioritised and sustained focus on legality and the information campaign that consumed attentional resources of cognitively limited and time-poor actors at the cost to post-war planning.

The lateness of the final legal authority, just days before the invasion, had a particularly important impact of the pre-war task environment. Failing to gain a second Security Council determination in 2003 put significant strains on the Crawford decision to support President Bush but the path dependent effects of this offer of support meant that the potential costs to the 'special relationship' of reversal and withdrawing support when legal authority was not forthcoming were huge. Equally, the cost of supporting this action without legal sanction was so severe that Blair recognised it could be the end of his premiership. These strains unquestionably pressurised the task environment in which Iraq policy was being formulated. The lateness of the final legal decision prolonged this pressurised environment right up to the point of the use of force.

The need to gain legal cover meant that Blair government ministers repeatedly tried to final legal avenues to the use of force but were constantly, and swiftly, rebuffed in these attempts by the foreign office's legal advisers, and by the Attorney General. A key feature of the documentary record is the consistency with which legal arguments ministers made were questioned by the legal opinion of the time.

The need to go down the UN route to gain legal authority for the potential actions agreed at Crawford were also not easily forthcoming, as key members of the Bush administration were deeply hostile to the organisation. After considerable effort and diversion of attentional resources, once Bush agreed to the UN route the resolution that was adopted (1441) was held to be insufficient to authorise the use of force without a further determination by the Security Council. This meant that despite all the efforts to secure its adoption, it did not achieve the desired objective of authorising the use of force.

The second of the two key original archival empirical sections of the research on the public information campaign adds to the attempt to establish that the task environment was one of complexity that bounded actors' computational abilities. Primarily the chapter outlines how the information campaign is captured in the documentary record and it focuses on the

white papers the government created, particularly the September dossier on Iraq's alleged weapons of mass destruction. This section of the chapter reveals that this information campaign was part of a concerted effort at political persuasion that garners significant resources from key members of the Blair government at a time when attentional dynamics were limited.

The chapter demonstrates that cognitively limited and time-poor actors prioritised pursuing the two legitimising elements and that this consumed considerable attentional resources. The following chapter argues that this came at a significant cognitive cost to post-war planning that had a hugely detrimental effect in terms of policy-makers then lacking the necessary resources to sufficiently assess all relevant information (see Chapter 6).

1.3.3: Applying the Hypothesis (Chapters 6 and 7)

Chapter 6

Having set up the necessary conditions in the preceding chapters, Chapter 6 then offers the analysis of the hypothesis as it explicitly focuses on how these previous elements impacted on post-war planning. The chapter builds on previous work by establishing that the 'Crawford Moment' was a critical juncture that subsequently bound the task environment. The chapter outlines that this created a context whereby time-poor, cognitively limited actors adopted weak heuristics to help navigate complexity and does so by linking together Chapter 3 and Chapter 5 and applying the Waltzian structural method of assessing the likely structural pressures actors were under and assessing the likely responses to them.

Crucial to this is the issue of timing, that the legal issues surrounding the second resolution and pressures emanating from the possibility that Blair might be forced to resign occurred at precisely the same point that post-war planning issues were coming to the fore. Under these circumstances, given the prioritising of the legal issues, there was only a very limited scope for attention to be applied to the post-war planning which, applying the Waltzian method of structural pressures, suggests that cognitive short-cuts were likely to have been adopted to help mitigate the lack of attentional resource. It is then argued that these attentional limits meant policy-makers did not fully, or sufficiently rigorously, test the post-war assumptions, that linking back to Chapter 3, having done so would have revealed their inappropriateness for being the basis of phase IV policy. Instead, actors adopted easily

accessible and prevailing understandings about Iraq and its leader that allowed for the flawed assumptions to rise to the position of being the bedrock of post-war policy. In the absence of these structural pressures it is hypothesised that these flawed assumptions would have been more rigorously challenged and critiqued.

Chapter 7

This chapter assesses the ideational element of the hypothesis using Jacobs' (2009) framework that focuses on ideational stability relative to material changes, where demonstrated stability circumstantially strengthens an ideational argument.

Building on the work of Burgos (2008), who process-traced the institutionalisation of the policy of regime change in the US, the chapter establishes the embedding of the regime change doctrine into British government foreign policy thinking by at least 1998 at the latest. This is demonstrated by setting up a number of points of material change and analysing ideational stability against them, primarily by analysing how the British government dealt with the comprehensive review of disarmament tasks in 1998 and by highlighting how British government understandings of the humanitarian crisis in Iraq helped further cement the simplified institutional outlook that removing Saddam would resolve the 'Iraq problem'.

1.4: Summary

Overall, this research sets out a procedural understanding of the post-war failure in Iraq that analyses the cognitive mechanics of choice in a complex task environment, doing so by combining the literatures on path dependence and bounded rationality. The procedural approach adopted here is one of the key original contributions that the research makes and helps create a wider understanding of the Iraq post-war policy failure beyond simply infield implementation errors. Establishing the procedural role in this particularly policy failure also has important implications for understandings of policy failures more broadly.

The thesis also sets out two frameworks of analysis with which to test the hypothesis. Firstly, in Chapters 3, 4 and 5 the thesis sets adopts a Waltzian inspired approach to establish the structural pressures that policy-makers were under and then in Chapter 6 links these pressures together to outline their likely impact on post-war planning. Secondly, Chapter 7 shows that the regime change doctrine was a policy that withstood material change, particularly in relation to retaining the sanctions regardless of Iraq's disarmament compliance

and in denying the humanitarian effects of sanctions. Having outlined examples in Chapter 7 that show the ideational understanding of Iraq enshrined in the regime change doctrine remained stable in the face of material change, the chapter concludes that this helps circumstantially strengthening the hypothesis.

Chapter 2

Existing Frameworks and the Methodological Approach

This chapter is broken down into four sections. Firstly, the chapter outlines some prevailing explanations of failure and how they relate to the emphasis here on the flawed assumptions about the anticipated post-war environment. Secondly, the chapter presents the existing frameworks used to create the theoretical framework this research adopts and applies it to the case at hand. Thirdly, the chapter outlines the explanatory framework. And fourthly, the chapter details the two methodological tests employed to test the hypothesis, one to test the stability of the ideational element of policy-making and another to establish the necessary conditions for the premise of the hypothesis.

2.1: Prevailing Explanations of Failure

Despite the wealth of accounts on various aspects of the Iraq War,¹ few offer more than descriptions of how events unfolded (Dodge 2009: 257) and whilst notable exceptions exist, very few provide analytical frameworks that explain the Iraq failure. Important accounts have also been written about the failures of the occupation both academically (Herring and Rangwala 2006) and journalistically (Chandrasekaran 2007; Cockburn 2006) and about the consequences of the occupation in terms of organised civil violence (Cockburn 2008, 2015).

A number of different explanations of failure exist with notions of neoconservative policy capture being prominent in some of them, but a number of these arguments also

¹ Accounts describe the inner workings of the Bush administration (Woodward 2002, 2004, 2006; Suskind 2004), including from members (Bush (2010); Rumsfeld (2011); Feith (2008); Bremer (2006); Rice (2001); Cheney (2011); Bolton (2007); Franks (2004); Clarke (2004); McClellan 2008; Tenet 2007), and those that focus on the decision-making style of the President, the administration's arrogance and hubris (Owen 2012; Isikoff and Corn 2006). Some accounts argue that the post-war project was always doomed to failure (Steele 2008; Stewart 2006), that it was an unnecessary war of choice (Haass 2009), whilst others argued for the necessity of the war (Kaplan and Kristol 2003; Pollack 2002). A number of accounts of the post-war failure in Iraq focus on infield implementation failings (Philips 2004; Ricks 2006), particularly in regard to the Coalition Provisional Authority (Rathmell 2005; Dobbins et al 2009a; Dobbins et al 2009b; Feith 2008) and its early orders to disband the Iraqi Army and the scope of de-Ba'athification (Diamond 2005: 10). Others still focus in on the notion of Neoconservative capture (Ahmad 2014) and agenda-setting (Mazzar 2007). Others have addressed the possible implications in terms of the fragmentation of the country along sectarian lines (Anderson and Stansfield 2005).

include to some degree the role of the flawed post-war assumptions that policy-makers believed. What follows is a brief outline of a couple of these examples where prevailing explanations of failure address issues that contributed to failure that either also incorporated elements of these flawed assumptions or are critiques by including reference to these assumptions.

2.1.1: Troop Numbers

A leading explanation of post-war failure was the insufficiency of coercive capacity to secure the post-war phase, which contributed to the outbreak of lawlessness and looting following the collapse of the Saddam's regime (Ricks 2006: 146; Hendrickson and Tucker 2005: 8; Diamond 2005: 14; Philips 2005: 68; Gordon and Trainor 2006: 4). This relates to the reduced number of troops that the Pentagon sent to Iraq and is often linked to notions of 'neoconservative capture' of the policy-making apparatus within the Bush Administration following the September 2001 terrorist attacks. It is argued here, however, that the notion that only a limited number of troops would be necessary to secure Iraq and could then rapidly be withdrawn from theatre was also the product of the flawed assumptions about the viability of Iraq's governance structures. As such, even this prevalent explanation of failure in fact reflects the importance the faulty understandings of the post-war environment had on policy.

US Central Command had a contingency plan for the event of a war with Iraq (OPLAN 1003-98) that called for as many as 500,000 troops (Gordon and Trainor 2006: 4), and a RAND Corporation (2003) study suggested that between 400,000 and 500,000 troops would be required to impose order in the post-war environment, a conclusion that contrasts sharply with the 116,000 soldiers that were deployed in Iraq (Woodward 2004: 8, 36, 406).

For those making the lack of coercive force argument, "there is little doubt where the guilt lies for this chronic shortage of troops" (Dodge 2009: 256), the US Secretary of Defense Donald Rumsfeld. Rumsfeld sought to radically transform the US military into a light and agile fighting force that could take on multiple adversaries at a time, an outlook that influenced the lowering of troop levels that would enter Iraq in March 2003. In the run-up to the invasion Rumsfeld made a concerted effort to reduce numbers of troops involved with the invasion (Woodward 2004: 80; Ricks 2006: 41-43, 120-123). Indeed, OPLAN 1003-98 was outlined in 2001 to the Secretary of Defense but it was rejected on the basis it "required too many troop and supplies and took too long to execute" (Gordon and Trainor 2006: 4).

This explanation of failure has evolved to make the counterfactual argument that had there been sufficient troop numbers then victory in Iraq would have been achievable (Dodge

2009: 256). Powell, a realist, advocated for a contrasting approach to the troop number issue.² Part of the so-called Powell Doctrine was an emphasis on overwhelming force and deploying ground troops and Powell was concerned that the lighter force numbers advocated for by Rumsfeld were insufficient.

Although the divide between Rumsfeld and Powell on the troop number issue seems to be split along ideological lines in terms of neoconservatism and realism, another crucial difference between the pair existed that can better explain the opposing troop number viewpoints. Powell foresaw a need for a prolonged occupation of Iraq whereas Rumsfeld (2003; 2011: 533), initially at least, advocated for the rapid withdrawal of US troops after a swift transfer of power to an Iraqi Interim Authority.³ These two positions on the post-war phase required dramatically different levels of troops to maintain security. A prolonged occupation along the lines envisioned by Powell would have necessitated the kinds of troop deployment he advocated for. Similarly, Rumsfeld's (misguided) understandings about the expected post-war conditions being relatively stable meant that little would have been required to govern or secure the country, allowing a small fighting force to then rapidly withdraw once major combat operations were over.

This is not necessarily to argue that differing ideological perspectives along neoconservative and realist lines did not play some role in the respective troop number calculations made by Powell and Rumsfeld, but they are not necessarily the key determinate either. How significantly Rumsfeld's determination to have a light and fast warfighting force could have been punctuated by the need to conduct a long-term occupation to stabilise the country is certainly open to question. Nevertheless, whilst Rumsfeld played "the key part in internal debates over defense transformation" (Marshall 2003), it was not the only important factor that can be argued to have influenced his decision to reduce the number of troops sent to Iraq. As Rathmell (2005: 1022) points out, the military plans that were put into operation "assumed that smaller numbers of troops would be adequate on the assumption that they could hand over to Iraqi civilian institutions." Thus Rumsfeld's US troop calculation was influenced by the fact that he "did not believe that chaos would ensue and that the United

² In September 2002, for instance, Powell expressed his concerns about the limited number of troops to General Franks, one of the chief architects of the plan (Franks 2004: 424; Ricks 2006: 72) and told Franks he would tell the President similarly.

³ As does Feith (2008), Rumsfeld (2011) argues in his memoirs the Bremer failed to implement this policy, however, documents from 2003 reveal that... In addition, once the CPA was formed and had replaced ORHA the policy initially agreed to by Bush had been changed in light of the realisation that the institutional capacity did not sufficiently exist to rapidly transition to an Interim Iraqi Authority.

States would have to take over responsibility for public order” (Byman 2008: 622). It was assumed that resistance to the occupation would be minimal, meaning that only limited numbers of troops would be required to maintain order (Ricks 2006: 111; On Point II: 87).

Powell did not contest the notion that it would be possible to quickly transfer political authority to an interim Iraqi body in post-war Iraq but he still envisioned that a long-term occupation would be required to accompany this interim administrative body. This would require a considerable military force.

It terms of locating the troop reduction decision within neoconservative thought, that it was reflective of thinking about transforming the military into a fast and agile fighting force, it is not simply the case that neoconservatives supported the reduction of troop numbers in the Iraq and realists like Powell did not. In April 2002 neoconservatives Kagan and Kristol (2002) advocated for the forced removal of Saddam from power but stressed that ground troops in significant number would be required to do so successfully. The importance of large numbers of ground troops, they argued, was to secure the environment for a prolonged occupation and nation-building project in post-war Iraq that they felt was needed. Not only is the line of argument about the need for a long-term occupation counter to that put forward and implemented by Rumsfeld and Wolfowitz, but it aligns with Powell and Armitage’s thinking about the need for a protracted occupation of Iraq.

Supporting the argument that the troop number issue was in part the product of a broad misunderstanding about Iraq is that the original post-war military plan called for what few troops there were in Iraq to be rapidly withdrawn once major combat operations were over. Pre-war planning foresaw that within 90 days of the end of major combat operations 50,000 US troops would be withdrawn from theatre. Even after days of looting, the scheduled deployment of the First Cavalry to Iraq was cancelled on the 21st April, 2003 as these additional troops were considered to no longer be required as the war fighting effort was over (Gordon 2004a). Indeed, a declassified US planning document entitled ‘PoloStep’ reveals the expectation that between 32 and 45 months after the invasion only 5000 US troops would remain in Iraq (Gordon 2007).

The planned troop drawdown helps emphasise the belief that coalition forces would be greeted as liberators, that post-war Iraq would essentially govern itself based on existing institutions and consequently not require a major coalition troop presence to prevent further outbreaks of violence and secure the peace. This means that the troops issue was in part a response to the expected post-war environment that was underpinned by the flawed planning assumptions.

2.1.2: Inter-Department Turf War

A number of explanations of failure in Iraq include at least a passing reference to the inter-departmental tensions that arose between the US State Department and the Pentagon (Feith 2008; Diamond 2005; Phillips 2005; Ricks).⁴ Part of this argument rests on the fact that on the 20th January 2003, just weeks before the invasion, President Bush signed National Security Presidential Directive (NSPD) No. 24 that gave the responsibility for the post-war situation to the Pentagon and not the State Department, which during previous cases held this responsibility (Synnott 2007: 16; Woodward 2004: 283). NSPD 24 also required that the Pentagon establish ORHA, which bore responsibility for planning and implementing the administration of Iraq following military action (Bensahel 2006: 458).

Having made the Pentagon the lead agency responsible for post-war Iraq, the department blocked several efforts for interagency planning, something that has elicited serious criticism. One way this manifested itself was that Rumsfeld rejected a number of State's nominations for people to serve in ORHA (Dobbins *et al* 2008: 111) and controversially barred the organiser of the State Department's Future of Iraq project, Tom Warwick, from working with Garner (David 2010: 32-3; Dobbins *et al* 2008: 111). This decision to not adopt the Future of Iraq project has elicited much criticism and, for some, symbolises the ideological blindness of those in the Pentagon to sufficiently plan for the post-war phase in Iraq (Philips 2004; Diamond 2005; Packer 2005: Ch. 5).⁵

Rather than contesting the issue, Secretary of State Powell agreed with the logic of having the Pentagon also deal with post-war responsibilities. Powell, a military man, particularly liked the plan as it respected the principle of unity of command and he believed that in post-war Iraq only the Defense Department would have the resources on the scale required, although State had certain expertise and experience, to administer post-war actions (Fineman *et al* 2003; Woodward 2004: 282; Woodward 2006: 112).

The focus on neoconservatives and the Pentagon planners in the wake of the failure of post-war Iraq misses the vital point that the State Department was largely in agreement with the Defense Department on key post-war issues that helped lead to the post-war failure. The

⁴ Feith (2008), for instance, accuses former Deputy Secretary of State Richard Armitage has being "reflexively opposed any idea originating at the Pentagon".

⁵ These arguments notwithstanding, an alternative understanding sees that although Future of Iraq project's 13 volumes contained much valuable information it was not an actionable plan, nor was it necessarily supposed to be. Instead, this line of argument posits, the intention for the project was to act as a collaborative endeavour that would "encourage Iraqi exiles to think about some of the challenges that a postwar Iraqi government, not the United States, would have to address" (Bensahel 2006: 459).

general agreement between the departments on crucial post-war points is evidenced by testimony given on the 11th February, 2003 by the Defense department's Douglas Feith and Under Secretary of State Marc Grossman to the US Senate Foreign Relations Committee. Both told the Committee that they believed Iraq's governmental structures would hold following war and be available to administer the post-war period. In making these comments, Feith and Grossman presented a united front between the Pentagon and the State Department in regards to this key post-war assumption (see Chapter 3.1).

Crucially, Colin Powell also did not question this assumption about Iraqi institutional capacity and the ability to use it to run post-war Iraq during key policy deliberations. An August 2002 document entitled 'Iraq: goals, objectives and strategy' outlined the framework with which the administration would be working if Iraq was invaded. The document, a draft for a National Security Presidential Directive, outlines that in a post-Saddam Iraq the United States would undertake operations "that preserves but reforms the current Iraqi bureaucracy and reforms the Iraqi military and security institutions." (Woodward 2004: 154-156) This policy approach was agreed upon by, amongst others, Powell, meaning that as the head of the State Department he accepted (or did not challenge) the flawed policy assumption about the ability of the coalition to utilise existing institutional capacity to administer post-war Iraq.

2.1.3: Alternative Explanations of Failure

In addition to the prevailing explanations there are also a number of alternative explanations to the hypothesised cognitive-temporal framework presented here. Detailed below are a couple of examples of alternative cognitive approaches to understanding the post-war planning failure. Whilst both of the examples presented provide some explanatory scope to the research question, it is argued here that both are insufficiently formed.

A further alternative explanation is addressed in the conclusion that offers a sustained critique of the explanatory framework present here and denotes one of the limitations of the thesis. This is the liberal approach to understanding the decapitation thesis being seen as a viable policy option (Dodge 2009, 2010).

Optimism bias and planning fallacy

The definition of complexity used herein includes all aspects that made a task cognitively harder, including uncertainty. Uncertainty plays a key role in the cognitive-temporal nexus argued for herein as part of an explanatory framework for the post-war failure in Iraq. In

contrast to this approach, there are explanations of the Iraq failure that instead privilege certainty and view the war through the frame of an optimism bias.

Psychological explanations developed by Kahneman and Tversky (1979), Kahneman and Lovallo (1993), and Lovallo and Kahneman (2003) have accounted for cost overruns and benefit shortfalls in terms of a 'planning fallacy' and 'optimism bias'. Rather than weighing gains, losses, and probabilities rationally, actors gripped by the planning fallacy instead make decisions based on unrealistic optimism and in doing so often overestimate benefits whilst underestimate costs. It could well be argued that the planning assumptions about the condition of Iraq's political institutions following regime change exhibit elements of the planning fallacy, especially in regards to the swiftness with which these planners thought they could leave Iraq after its liberation. Kahneman and Tversky (1979) argue that planning assessments about the length of time required to complete a task often understate the time need to do so which appears to be present in the 'liberate and leave' planning assumptions for Iraq. This was the most optimistic assessment, however, those such as Rumsfeld who advocated for the 'liberate and leave' approach to the invasion and occupation did so motivated by other factors also. In Rumsfeld's case, as addressed in Chapter 2.1, part of his assessment was based on the substantial military capabilities of the US armed forces and a desire to transform them into a rapid, light fighting force. This assessment was also informed by his personal belief about the benefits of rapid withdrawal and not engaging in lengthy post-conflict operations (Rumsfeld 2003).

In terms of optimism, Mitzen and Schweller (2011) argue that misplaced certainty was evident in the weapons of mass destruction case presented before the Iraq war and illustrate that such certainty is widespread in world politics when dealing with issues of war. Indeed, it has long been argued that false optimism ranks as one, among many, of the most important causes of war (Blainey 1973; Jervis 1976; Jervis 1988; Levy 1983).

It is certainly the case that planners expected the Iraq invasion and occupation to be a much easier proposition that it turned out to be (Dodge 2009, 2010) and although an optimism bias likely played a role in this, the question still remains as to why policy-makers believed that victory would be quick and easy. In the Iraq case, it can be argued that it was largely to do with the perceived ability to rapidly transfer political authority over to Iraqis as the political institutions in Iraq would hold following regime change. In this understand of Iraq, post-war statebuilding would only require light reforms and the occupation would short. Whilst other factors like the military superiority of America and moral certitude likely

influenced the sense of optimism that underpinned the planning and execution of the invasion, prevalent misunderstandings about Iraq likely also played a key role.

Specifically in terms of the threat posed by Iraq's weapons of mass destruction that Mitzen and Schweller (2011) address, both the Bush and Blair governments expressed their weapons cases explicitly in terms of certainty. For instance, in the September 2002 white paper Blair described that the weapons case against Iraq had been "established beyond doubt" and in August 2002 Cheney stated that "there is no doubt" that Iraq possessed weapons of mass destruction (Mitzen and Schweller 2011: 4; Woodward 2002: 344). It is argued here that part of this threat inflation in the British case was connected to Blair's understanding of Saddam's intent to retain a weapons capability and Iraq's intellectual and technological ability to rapidly reconstitute a weapons programme following the end of UN controls. It is argued here that Blair's certainty of the threat Iraq posed as a result of these two elements led to him overstating the material case for reasons of public presentation.

The uncertainty of the task environment helped create a context whereby the certainty Blair had about the threat Iraq under Saddam posed was able to go unchallenged in any sustained or rigorous fashion. Also, the uncertainty of what might occur if Saddam was left in power in Iraq and sanctions were lifted helped Blair come to a position of certainty that the only way to deal with disarmament in Iraq was to remove Saddam from power. There is then somewhat of an irony that uncertainty about the future helped create certainty of purpose in Blair's mind about the need for military action.

Groupthink

Psychologist Irving Janis coined the term groupthink in 1972 referring to "a psychological drive for consensus at any cost that suppresses dissent and appraisal of alternatives in cohesive decision making group". This pathology leads to the "deterioration of mental efficiency, reality testing and moral judgment that results from in-group pressures" (Janis 1972: 9). Much like bounded rationality the dynamics of groupthink are thought to be task environment dependent in that it too arises not from mundane, everyday tasks but ones of complexity. Government inquiries in both the United States and the United Kingdom have framed the Iraq intelligence failures in terms of groupthink.

For instance, in 2004 the US Senate Intelligence Committee described the intelligence gathering process as one of "collective group think" whilst the Butler Report (2004: 16) similarly concluded that there was a risk groupthink helped develop a prevailing wisdom in

the intelligence community that Iraq had weapons of mass destruction. Others have also argued that the decision-making process within the Bush administration when addressing Iraq was one characterised by notions of groupthink (Badie 2010). In this sense, rather than being a consequence of the cognitive-temporal interplay articulated herein, the failures in Iraq can be seen as a consequence of groupthink.

Bush administration Treasury Secretary Paul O'Neil is reported to have called Vice President Cheney and a handful of other advisers as having become "a praetorian guard" that encircled the president and restricted dissenting or alternative voices (Suskind 2004: 293). Many within US military ranks argued that Rumsfeld surrounded himself "with those that supported his agenda" at the expense of open dialog and the free exchange of ideas and differing views. For instance, General Paul Eaton charged that during Rumsfeld's tenure at the Pentagon he had "seen a climate of groupthink become dominant" and that there was "a growing reluctance by experienced military men and civilians to challenge the notions of the senior leadership". The consequence of which became clear to many generals, "mute their futile opposition or face the consequences" (Fitzgerald and Lebow 2007: 892).

The example of this is the case of US Army chief of staff Eric Shinseki who was effectively fired (Fitzgerald and Lebow 2006: 892; Diamond 2004) having told a Senate committee before the war that he believed that "something in the order of several hundred thousand soldiers" would be required to control post-war Iraq, a stark contrast to the numbers the Pentagon was putting forward at the time (Rich 2007; Dodge 2009: 255). The New York Times reported that what happened to Shinseki had an intimidating effect of others in the US military and government (Shannker 2007). "It sent a very clear signal to the military leadership about how that kind of military judgment was going to be valued," said Kori Schake, the director for defense strategy on the National Security Council staff (2002-5) "So it served to silence critics just at the point in time when, internal to the process, you most wanted critical judgment." (Shannker 2007) Following the example of Shinseki came that of Thomas Warwick who was one of a wider exclusion of expertise from going to Baghdad and had overseen the writing of the State Department's Future of Iraq Project. Reportedly critical of the decision to go to war Rumsfeld did not want Warwick, or those supposedly like him who were not entirely behind the whole endeavour, working on it (Woodward 2004: 283-4).

Secretary of State Colin Powell could have played the role of devil's advocate, especially having gained enormous political capital by agreeing to make the case for war to the UN in February 2003, but actively decided against doing so partly due to his military past. As President Bush was the Commander in Chief of the US armed forces Powell, ever the

military man, respected the military chain of command despite the fact that as Secretary of State he was now a civilian with a civilian role. One of the eight symptoms of groupthink Janis originally outlined is self-censorship and it appears as if Powell muted their own dissent. One could ascribe Powell's behaviour to another of Janis' eight symptoms, direct pressure on dissenters, but it is probably more likely in his case that the pressure came from a self-directed censorship rather than outward pressure from the 'group'.

Perhaps the most compelling argument against groupthink being a driving force in the lack of critical deliberation within the Bush administration is that most of the actors came into the administration already believing in the need to remove Saddam from power. On most of the key issues there was not much debate, not because of group dynamics silencing dissent and enforcing conformity, but because the actors involved already agreed. This is not to say there were not disagreements rather just to say a significant amount of consensus had already formed prior to the 'group' setting within the Bush administration.

As noted in Chapter 2.1.2, neither Powell nor his deputy Richard Armitage, the two highest ranking officials in the State Department, opposed the removal of Saddam by force: "Powell and I did not object to the prospect of taking out Saddam Hussein", Armitage told authors Gordon and Trainor (2006: 72). Neither did they reject the idea that American troops would be greeted as liberators and the State Department believed that Iraq's political institutions would hold (Woodward 2004: 154-156; see Chapter 2.1). Despite arguments in the literature that giving the Pentagon control over post-war issues was a result of neoconservative capture within the Bush administration, again as outlined in Chapter 2.1, this was something that Secretary of State Powell agreed with based on his personal experience of the military (Fineman et al 2003; Woodward 2004: 282; Woodward 2006: 112).

In addition to which, two of the key disagreements that did arise in the Bush administration were on the troop levels and the role of the United Nations, on which Powell strongly disagreed, even to the point of arguing with Rumsfeld in front of the president. Indeed, in contrast to behaviour influenced by groupthink, Powell advocated personally and directly to the president for the merits of going down the UN route and seeking an international coalition at a time when that was something strongly opposed by Cheney and Rumsfeld.

It is perhaps easier to make an argument that groupthink played a key role in deliberative processes undertaken by the Blair government given the criticism of its informal decision-making style and that key decisions were made by a small group outside of the Cabinet. The so-called 'sofa government' style adopted by Blair was criticised by Lord Butler

specifically in relation to Iraq and was a subject addressed by the Iraq Inquiry, particularly relating to Lord Goldsmith's legal advice. Lord Butler has stated that despite there being a number of "very good official papers" none of them were ever circulated to the Cabinet" and that the Attorney General's advice on the legality of military actions was also "not circulated to the Cabinet." (Wright 2013) Butler thus argues that the Cabinet was not as well-informed "as the three leading protagonists", the Prime Minister, Defence Secretary and Foreign Secretary and that he thought that it was deliberate and a weakness of the decision-making machinery within the Blair government (Wright 2013). Indeed, it has since been disclosed that Blair deliberately kept the detail of Goldsmith's advice from the Cabinet. According to Alastair Campbell's diaries, this occurred despite the Attorney General not wanting the Prime Minister to present his advice "too positively" as there was a "case to be made the other way" (Merrick and Chorley 2012). Rather than present the nuance of the argument, Campbell (2012: 488) records that Blair "would simply say the advice said there was a reasonable case."

This suggests that major decisions were made by a small core policy team within the Blair government and that the Cabinet was kept at arm's length and denied access to crucial pieces of information and to opportunities for sustained debates on Iraq. This is reflective of groupthink arguments but it does not fully explain events.

When challenged as to why the government did not reassess the intelligence assessments to make sure of informational accuracy prior to weapons inspectors returning to Iraq, Straw (2011: 54-58) replied that "a further look wouldn't have been necessary" as it had already been established that the situation was "very alarming". The former Foreign Secretary then told the Iraq Inquiry that, "Everybody was in the same place" (Straw 2011: 58) and that "everybody thought it was beyond doubt" (Straw 2011: 54) but that he did not think that this was a product of groupthink. Straw's (2011: 58) reasoning was that the discussions about Iraq "were taking place in a framework of huge debate that was occurring worldwide" and that other national intelligence services and think tanks came to similar conclusions.

Such comments by Straw could appear on the surface to be the result of groupthink whereby everyone was in agreement to the point that it was not even considered necessary to test key assumptions and foundations of their argument. This situation of agreement, however, was not the product of group dynamics pressurising conformity and providing a strong disincentive towards dissent. Instead, as with other aspects of Blair's approach to decision-making, it is a consequence of a lack of sustained challenge to core assumptions and

the threat calculation framework through which data was being assessed (see Chapter 6) rather than groupthink.

There was agreement between core members of the Blair government and those who dissented, such as Robin Cook and Clare Short, were marginalised and it is likely that groupthink play some role in reducing the perceived need for critical evaluate and to test key assumptions. The outcomes of both a groupthink process and the cognitive-temporal process presented here may have been similar, but the mechanics that created those outcomes are different.

The Butler Report (2004: 148) described Blair's decision-making style as one that reduced the "scope for informed collective political judgement", a sentiment agreed with here. For someone to then equate this to notions of groupthink without a sustained analysis of the task environment lacks the necessary rigor to substantiate the claim. Arguments for groupthink being a key part of the Blair government's move towards war have, as of yet, failed to unpack the task environment sufficiently to be able to analyse a groupthink hypothesis in a sustained fashion. Instead, the informal nature of decision-making, the small number of key advisers, the bypassing of the Cabinet as a place of detailed debate, and the apparent agreement of all of the key advisers has simply been characterised as groupthink on the face of things without necessarily establishing that this was the key determinant. In contrast, the cognitive-temporal framework set out here has detailed at length the construction of the task environment and the likely consequences it had on the mechanics of choice. This is not to argue that groupthink had no role, but rather than it has not been substantiated that the task environment in which Blair was making decisions was one determined by groupthink.

Whilst the Butler Report (2004: 6, 16, 110) does reference notions of groupthink, it does so in terms of the risks from it and what it terms "the development of a 'prevailing wisdom'." The latter, it is argued here, played a more crucial role and sets out how these prevailing notions rose and were able to influence decision-making.

2.2: Path Dependence

Concepts of path dependence can provide an explanation of how decisions that an actor faces for any given circumstance are limited by the decisions one has made in the past regardless of

the current relevance of those past circumstances. Also, mechanisms within path dependent processes such as positive feedback can lead to a reinforcing pattern of outcomes.

In its broadest definition path dependence refers to the causal relevance of preceding stages in a particular temporal sequence. Generally speaking, such usage tends to support a number of key claims; specific patterns of timing and sequence matter; starting from similar conditions, a wide range of social outcomes may be possible; large consequences may result from relatively small or contingent events; particular courses of action, once introduced, can be virtually impossible to reverse; and consequently, political development is often punctuated by critical moments or junctures that shape the basic contours of social life (Pierson 2000: 251).

Within political usages of the concept of path dependence, however, there is a fluctuation between this broader and narrower conceptions and definitions (Pierson 2000: 252). The broad definition, reduced down to the notion that 'history matters', simply states that events at the beginning or an early point of a sequence affect the possible outcomes occurring later down the line (Pierson 2000: 252), whilst the narrower definition, as presented by Levi (1997: 28) invokes costs of reversal arguments. These costs of changing course in the narrowing definition are, in part, what help keep movements going down a particular path as they incentivises continuing along the same course rather than incurring a cost of reversal.

Faced with this choice between a broader and a narrower conception of path dependence both Jacobs (2000: 252) and Pierson (2000) employ the broader term, that is, social processes exhibiting increasing returns. Pierson (2000: 252) also notes that the narrower conception of path dependence, that is when preceding steps in a particular direction induce further movement in the same direction, "is well captured by the idea of increasing returns."

The dynamics of increasing returns captures two key elements central to most conceptions of path dependence. Firstly, in keeping with the notion of the 'costs of reversal', increasing returns pinpoint how such costs of switching from one alternative to another will, in certain social contexts, markedly increase over time. Secondly, issues of temporality are at the heart of the analysis as increasing returns pose not only the question of what happens but importantly also of when it happens. Increasing returns draw attention to timing and sequence issues by "distinguishing formative moments or conjunctures from the periods that reinforce divergent paths". Increasing returns arguments highlight the need to consider hypotheses based on temporal ordering, that is the possibility that the particular sequencing of events or processes may be a key part in explaining divergent outcomes. Within the process of

increasing returns the probability of further steps along the same path increases with each move down that path. This is due to the relative benefits of the maintaining the current activity compared to the cost of changing course, even if the change was to a previously plausible alternative. In this sense, increasing returns processes can also be described as self-reinforcing or positive feedback processes (Pierson 2000: 251-2).

Both cognitive psychology and organisational theory argue that actions within highly complex and opaque social contexts are heavily biased in the manner with which information is filtered into mental maps (Arthur 1994; Denzau and North 1994). Within such processes, confirmatory information tends to be incorporated whilst disconfirming information is filtered out, meaning, Pierson (2000: 260) argues, that “[s]ocial interpretations of complex environments like politics are subject to positive feedback”. Such mind maps and basic outlooks on politics, such as ideologies, once established, are generally tenacious and become path dependent. Consequently, there are compelling reasons to believe that the dynamics of increasing returns will often mark political life.

Tendencies toward positive feedback characterise four processes central to political environments; collective action, institutional development, the exercise of authority, and social interpretation:

“In each case, there are reasons to anticipate that steps in a particular direction can trigger a self-reinforcing dynamic. This conclusion should be underlined. By itself, it suggests why increasing returns is a critical concept for those who seek to understand the sources of political stability and change” (Pierson 2000: 260).

Increasing returns arguments rest on a conception of historical causes (Harsanyi 1960; Ikenberry 1994; Stinchcombe 1968: 103-18), that is, some original ordering moment triggered particular patterns, and the activity is continuously reproduced even though the original event no longer occurs. Whilst under path dependent conditions current circumstances do somewhat ‘cause’ current outcomes, a focus on these simultaneous occurrences is highly misleading as it only provides a snapshot explanation for what should be viewed as a moving image. It is the critical juncture or triggering events, which set development along a particular path, and the mechanisms of reproduction of the current path which at first glance might seem commonplace or at least analytically uninteresting, that become the crucial object of study (Pierson 2000: 263). In addition to highlighting particular causal processes that generate or sustain positive feedback, increasing returns arguments also

direct attention to hypotheses that are explicitly based on timing and sequence. Under conditions conducive to path dependence, the same event may have a different effect depending on when in a sequence of events it occurs and as such path dependence arguments provide a stronger foundation for Tilly's (1984: 14) claim that "when things happen in a sequence affects how they happen."

Ultimately, the potential value in pursuing path dependent arguments comes from the notion that previously viable options may have been foreclosed following a sustained period of positive feedback, that cumulative commitments on the existing path will often make change difficult and will condition the form of any such change (Pierson 2000: 265).

2.3: Bounded Rationality

The rationality of neoclassical theory holds that decision-makers have both a comprehensive and consistent utility function, that they are aware of all choice alternatives, that they have the computational capacity to determine the expected value of utility that is associated with each alternative, and that they then choose the alternative that maximises expected utility (Simon 1997: 17). Contrastingly, in a bounded conception of rationality the limits of human cognition combined with complexity in the task environment mean that human decision-making processes falls short of the rational model and instead approximate models and cognitive simplifications are adopted by actors. Simon (1990: 7; Simon 2000: 25) described his conception of bounded rationality using the analogy of the two blades of a pair of scissors to denote that the concept is not just about the cognitive limits of human information processing, but about those limits within a task environment of complexity. Bounded rationality is, then, built on the dual components of cognitive limitations and the complexity of the task environment.

An often used illustration of the complex nature of the world relatively to human processing power that Simon (1990: 6; 1972: 166) used to counter a global rationality view of human decision-making is the game of chess. If game-theoretically correct strategy is far beyond exact computation when limited to its 64 squares and six kinds of pieces, then it is reasonable to expect that almost any real-world problem is also beyond human cognition:

"the capacity of the human mind for formulating and solving complex problems is very small compared with the size of the problems whose solution is required for

objectively rational behavior in the real world - or even for a reasonable approximation to such objective rationality” (Simon 1957: 198).

Simon argues that given this condition there is a need to factor in the simplifications that actors use when their limited capacity to process information comes up against complexity. In such circumstances, a decision-maker “may deliberately introduce [simplifications] into its model of the situation in order to bring the model within range of its computing capacity.” (Simon 1955: 100)

Whilst the rationalist expected utility approach to decision-making is a powerful one that it has produced numerous instances of accurate predictions, it, nonetheless, has limitations as such models “seldom capture the underlying cognitive processes involved in decision making.” (Mintz 1993: 597-598) In regards to such limitations, cognitive psychologists (Schwab, Olian-Gotlieb, and Heneman 1979; Klein 1989; Mitchell and Beach 1990) and students of behavioural organisation theory (Simon 1985) attribute to the expected utility and other analytical decision-making strategies the requirement for extensive processing time, cognitive effort, concentration, and skills that in many cases are not available, especially under time pressures and rapidly changing conditions, and in other cases are not worthy to the decision. Political life is replete with processes – institutional, informational, and ideational – that shape choices by structuring them in particular ways. Psychologists and behavioural economists have pointed to “a panoply of empirical departures from rationalist tenets” about the assumption of full rationality paired with full information and that it is these “departures that limit decision-makers’ capacity to assess the consequences of their choices.” (Jacobs 2011: 38-39).

Simonian bounded rationality explains how instead of operating in conditions akin to those outlined by notions of maximum utility, the combination of limited cognitive capacity and the particulars of the task environment can bind rationality. Crucially, actual human inferences about the world are made “with limited time, knowledge, and computational power” (Todd and Gigerenzer 2000: 728) and as a consequence of these limits in computing speeds and power relative to the task environment “[o]ptimality is beyond their capabilities” meaning that “intelligent systems must use approximate methods” instead (Simon 1990: 17). In an “information rich world” (Simon 1971) the mass of signals overwhelm the capacity of human decision-makers to process all this information. As such, actors forming beliefs and making decisions are, generally speaking, simply unable to attend to all the available and relevant information when faced with complexity. The main bottleneck in this regard is the

restrictive capacity of working memory which creates a constraint on “the number of environmental stimuli or object attributes that individuals can take into account at a given time” (Jacobs 2011: 39; Knudsen 2007; Simon 1971; Miller 1956).

When recognition fails, experienced decision-makers fall back on search mechanisms (Bendor 2003: 459). For those problems for which solutions cannot be provided by immediate recognition but require further analysis, a number of processes have been identified, such as heuristic or selective search mechanisms (Simon 1990: 9).

Search mechanisms become very selective in tasks whereby a large number of alternatives and possibilities exist. In such circumstances the search is often guided by heuristics which can not only make complicated problems cognitively manageable but in the hands of experts even yield good solutions to the problem at hand (Bendor 2003: 459). When the task environment is highly structured then the task-specific heuristics may be very powerful, “drawing upon the structural information to guide search directly to the goal.” An example of this would be the application of a systematic algorithm when solving a linear equation in algebra. Systematic steps are taken to help direct towards the correct value rather than trying different possible solutions. Contrastingly, when the task environment has an unknown or limited structure then actors apply weaker methods, which “experience has shown to be useful in many domains, but which may still require [them] to search a good deal.” (Simon 1990: 9)

When recognition capabilities or systematic algorithms are not available to actors to help them reach solutions without search, a wide range of problem-solving behaviours heuristics, including satisficing and means-ends analysis, have been observed as being central to helping actors successfully navigate their tasks (Simon 1990: 10). It has been demonstrated that actors rely on a limited number of heuristic principles that “reduce the complex task of assessing probabilities and predicting values to simple judgmental operations.” (Tversky and Kahneman 1974a: 1124) Heuristics, are useful for helping to ease cognitive loads and to help navigate complex task environments, but on occasions “they lead to severe and systematic errors.” (Tversky and Kahneman 1974b: 3)

Given the limitations of human computational power, there are constraints on the amounts of conceptual complexity that actors can manage. In environments where complexity impacts on these cognitive limits actors tend to rely on simplified mental representations (Smith 1998) that abstract the detail of empirical instances so as to make the task cognitively manageable (Jacobs 2011: 39; Jacobs 2009: 256). These mental constructs or mental models, therefore, represent a simplification of the “full causal dynamics governing

the phenomenon in question” (Jacobs 2009: 258).

One prominent model of simplified mental representation is schematic representation, structured units of knowledge that represent abstracted or generalised knowledge rather than detailed knowledge (Fiske and Taylor 1991; Markus and Zajonc 1985; Smith and Queller 2001). Schematic representations, or schema, are a particular cognitive shortcut whose use is linked to how accessible they are, with accessibility increasing due to recent or frequent use. This means the use of schema is temporally defined as the schematic representation themselves are time-primed or recently utilised. Well-entrenched schematic representations tend to direct actor’s attention towards attributes of a situation consistent with their mental constructs and away from features that are inconsistent with them (Jacobs 2011: 40).

Most political choices involve high levels of causal and informational complexity, this combined with the limits of human cognition means that actors facing such complex decisions must “typically forego comprehensive calculation and allocate their attention selectively across features of their choice situations.” Under such conditions ideas play a critical role in shaping decision-makers’ preferences by systematically guiding their limited allocation of attention. Mental models channel political decision maker’s reasoning toward certain causal possibilities whilst also obscuring others from view and thus biasing their search for and weighting of available evidence. These attentional dynamics can also make ideas self-reinforcing as well as making fundamental learning rare as often it takes “repeated, dramatic, unambiguous evidence of failure to open cognitive space for major ideational change.” (Jacobs 2009: 272-273)

Whilst human decision-making falls short of the rationalist idea, it does, however, do so in patterned ways. As information competes for access to the working memory of the actors involved, attention allocation is influenced in both 'bottom-up' and 'top-down' processes; by features of the information itself and by the characteristics of the recipient respectively (Jacobs 2011: 39-40). Within 'bottom-up' cases, the information that is considered to be the most salient, in that it stands out for some reason, is the information that is most likely to draw attention (Knudsen 2007; Fiske and Taylor 1991; Jacobs 2011: 40). Information that grabs actor’s attention is also more likely to be that of which that has been primed through repeated mention or highlighted by a prominent frame (Zaller 1992; Iyengar 1991).⁶

⁶ Zaller (1992) concentrates on the formation of public opinion and Iyengar (1991) focuses his analysis on how television helps frames political discourse. Both mostly focus on public rather than elite opinion but demonstrate

Additionally, time constraints and the limits on processing capacity result in information that is relatively easy to process and simple cues are likely to disproportionately influence an actor's inferences.

Well-entrenched schematic representations tend to direct an actor's attention towards attributes of a situation consistent with their mental constructs and away from features that are inconsistent with them. Jacobs (2011: 40) notes, however, that "none of these cognitive influences on the weighing of information bear a necessary relation to the objective probability or value of outcomes". Although actor's mental models do not "mechanically determine their policy and institutional preferences", they can still have a profound effect on them. The standard expected utility model of decision-making sees comprehensively rational decision-makers reasoning through and processing information about the probability and utility of each potential outcome of the available options. Attentional theory holds the contrasting view, that the range of consequences and data informing an actor's calculations is "substantially narrowed before, rather than after, most analytical effort." (Jacobs 2009: 259)

Decision-makers actively reason through and seek information about consequences and options but are constrained in doing so by their pre-existing mental models. This bias of attention means that disproportionate attention is devoted towards lines of reasoning captured by the actor's mental model. This results in a focus on information that is relevant to and that supports the actor's causal logics concurrent to which fewer cognitive resources will be invested in "processing arguments and data that are inconsistent with" or orthogonal to the model." Consequently, any entrenched mental model will generate a systematically biased set of causal beliefs that will then influence policy or choice preferences (Jacobs 2009: 259-260).

2.4: The Explanatory Framework

In terms of definitions, complexity is used herein as shorthand to include all aspects that make a task cognitively more difficult or resource intensive. In this conception, any factor that makes a task pressurise actor's cognitive limits can be seen as adding complexity to the task environment; elements such as time-constraints, risk and uncertainty add complexity by further limiting actor's attentional dynamics and cognitive capacities. This broad conception

how the framing of an issue impacts on opinions about those issues in a manner not necessarily related to factual information about it. Iyengar (1991) also notes that

stems from the two blades of a pair of scissor analogy that Simon (1990) uses to describe bounded rationality, that the concept requires a combination of both the limits of cognition and a complex task environment.

Mentions of information being time-primed refers to data (including abstractions thereof such as conception, understandings and ideologies) that has often been repeated, recently been utilised, has become institutionally ingrained (incrementally) over time, and

Another important point of nuance is that highlighting the delineation between procedural and substantive rationality is used to emphasise the different referent objects of decision-making processes and outcomes respectively. This invokes rather than directly utilises Simon's own understandings of the two characterisations as it uses substantive aspects simply as a reference to the outcomes of decision-making processes rather than focusing on substantive rationality. It does so to illustrate a need to focus more fully on processes rather than simply (or predominantly) on the outcomes of policy decision-making. Building on the existing literature there are two key insights that come from the approach:

1. That assessing policy failure requires a more prominent procedural focus that works in tandem with a substantive outlook.
2. That such a procedural focus should also include a more privileged place for issues of temporality, often in the form of path dependence, when dealing with bounded rationality decision-making tasks.

2.4.1: A Procedural Focus

Although Simon's thinking on rationality evolved substantially across the span of his career, the importance of the process of how decisions are made remained a key focus of his work throughout.

As Simon began outlining the computational limitations of human cognition, so too did he begin to outline the procedural mechanics of how actors would deal with these limits in complex decision-making tasks. Although not yet the idea of procedure rationality that would follow, the need to theorise about the process of decision-making was already implied in Simon's earlier work (Barros 2010: 463), with the simplifications in the mechanisms of choice advanced by Simon (1955 and 1956) displaying elements that stressed the importance of the decision-making process. Indeed, whilst it does not deal with the limits of human cognition but rather the limits of information and adopts a maximum utility understanding

human rationality and decision-making, even Simon's 1947's *Administrative Behavior* addresses the processes of human decision-making (Simon 1947).

Despite this evidence in his earlier works about process, Simon did not explicitly adopt a procedural focus until subdivided rationality into the two concepts of substantive and procedural rationality in 1976 (Simon 1976). Adopted from constitutional law and analogous to the legal concepts of procedural and substantive due process, Simon (1976; 1985: 294) argues it is possible to judge someone to be rational who has used a reasonable process for choosing (procedural rationality) or alternatively to judge someone to be rational who arrived at a reasonable choice (substantive rationality).

Within neoclassical economics the rational person always reaches the decision that is objectively what is best in terms of the given utility function. In contrast, for Simon (1986: 211), the rational person of cognitive psychology makes a decision in a manner that is procedurally reasonable given the constraints place on them by the environment and their cognition. Procedurally rational decision-making is behaviour that is adaptive within the constraints imposed by both the complexity of the task environments and the cognitive limits of the decision-maker (Simon 1985: 294; 1978: 9). Procedural rationality is, then, a concept that focuses on how choices are made in complex task environments rather than on the substance of their outcomes.

Political choices often involve high levels of complexity which combined with the inherent limits of human cognition means that actors typically forego comprehensive calculations and instead allocate their cognitive resources and attention selectively. This respond is an attempt to ease cognitive loads and to find tools that will help them navigate the task at hand. One method of doing so is to adopt weak heuristics whereby simplified mental models reduce detail into cognitively easier to process abstractions. To fully understand political choice in complex task environments requires an analysis of the mechanics of choice that incorporate such cognitive short-cuts.

Understanding and analysing the processes of decision-making, as well as the substantive dimensions of deliberation, allows for a fuller explanation of the choices political actors make than would be possible simply by looking at substantive outcomes. Such an approach means that explanatory outcomes otherwise obscured by a more substantive focused analysis will come to the fore. A substantive outlook on understanding policy failures also often focuses on implementation issues and whilst such in-field errors have a key role to play in explaining failures, alone they only account for part of the explanation of failure.

2.4.2: Incorporating Path Dependence into Bounded Rationality

That temporality plays a role in cognitive procedural mechanics for dealing with complexity is not a new insight, the temporal dimension is clear within the psychology literature regarding heuristics, schema and other mental modes, but the benefits of aligning these notions of temporality have yet to be fully linked to path dependence in any sustained fashion. Others have previously touched upon a link between the two literatures (Arthur 1994; North 1990; Denzau and North 1994; Pierson 2000b), connecting learning and thinking to path dependent processes. For instance, implying path dependence, Arthur (1994) outlines how a concept discovered by an actor that usefully explains the world is more likely to persist in their subsequent mental models. A similar sense of path-dependence is also implied by Denzau and North (1994) in their evolutionary interpretation. Both approaches demonstrate that systems of mental models exhibit path-dependence and that suboptimal performance can continue for significant periods of time. Such examples, however, do not make an explicit link to how path dependence relates to concepts of bounded rationality in regard to the mental mechanics actors adopt when cognitive limits are pressurised and how time-primed information can appear disproportionately salient.

In periods of complexity, Simon (1990: 17) notes the cognitive processes that actors adopt, such as heuristics, can produce good results, such as when experts use recognition patterns and can rely on domain knowledge. In the hands of experts, heuristics often yield good solutions when operating in complex tasks environments; if a task is highly and recognisably structured then experts can use powerful task-specific heuristics that, in Simon's (1990: 9) words, draw "upon the structural information to guide search directly to the goal". If these structural elements are unavailable then decision-makers instead use general, but weak, heuristics that might fail to reach the required goal. Contrasting then, when actors explore domains that are unfamiliar (or uncertain) they often have to fall back on weaker methods which are independent of domain knowledge.

The uncertainty of complex policy arenas such as foreign policy means that actors do not have access to the recognition patterns they might otherwise have in other complex decision-making tasks when acting as experts. Accordingly, time-poor actors with limited attentional and computational capacity thus adopt weaker cognitive processes when faced with complexity. These weaker cognitive processes can disproportionately bias actors' inferences toward information that is relatively easy to process and access and that which has been time-primed. In this sense, as information competes for access to actors' limited

working memory, information that stands out is most likely to draw the attention of these cognitively bound actors. As noted above, information that stands out and is considered salient that gains attention is likely to be that which has previously been primed through repeated mention or highlighted by a prominent frame (Jacobs 2009: 40; Zaller 1992; Iyengar 1991). Policy-makers time constraints and cognitive limitations as boundedly rational actors mean that, as Jacobs (2009: 40) notes, relatively simple cues and signals that are easy to process are likely to disproportionately impact on their inferences (Lupia and McCubbins 1998; Sniderman *et al* 1991). Jacobs (2009: 40) also makes the important point that actor's prior beliefs and mental representations make them more likely to attend to and view as salient information that confirms their pre-existing understandings or outlooks rather than attending to discrepant information (Smith 1998; Fiske and Taylor 1991; March and Olsen 1989; Higgins and Bargh 1987). Unlike outcomes foreseen by expected-utility theory, none of these cognitive influences on how information is weighed necessarily bear a relation to objective outcomes, meaning that such cognitive mechanics processes can result in rational actors making choices that are sub-optimal and lack full search processes of all available information and alternatives.

The processes that make information appear salient when actors have to adopt weak cognitive mechanisms can be seen to be similar to increasing returns and path dependence processes. Increasing returns and path dependent processes demonstrate a form of temporal inertia that is heavily influenced by past important decisions and strengthened which additional movements along that path (Allen 2010: 416). Similar to which, weak heuristics processes making information appear salient that has been primed over time and reinforced with each additional occasion of priming and use.

These similarities in procedural mechanics processes mean that the synergy between bounded rationality and path dependence that is advocated for herein is not a forced one or arbitrary.

Where the two aspects of bounded rationality and path dependence intersect is the apparent salience (or lack thereof) of information during a bounded rationality decision-making process. Most political choices involve high levels of causal and informational complexity and are undertaken in highly pressured environments. This complexity combined with the limits of human cognition means that actors characteristically forego comprehensive calculations and instead selectively allocate their attention. In doing so, actors rely on simplified mental representations that abstract the detail of empirical instances in an attempt to ease cognitive loads. Such cognitive processes help channel political decision-makers'

reasoning toward certain causal possibilities whilst also obscuring others. As information competes for access to an actor's working memory, that which appears the most salient is the information likely to draw attention. Such attention-drawing information is also likely to have been primed through repeated mention over time or highlighted by a prominent frame (Jacobs 2009; Zaller 1992; Iyengar 1991).

2.4.3: Application to Iraq

Conceptually, bounded rationality is particularly applicable to the Iraq case regarding pre-war decision-making given the levels of complexity of the task environment and the time, attentional and cognitive constraints under which actors were operating.

In terms of complexity Pei *et al* (2006: 68-9) have noted, "Few national undertakings are as complex, costly, and time-consuming as reconstructing the governing institutions of foreign societies" and that planning for nation-building projects is "outstandingly complex". Equally, conducting significant military operations carries an enormous amount of uncertainty in terms of outcomes, thus the decision-making process for warfighting and transitional projects operates in an intricate task environment. History is replete with examples of foreign policy folly (Tuchman 1985), miscalculation and misperception (Jervis 1988) in general and there is a wealth of literature dealing with miscalculation and war (Levy 1983; Stein 1982; Jervis 1988; Lebow 1983; White 1966; Woods and Stout 2010) that help illustrate the complexity, uncertainty and proneness to miscalculation that accompanies war planning and fighting.

Beyond the inherent complexity of the task, the task environment was additionally complicated and bounded by the Crawford offer of support to deal with the Iraq 'problem'. The 'Crawford Moment' subsequently necessitated the need to gain legitimacy for the potential courses of action Blair had offered to support, manifesting itself in seeking to gain legal cover and conducting a campaign of political persuasion (Chapter 5).

It is argued here that the complexity of the task environment, amplified by the 'Crawford Moment', was such that post-war planners relied on weak heuristics to help ease cognitive loads that resulted in information being processed based on their pre-existing mental representations and understandings of Iraq. Invoking path dependence, time-primed information that grabs actor's attention can be viewed as displaying elements of increasing returns. Schema, for instance, are a particular cognitive shortcut whose use is linked to how accessible they are, with accessibility increasing due to recent or frequent use. Heuristic processing also involves actors judging information based on, amongst other things, salient

clues that are time-primed and inferences based on associations learned from past experience (Jacobs 2011: 40). The time-primed information that policy-makers adopted as schematic representations in the case at hand was a simplified view of Iraq that saw its leader as the inherent problem whose removal was the only viable way of solving the Iraq issue (Burgos 2008). This view also saw Saddam as distinctly separate from the Iraqi population meaning that it was possible to surgically remove him from governance structures without much impact on the state's institutional capacity. This view of Iraq represented a simplified representation of the country, its ills and possible solutions to them, that had been primed over time. This mental representation of Iraq had become the dominate understanding of Iraq in elite foreign policy circles but it failed to grasp crucial elements that would provide a more complete picture of the country, particularly in relation to its governance structures and political institutions.

When faced with the time-constraints and complexity of the pre-war decision-making environment cognitively limited policy-makers had to forego comprehensive calculation and instead allocated their limited attention only selectively. Due to the limited of human cognition, in complex task environments information has to compete for access to the working memory of policy-makers. Under such conditions ideas play a critical role in shaping decision-makers' preferences by systematically guiding their limited allocation of attention. The time-primed salience of the regime change doctrine was a readily available, dominant and institutionalised outlook that provided a solution to the problem at hand. This allowed policy-makers to undertake cognitively less intensive search options that had the outcome of obscuring information that might otherwise appear a salient from view.

That actors display powerful tendencies towards seeking and to taking into account information confirming their prior held beliefs, whilst avoiding and discounting information contradicting them, is one of the most robust findings in cognitive psychology. In the Iraq case, that the post-war planning was founded on an assumption about Iraq's state capacity that was sufficiently known to be empirically incorrect strongly indicates that full search options were not carried out and the processing of information was systemically biased rather than being a result of a lack of information.

2.5: Methodological Test of the Cognitive-Temporal Approach

Jacobs (2009; 2011b) posits a relatively clear and well defined test of ideational influence on a policy decision. It is one that assesses ideational strength in relation to policy stability in the face of material changes or pressures over extended time horizons. Whilst what is being measured herein is not strictly ideational in the same sense as the impact of an overarching ideological framework such as neoconservatism or neoliberalism, the test is still applicable to the case at hand. In assessing the influence of ideas and cognitive modes stability relative to material change is a useful indication of path dependent effects of prevailing notions and ideas on policy. This research's hypothesis posits that pre-existing notions disproportionately influenced post-war planning assumptions, if this is indeed the case, then these notions would follow a similar trajectory as stricter ideational effects in terms of stability against material change meaning this particular methodological test is useful.

One of the components of this ideational test is a longitudinal, within-unit application of the Method of Agreement which allows, circumstantially, for the measurement of whether ideational effects are present. The test rests on whether an actor's policy choices remain consistent with the hypothesised ideational commitment across multiple points in time. If it can be demonstrated that choices remain consistent in this manner then the case for there being ideational effects present has been strengthened circumstantially (Jacobs 2011b: 23). In contrast to consistency over time, changes in choices that appear to shift along with material conditions would substantially weaken any ideational explanation. This weakening would result from the likelihood that change along with material conditions would reflect that the initial policy was not actually adopted based on sincere cognitive commitments to the particular idea (Jacobs 2011b: 24). Another key component within this ideational test is the need to distinguish ideational theories from processes in which ideas are merely "an intervening variable between material conditions and outcomes" (Jacobs 2011b: 5). Simply put, if indeed ideation is a significant driver of policy choice then it should be possible to see evidence of relative stability over time in actor's ideas and choices even as material conditions change.

In this framework, there is a need to find a way of distinguishing ideational theories from processes in which ideas are "merely an intervening variable between material conditions and outcomes" (Jacobs 2011b: 5). The characteristics of ideational effects are particularly difficult to study in comparison to materially driven causal processes for a

number of reasons. As independent variables ideas are difficult to measure as they are “often highly correlated with other plausible causes of political outcomes.” Mechanisms of ideational influences also operate within the black box of unobservability (Jacobs 2011b: 2). The distinction between ideational theories and materialist alternatives rest on the fact that from an ideational framework the causally influential cognition is not solely a function of “material conditions describing the choice situation being explained”, such as expected material payoffs of alternatives or institutional rules under which choices are made. The key condition is that the idea(s) must have an exogenous source to the choice situation in which it appears and which is being explained (Jacobs 2011b: 5).

It is possible to make use of process analysis to take advantage of the temporal structure of causal processes to measure the independent variable (ideational cognitive commitments) and to rule out that the idea(s) are simply a product rather than an influence on policy choice. This means that it is possible to demonstrate that it was a set of ideas and not other motives or lines of reasoning that played the important role during decision-making processes. As such, processing-tracing over time is potentially useful in at least three separate respects; (1) it allows for tracing actors' statements and behaviours over long periods of time; (2) it is possible to trace ideas back to their intellectual origins; (3) attending to the sequence of steps in the decision-making process (Jacobs 2011b: 23).

It is possible to distinguish claims about ideas as influences on choice from claims about discourses with ideational content as post-hoc justifications of choice. The ideas within an ideational explanation of choice are those that are sincerely held by decision-makers, therefore, studying the effect of ideas on politics is not simply an analysis of the discourses surrounding an issue or decision, but it is to “test for the causal effect of the cognitive ‘lens’ through which actors’ perceptions, interpretations, or calculations are refracted.” This means that the core of any ideational theory lays the “claim that the ideas in question exert an influence on the sincere reasoning and preferences of the actors who hold them.” (Jacobs 2011b: 6, 7)

Specifically in relation to actor’s proclamations there is a requirement for an expansive focus when tracing ideational processes, one that is broader than merely “handful of elite actors who were ‘at the table’” and, crucially, not just on the reasons given by actors for their choices: “A well specified theory of ideas will imply predictions not just about individual elites’ statements and behavior at key moments of choice, but also about sequences of events, on flows of information, organizational dynamics, and on institutional routines over considerable stretches of time” (Jacobs 2011b: 3).

The ideas to which political decision-makers sincerely subscribe, the independent variable in an ideational theory, are particularly difficult to observe. In contrast to this, however, professions of these ideas, such as in public statements, are often relatively easy to find. Although readily available, major measurement error of ideation impact can arise from using such and public pronouncements. Actors verbal expressions are often systematically biased indicators of cognitive commitments as “politics generate strong incentives for actors to employ verbal communication to strategically misrepresent the reasoning underlying their choices” (Jacobs 2011b: 8). There are often strong incentives for officeholders to “occlude the material and self-interested motives underlying their policy positions” and incentives to exaggerate the importance of policy motives that are seen as being good:

“A social desirability bias in public justifications derives from political elites’ need – in both democratic and most non-democratic contexts – to build broad societal bases of support to advance their careers and to build coalitions in favor of their preferred policies. “Good policy” justifications, in turn, tend to be based on a widely recognized normative framework or causal theory.” (Jacobs 2011b: 13)

Measuring policy motives based on decision-makers’ statements can imply a high correlation between the policy choice and policy makers’ ideas but does so regardless of whether those policy-makers actually subscribed to the ideas they use to justify the policy. Additionally, there can be a tendency “to overstate the degree to which policy makers, even if they held such ideas, *applied* those ideas” in the choice situation under investigation. “In sum”, Jacobs (2011b: 9) writes, “many of the most readily available measures of the independent variable in an ideational theory will often bias analysis toward explanations based on that variable.

2.4.1: Methodological Problems

A key methodological issue that arises when trying to apply the explanatory model is that actor’s cognitive processes in decision-making occur in the black box of unobservability, meaning there is no direct way of testing them, especially historically. Jervis (1988: 680) also points out it is often quite difficult to determine actor’s perceptions and institutional reasoning as they have to be teased out of “confused and conflicting evidence”. Additionally, post-hoc justifications can result in a shift in the perceptions held by actors, that “in some cases the person initially may not have well-defined perceptions but may develop them to

conform to the actions he has taken.” (Jervis 1988: 681) These reasons Jervis identifies give further weight to the argument Jacobs (2011b: 8-13) makes about the potential for misrepresentation of beliefs and ideation when scholars simply rely on actor’s own public pronouncements and expressions of them.

The path dependence and increasing returns argument presented here are put forward whilst acknowledging that there are limitations that come with trying to test hypotheses based on these approaches. For instance, Pierson (2000: 265) outlines two important difficulties of using increasing returns arguments, the first of which is methodological and the second to do with moving away from a particular path. Methodologically, there is a particular difficulty in testing hypotheses based on complex, path dependent arguments as the ‘many variables, few cases’ problem is worsened in path dependent arguments. Regarding the second problem, Pierson (2000:) identifies, there is a conceptual danger that increasing returns suggests a particularly static view of the social world – increasing returns processes seem to generate only brief moments of punctuation in a largely frozen social landscape – which contrasts sharply to the demonstrably dynamic nature of social life.

2.4.2: A Waltzian Approach: Analysing Systemic Pressures

Despite these methodological issues, and in some ways because of them, it is still important to apply the empirical tools we have to hand to the case. It is possible to, at the very least, explain the dynamics at hand and decision-making context from which relatively reliable conclusions can be drawn. In this sense, for analogous purposes it is useful to invoke Waltzian understandings of structural arguments about international politics.

Such a Waltzian approach may on the face of it appear a strange choice given that there is a social construction element to the argument put forward herein and Waltz adopts as positivist, systems approach, however, there is still methodological value in utilising aspects of his approach. The usefulness of invoking aspects of Waltz’s work is that it concentrates on the pressures being applied on actors and how responses to those pressures will likely play out rather than on the actions of actors per se. The usefulness of this approach here is that it is impossible to determine the actual cognitive mechanics actors used in the case at hand but it is possible to assess the ‘pressures’ placed on them by the conditions of the task environment and other contextual elements (the time-primed understanding of the ‘Iraq problem’).

For Waltz, emphasising the structure of international politics is not to argue about what actors will or will not do (or should or should not do), but rather it is about understanding the pressures that are being exerted on those actors and understanding what are

the likely outcomes of those pressures. From a Waltzian perspective, theory helps simplify the complexity of reality, meaning “rather than being a mirror in which reality is reflected, [it] is an instrument to be used in attempting to explain a circumscribed part of reality whose true dimensions we can never be sure.” (Waltz 1997: 913-914) As a consequence, the strict adherence to system theory “can tell us what pressures are exerted and what possibilities are posed by systems of different structure, but it cannot tell us just how, and how effectively, the units of a system will respond to those pressures and possibilities.” (Waltz 1979: 73; 1996: 54-7) Structure, Waltz argues, impacts choices but does so by establishing “behavioural tendencies without determining behaviour.” (Spiegel and Waltz 1971: 471)

Applying this Waltzian perspective to the specifics at hand, whilst it cannot be precisely known how post-war decisions were made in terms of the specific cognitive processes, nevertheless, it is possible to effectively narrow down the pressures exerted on those processes and understand their likely effects. Simply stated, it is possible to understand the environmental and cognitive pressures that were being applied to actors as they undertook the thinking about the post-war period in Iraq from which deductive hypotheses can be made. This is achieved by using the literature on bounded rationality, path dependence and the cognitive mechanics of complex decision-making as the framework of analysis and by unpacking the structural pressures in the case at hand.

What follows in Chapters 3-5 is then an outlining of the pressures that were exerted on decision-makers during the build-up to the Iraq War and a detailing of the task environment in which they acted. The subsequent analysis (Chapters 6 and 7) applies these pressures through the explanatory model’s framework and deductively comes to the conclusion that there is explanatory power in suggesting that the key misunderstandings about Iraq’s governance structures were a product of the limitations of search constrained by the task environment and that in such an environment weak heuristics made time-primed information appear more salient than competing information.

2.4.3: Empirical Data Collection

Most of the empirical data throughout the thesis will be acquired via archival and other forms of the declassified documentary record. Despite the relative proximity of time to the events being analysed here, due to the particular nature of the Iraq war there have been numerous government inquiries and departmental retrospectives, along with leaks, that have produced a publicly available documentary record that is fairly substantial. As such, there is a wealth of

both primary (declassified government documents), and secondary sources such as testimony to government inquiries and publications) directly relating to the topic at hand. Leaked documents like the so-called Downing Street Memos provide another point of access to official documents and key actors such as the former Defence Secretary Rumsfeld have themselves released documents.

There has also been a proliferation of tertiary sources in recent years about the conflict in the form of memories and books. As Jacobs (2011b) argues, however, in relation to identifying ideational causes in political decision-making there is a potential hazard in taking public pronouncements as true reflections of accounts and motives. Indeed, whether consciously or not, memories and autobiographies are often self-serving to some degree.

For Webb and Webb (1932), who adopt a purist view about the different classifications of documents, primary documents are “facts in themselves” rather than merely being a representation of facts. In contrast, others have argued that even primary documents have their bias and therefore analysis of them needs to recognise this reality (Scott 1990: 12). Whilst primary documents are very much important pieces of the jigsaw in this case, this research project seeks to emulate a flexible approach and will use primary, secondary and tertiary sources and combine these with freedom of information requests and elite interviews where clarification and further nuanced and specific information is required.

Where it was deemed necessary, further government documentary evidence was sought through the Freedom of Information Act, however, all of the Freedom of Information requests were rejected under Section 22(1) of the Freedom of Information Act.⁷

⁷ “Section 22(1) protects information that is intended for future publication. As Section 22 of the FOIA is a qualified exemption I have considered whether the balance of the public interest favours maintaining the exemption in Section 22(1) or whether it favours disclosing the information.”

Part II: Establishing the Premises

Chapter 3

Information Limits

3.1: The Decapitation Thesis

On both sides of the Atlantic the initial working assumption that underpinned plans for post-war Iraq was the belief that coalition troops would rapidly capture Baghdad and seize the institutions of the Iraqi state intact. The enduring functionality of Iraq's governance structures was the cornerstone of post-conflict planning with the coalition using these pre-existing Iraq institutions to govern the country (Diamond 2005: 10; Dodge 2006, 2009, 2010; Feith 2008: 369; Fineman *et al* 2003; Gordon 2004; Herring and Rangwala 2006: 48; Synnott 2008: 16).

A July 2003 Los Angeles Times article aptly described this first working model for post-war Iraq that both anticipated and relied on the state infrastructure to be largely intact and functional as “a plug in and play occupation” (Fineman *et al* 2003). This concept of regime change “was to be a highly limited exercise in state reform” and was not originally considered to be a major state-building undertaking (Dodge 2009: 263). The idea was that the regime would be removed and behind it would be left the necessary institutions to govern the country. The policy proscriptions held within this decapitation approach, gained either by US military decapitation or a US inspired Iraqi coup, saw the ruling elite within Iraq as entirely separate from the society they presided over (Tripp 2004: 546). As such, the small governing clique of Ba’athist “could be ‘surgically’ removed from the apex of the state, leaving in place the institutions that could be used to rule over a gratefully liberated population.” (Dodge 2009: 264) Such a narrow view of the political institutions in Iraq failed to capture two important aspects of Iraq's bureaucracies: their hollowed out nature (see Chapter 3.2.1) and the role of the shadow state (see Chapter 3.2.2).

In the days just before the war began US National Security Advisor Condoleezza Rice articulated the anticipation that Iraqi state institutions would remain sufficiently in place in the aftermath of war. Rice stressed that Iraqi “institutions would hold” following military victory and that consequently, “you would be able to bring new leadership but that we were

going to keep the body in place” (Gordon 2004). At a London press conference after major combat operations were declared over Rice admitted, however, that Iraq’s infrastructure had be found to be in a far worse condition than expected (Simpson 2003: 376-377).

Rice was not alone in making such statements before the war about the anticipated functionality of the governing infrastructure in Iraq once American troops arrived. On the 11th February 2003 both Under Secretary of Defense for Policy Douglas Feith and the State Department’s Under Secretary Marc Grossman told the US Senate Foreign Relations Committee that Iraq’s governmental structures would essentially be salvageable and that major institutions would hold after any war:

Feith: “Major Iraqi governmental institutions, such as the central government ministries, could remain in place and perform the key functions of government after the vetting of top personnel to remove any who might be tainted with the crimes and excesses of the current regime.” (US Committee on Foreign Relations 2003: 19)

Grossman: “In Iraq, of course, there is a talented bureaucracy that we hope we can kind of take the top off of and then use [them]”. (US Committee on Foreign Relations 2003: 47)

These comments presented a united front between the Pentagon and the State Department regarding this key post-war assumption, locating this assumption within the government as a broad whole.

In addition to which, during a 11th March 2003 press conference a senior Defense Department official outlines the assumption about Iraqi institutions holding and being available for post-war governance (DoD 2003a). During another press conference on the same day, Rumsfeld outlined the need to keep in place those currently employed by the government who were performing tasks that could be “characterized as a useful service in a manner that is consistent with the coalition’s goals and hopes and aspirations for that country.” Rumsfeld also made reference to “government officials running ministries that provide water, and food and things for people” and spoke of “the way to keep them in place rather than having them all suddenly be without their government stipend” (DoD 2003b). Without explicitly saying so, these statements suggest an expectation that government positions would hold and still be functioning following the war. The importance and the functionality of Iraq’s institutions had previously been publicly outlined by Rumsfeld:

“Afghanistan is a poor country that’s been brutalized by continuous war -- civil war and occupation. Iraq has a solid infrastructure with working networks of roads and [resources] and it has oil to help give free Iraq the means to get on its feet” (Rumsfeld 2003).

Aside from public pronouncements, a national security document signed by President Bush on the 29th August 2002 articulated the evolving post-war strategy that the administration was at that point adopting, included in which was a reference to the assumption about being able to utilise pre-existing Iraqi capacity and infrastructure to administer post-war Iraq (SIGIR 2009: 9).⁸ The contents of this document had previously been agreed upon by numerous high-ranking US government officials and acted as a draft for a National Security Presidential Directive signed by Bush (Woodward 2004: 154-6).

The National Security Council also set up an interagency Humanitarian Working Group which developed a core set of judgments about post-war Iraq that mirrored the contents of Presidential Directive (SIGIR 2009: 11-12). In planning circles it was assumed that the top tier of Ba’athist officials occupying senior levels of ministry “could be removed and replaced without substantially undermining the work of the ministries.” (RAND 2008: 58-9) ORHA made similar assumptions about Iraq’s ministries remaining functional after the war and formulated policy based upon them (SIGIR 2009: 36-37). In a PBS (2003) interview Garner later confirmed that both the Pentagon’s and his post-war plan was to use Ba’ath Party bureaucrats and members of the Iraqi army and police force for the reconstruction and administration of the country following Saddam’s fall.

This key assumption was also highlighted in a series of retrospective reports⁹ by The Office of the Special Inspector General for Iraq Reconstruction (SIGIR) and following the publishing of one of the reports, the Inspector General outlined the assumption and its failure to materialise in post-war Iraq: “There was an assumption that the Iraqi infrastructure was in reasonably good shape. It wasn’t. There was an assumption that the Iraqi government would be able to pick up and sustain itself. That didn’t happen.” (Capaccio 2007)

The pre-war stability plan developed by the US Coalition Forces Land Component Commander (CFLCC) counted on the “utilization of existing Iraqi organizations and

⁸ “[The U.S. strategy would] demonstrate that the United States is prepared to play a sustained role in the reconstruction of post-Saddam Iraq with contribution from and participation of the international community, that rapidly starts the country’s reconstruction, *that preserves but reforms the current Iraqi bureaucracy* and reforms Iraqi military and security institutions.” (SIGIR 2009: 9. Emphasis added)

⁹ For instance, SIGIR (2006) *Lessons Learned: Lessons in Capital Management*, January 2006, p. 12: “Inaccurate assumptions about the Iraqi government bureaucracy: Pre-war reconstruction planning assumed that Iraq’s bureaucracy would go back to work when the fighting stopped.”

administration” (Benson 2006: 61), a pre-requisite that was also factored into the final military plan (Metz 2007; De Toy 2004: 186; CFR 2004: 15).

3.1.1: British ‘Hold’ Assumptions

It was not only within the Bush administration, however, that such assumptions were seemingly pervasive, similar assumptions were also held by the British government. For instance, the House of Common’s Defence Committee reported in both 2004 and in 2005 that this assumption was also a key part of British pre-war planning. Consequently, the Committee recorded in 2005, the expected environment into which coalition forces would find themselves failed to materialise: “The post-conflict situation with which the Coalition was faced did not match the preconflict expectations.” (Defence Committee 2005: 3 and 18)

Not only was there an assumption that coalition troops would find institutions still operational and be greeted as liberators, but the Defence Committee (2005: 17) reports that coalition strategists also appear to have overestimated the ease of the transition phase. In 2004 the Defence Committee (2004: 150) also concluded that there was an expectation within the British government that it would be possible to use pre-existing Iraqi state capacity and infrastructure in the administering of post-war Iraq. Chaplin told the Committee that the government made the assumption that they would to some extent be able to rely on existing Iraqi governance structures and the civil service (Defence Committee (2004: 150).

This assumption was later directly confirmed by Blair in his 2011 Iraq Inquiry testimony. Blair described to the Inquiry that it was the intention of the British in the areas of Iraq they had responsibility for to ‘stand up’ Iraqis quickly. The British policy was “to put together very quickly a group of Iraqis in Basra that would be able to take over greater responsibility” for governance (Blair 2010b: 172). In planning for this quick transfer, Blair told the Iraq Inquiry that there was an assumption that Iraq’s civil service and institutional capacity would be in place and be sufficiently usable for these incoming Iraqis to utilise following light reforms (Blair 2010b: 172-3): “The planning assumption that the MoD, the Foreign Office, I think DFID, everybody, made, was that there would be a functioning Iraqi Civil Service. In other words, that you would remove the top level but you would have a functioning system underneath it.”

Lord Boyce (2009: 100), chief of the defence staff 2001-03, had previously told the Iraq Inquiry that it was assumed that upon winning the war it would be possible to move “reasonably seamlessly into a situation to allow a society to re-establish itself using the

infrastructure of the society itself to re-establish itself". Boyce (2009: 99) stressed to the Inquiry that one of the greatest concerns of British planners "was to ensure that we retained as far as possible infrastructure and also such things as the Iraqi army" for this purpose. However, as did Blair, Boyce also admitted that there were problems in this regard: "There were also problems, when it came to it, about how much of the Iraqi administration would be there to resume activity" (Boyce 2009: 110).

Sir Kevin Tebbit, the former Permanent Under Secretary of State for the Ministry of Defence, also expressed to the Iraq Inquiry that there was an expectation within the British government that Iraqi governance institutions would hold. Having held, Tebbit (2009: 111) explained that the plan was then for Iraqis to utilise the existing governance structures to govern and police themselves: "We expected them to do a certain amount of self-policing, for example, and self-management."

Tebbit also confirmed that the British intended to hand over power to Iraqis as rapidly as possible and that Hoon had gone to the US in February 2003 with a brief that emphasised "putting in place a transitional administration which got the Iraqis involved as early as possible" (Tebbit 2009: 112). Broadly speaking, in his oral testimony Blair referred to the general post-war policy as being one whereby "as swiftly as possible" the military would "turn it [governance] over to the Iraqis themselves" with the intention "to get an Iraqi interim administration up and running very quickly." (Blair 2010b: 174) Blair repeatedly mentioned that there was an abundance of British post-war planning in regards to a possible humanitarian disaster, however, he also acknowledges that the government did not plan for "the absence of this properly functioning Civil Service infrastructure" in the post-war period (Blair 2010b: 181).

In terms of primary documentation, an assessment made by the Joint Intelligence Committee (JIC) on the 19th February 2003 repeatedly outlined that the existing state bureaucracy in Iraq will be utilisable by the coalition and any transitional Iraq administration. It is also interesting to note that the JIC assessment acknowledges that "Saddam's regime has centralised power and stifled opposition" but did not then conclude that this centralisation of power might have a negative legacy in terms of the impact on governance structures. Indeed, rather than using this information to see potential problems ahead as a result of the hollowing out of political institutions and the role of the shadow state, the JIC assessment comes to the opposite conclusion: "Once the regime has collapsed, coalition forces will find the remains of the state's bureaucratic structures" which will be available to help govern the post-war transition to a representative government (JIC 2003).

Another interesting point in the JIC assessment is that it emphasises that any post-conflict government may not achieve popular support in Iraq. Again, rather than being a point to potentially puncture the government's thinking about post-war governance this inaccurate thinking is instead used to mitigate this reality:

The establishment of popular support for any post-Saddam administration cannot be taken for granted. There are factors, however, that could work in our favour: surviving networks of influence with whom we could work, including remains of state bureaucracy[.] (JIC 2003, Original emphasis)

Chiefs of Staff's military planning guidance document (25th March, 2003) includes an outline of the post-war principles upon which the British would be working. The document reveals that the operational assumption at the time was that minimising the Iraqi people's suffering in the post-war period would be achieved by "help[ing] them to help themselves by supporting their institutions to run the country." (Chiefs of Staff 2003) Such a position presumes the functionality of these institutions in Iraq as no other information is given about getting these institutions to the point of operability.

It is interesting to note that whilst there was this expectation about the IIA, Downing Street had no information on how it would do so, and neither did it have an assessment of the functionality of Iraq's governance structures. This signifies the degree to which this policy was based on untested assumptions. After the war had begun, Downing Street contacted the Foreign Office seeking an assessment "of how ORHA and then the IIA will actually run the Iraqi ministries" and an evaluation about "the state of the Iraqi civil service and bureaucracy." (Rycroft 2003d)

Indeed, two days earlier (1st April 2003) the Permanent Secretary at DFID wrote to the Cabinet Office and outlined the department's support for the swift transition of power to the IIA:

"We strong agree that the primary principle should be a rapid political process leading to the establishment of an Iraqi Interim Authority with Iraqi and international political legitimacy." (Chakrabarti 2003b, original emphasis)

Although a Freedom of Information Act request submitted as part of this research for the follow up documents and related information held on these subjects was denied, these two

April 2003 communications clearly outline that the British government expected that the IIA would administer post-war Iraq.

3.2: The Iraq State and its Transformation

The flawed working assumption about the viability of Iraqi institutions to govern the immediate post-Saddam period clearly belied an understanding of the workings of the Iraqi state. Whilst the exact particulars of governance under Saddam were out of reach of the intelligence communities, a historic and contemporary understanding of the broad structures of Iraqi politics was, nonetheless, available to planners in the West. Applying this context would have given planners a perspective that would have undermined the basis upon which post-war policy was based.

The Iraqi state was drawn from the ashes of the Ottoman Empire and represents a polity created arbitrarily by the British (Catherwood 2004; Dodge 2003; Tripp 2000). Stemming partly from both the nature of its creation and partly from the manner in which the new state interacted with those subjected to its rule, the Iraqi state has repeatedly displayed authoritarianism, the resort to violence to quell resistance, and the exploitation of divisions in Iraqi society (Tripp 2002a). Whilst the particular machinations of these recurrent themes in Ba'athist Iraq, and especially under the leadership of Saddam Hussein, are particularly apparent in their scale and scope, nonetheless, the very fact of their recurrence throughout Iraqi history means it is possible to discern general particularities of Iraqi governance even in the face of a lack of direct information about a specific regime. As such, whilst it is the case that the authoritarianism of the Hussein regime certainly limited the ability of foreign intelligence agencies to benefit for reliable human intelligence, as "Saddam's brutal secrecy and intrigue shrouded the inner workings of the Iraqi state" (SIGIR 2008: 6), the governance structures in Iraq were broadly accessible with a knowledge of history and contemporary events.

The political authoritarianism within Iraqi history is the product of a number of different elements – initially under a British mandate that wanted to control the country from afar to reduce the cost in blood and treasure that came with direct rule, to the rise of Ba'athism that sort despotic control – but the consequence of each was to separate governance structures from the society they presided over. This separation also forced Iraqi regimes to generate their funding from outside of Iraqi society. They were first supplied in

the 1920s and 1930s by aid from the British government whilst it sought to maintain control from a distance and from the 1950s onwards have come from significant oil revenues (Dodge 2005; Tripp 2002a). This ability to garner funding from outside of Iraqi society meant that Iraqi regimes have neither had to rely on tax revenues nor become beholden to domestic interest groups to raise money which, consequently, has given Iraqi governments across its history increasing autonomy to control society (Dodge 2005: 708).

The result of this ability to raise funds beyond the population was the creation of a vast and powerful state infrastructure that centralised power and the creation of a ‘shadow state’ outside of these institutions, both of which concentrated power into the hands of a select few in Iraq.

3.2.1: Institutions under Ba’athism

This process of increasing autonomy reached its apex under Ba’athist rule, initially built by Hasan al Bakr from 1968 but then consolidated under Saddam from 1979. Under Ba’athism a powerful set of state institutions were built up through the 1970s and 1980s that helped reshape Iraqi society, particularly by breaking organised resistance to Ba’athist rule and by effectively atomising the population (Dodge 2005: 708).

Particularly following the 1973 oil crisis, the Ba’athist regime used its newfound oil wealth “to tie the population, on an individual basis, to the state” whereby the number of Iraqis directly employed by the state dramatically increased (Dodge 2003: 159-60). Not including an estimated 430,000 in the armed and security services, from 1958 to 1977, for example, the number of Iraqis the state employed increased from 20,000 to more than 580,000 (Dodge 2003: 159-60); this employment increase mirrored the increases in revenues produced by the oil sector which in early 1970s were estimated to be around \$600 million per annum to \$26 billion by 1980 (Stansfield 2005: 139).

As such, changes in the political economy of Iraq in the 1970s “delivered massive and unprecedented power to those who controlled the state.” (Dodge 2005: 709) Due to land reforms instigated by the regime, the state also became the largest landowner in Iraq. The consequence of which was that from the 1970s onwards Iraq’s population “was increasingly linked directly to the largesse of state institutions funded by oil wealth.” (Dodge 2005: 709) The extent of the atomising of Iraqi society was such that in 1990, the year of the Kuwait invasion, the economic dominance the Ba’athist regime had built over society meant that

21% of the active workforce and 40% of Iraqi households directly reliant on government payment (Dodge 2005: 709; Dodge 2003: 160).

It was these institutions that had been created over time into which US planners had put their faith, but by April 2003, as US troops captured Baghdad, the state that the US had hoped to inherit was instead on the verge of collapse. Despite Iraq's oil resources, the gains of the 1970s were dramatically undermined by the invasion of Iran in 1980 that began a protracted and costly eight year war which was then swiftly followed by the invasion of Kuwait, economic sanctions and the Gulf War in 1990 and 1991. These events meant that both "the Iraqi state and its relations with society were transformed" but also, crucially, Saddam's strategy of rule (Dodge 2005: 709). The economic sanctions imposed against Iraq proved to be extremely efficient at restricting the Ba'athism regime's access to large scale funding, meaning that economic policy was largely reactive and "dominated by the short-term goal of staying in power." (Dodge 2005: 709) As such, governmental capacity was hollowed out by thirteen years of sanctions as the regime diverted resources from the official institutions of the state to the flexible networks of patronage that kept it in power (Dodge 2005: 709; Dodge 2007: 88; Dodge 2009: 267-8; Tripp 2002a, 2002b).

3.2.2: The Shadow State

As noted, Iraq became a major oil producer from the 1950s onwards and another key effect of the political economy of oil has been to establish and maintain pervasive networks of the 'shadow state' that operates behind the facade of Iraq's institutions. The political economy of oil reinforced the state's earlier years' exhibition of centralising tendencies and concentrating powers of patronage to those who had gained control of the centre of the country. These connections of patronage formed a "web of power that blur[ed] the distinction between public and private in political life" and were where the real power existed in Iraq (Tripp 2002b: 26; 2002a)

This shadow state has lurked behind the public state for a number of decades, establishing networks of privilege and patronage, but in the specific case of Saddam Hussein, and especially since the Gulf War, it has been particularly evident. In Saddam's Iraq this parallel state has been constituted by people the president trusts, comprising family, clans, longstanding associates as well as opportunists who have attached themselves to the president:

“They thrive on discrimination exercised against the majority of the population of Iraq, gaining their rewards from the resources dispensed by the regime, be these oil revenues or smuggling concessions. Ferocious systems are in place to maintain the exclusivity of the networks. Exemplary violence has been habitually used against outsiders, but also against those on the inside who have presumed too much. These networks have colonised the state machinery, drawing it into their own purposes and using it effectively to sanction those who threaten their hold on power” (Tripp 2002b: 26).

One outcome of the extent and power of the shadow state during Saddam’s rule is that the distinction between where the shadow and the public state start and finish is blurred: “the continuities of Iraqi political society and the complex interaction between features of that society and the regime of Saddam have often become obscured.” (Tripp 2002a)

Whilst certainly an extreme case, it has been argued that Saddam’s Hussein’s Iraq – shadow state and all – “must be understood less as the cause of Iraq’s violent political culture... more as the symptom, albeit an extremely consequential one, of deeper, long-term dynamics within Iraq’s political sociology.” This being so, the “degree to which these dynamics can be overcome”, and at what cost, was a “crucial question facing U.S. and UK administrators” as they found themselves presiding over a collapsed governance structure (Dodge 2003: 169-70).

3.2.3: Shadow State and Decapitation

Beyond the issues of governance and capacity, another problem with the decapitation thesis was that it fundamentally misunderstood the ease with which it would be possible to extract the legacies of Ba’athism from the Iraqi state. A military assault on the power structures that keep Saddam in place, such as those trusted few close relatives who benefited from his rule and their dependants, was considered to possibly “neutralise several layers of this ‘shadow state’”, but such an assault would “not necessarily remove the habit from Iraqi politics” or to “neutralise the thousands who have been drawn into such networks over the years” (Tripp 2002b: 26).

As Tripp (2002b: 26) outlined before the war, “Tackling this embedded feature of Iraqi politics, beyond the removal and incarceration of a few dozen key figures from the old regime, would be a formidable task.” Crucially, doing so would require “profound local

knowledge, as well as deep and persistent penetration of society, and staying power to bring about meaningful change.” The problem of not addressing the shadow state and the conditions under which it thrived would be that it “could negate many of the reforms of state institutions implemented to encourage a new openness and new possibilities of wider participation in Iraqi politics and society.” Like Tripp before him, Dodge (2003: 170) also noted that, “Any serious postwar attempt to reform the state will have to take into account the members of the shadow state.” Failure to do so would simply mean a change in the façade of Iraqi governance rather than any systemic change (Dodge 2003: 170).

History and the conditions in Iraq and the region at the time pointed to “some fundamental issues.” (Tripp 2002b: 33) Outlining a lack of democratic history in Iraq is not necessarily to suggest that its population did not seek more representative approaches to governance, in fact post-war surveys and protests calling for elections strongly suggest popular support for democracy. Rather, it illustrates that the institutional capacity to support such a transition was essentially non-existent in pre-war Iraq. This being so, these institutions would need to be created in post-war Iraq and would not, therefore, be readily available to the coalition following military action (Tripp 2002b: 33).

Similarly, in regard to state capacity and the ability to simply take over existing structures, another assumption that proved to be wrong was that Iraqi civil servants “would be more than willing to serve their liberators by running government institutions” (Dodge 2009: 264). This turned out not to be the case, in public perception the coalition quickly shifted from being liberators to occupiers and over time those working for the occupation were increasingly targeted by insurgents. Instead of returning to work, most civil servants stayed at home. The breakout of lawlessness and looting in Baghdad following the arrival of US troops gave even more reasons for government workers not to return to work, “instead opting to protect their families and property as best they could.” (Dodge 2009: 267) The liberators frame was a key part of the pre-war planning and given the expectation that civil servants would simply return to work for the coalition or an Iraqi transitional authority, it also likely helped to cement the rosy outlook decision-makers had regarding Iraqi state capacity by assuming Iraqis would simply transition to working for a new (outside imposed) political entity.

3.2.4: A Lack of Information?

The key question at the heart of this research is what caused the misperceptions and misunderstandings that underpinned the post-war planning. The hypothesis is that it was partly a consequence of the nature of decision-making itself, that the limits of human cognition in a task environment of complexity mean that actors adopt procedural mechanics to help ease cognitive loads that result in the use of weak heuristics. These temporally influenced weak heuristics made certain pieces of information seem disproportionately more salient. Such an argument focuses in on the cognitive, rather than informational, limits of the pre-war decision-making process.

Given the repressive nature of the Ba'athist regime, it has been argued that there was a restricted ability to gain access to key information regarding the inner workings of the Iraqi state and that this was a contributory factor to the misperceptions that underpinned post-war planning. Such an argument focuses in on informational deficiencies rather than cognitive ones, thus is more in keeping with traditional understandings of decision-making failures than with concepts of bounded rationality. It is certainly true that the nature of the regime inhibited exhaustive data collection that could have helped ground post-war planning. Indeed, one major retrospective of the post-war failings has stressed that the brutal nature of Saddam's regime shrouded the inner workings of state in secrecy and inaccessibility (SIGIR 2009: 6). According to Ross Wherry, former USAID Director of the Office of Iraq Affairs, prior to the war US intelligence assessments lacked information about issues such as the Iraq's economy and governance structures (SIGIR 2009: 22). Similarly, a footnote of a RAND Corporation (2008: 58) study revealed that determining how Iraqi government structures worked was a difficult task for the intelligence community because it was incredibly hard to get reliable human intelligence from within the country.

Such limitations on information gathering undoubtedly had an impact on the decision-making processes, however, part of the argument posited here is that available information was not granted the significance it deserved during the policy-making process, that avenues towards gaining additional information were not taken, and that available information also did not reach key decision-makers. For instance, on the second point, the United Nations distribution scheme under the Oil-For-Food Programme in Iraq "provided the international organization with extensive connections in the country" and meant that the United Nations sanctions committee had a list of every good that it had permitted Iraq to import since the program began. Whilst not organised as a needs assessment, it has been argued that "a

diligent review” of these records could have produced a detailed and useful outline of Iraq’s infrastructure (SIGIR 2009: 6). In terms of the available information not reaching key decision-makers, a January 2003 classified National Intelligence Council (2003) assessment, *Principal Challenges in Post-Saddam Iraq*, underscored the potential difficulty in remaking Iraq’s political system and producing a democratic Iraq. The assessment predicted that the post-war transition “would be a long, difficult, and turbulent process” and also noted “Iraq’s already inadequate health care services” might be further strained following civil strife. Crucially, the assessment stresses that upon removing Saddam “significant outside assistance” would be required to “help rebuild Iraq’s water and sanitation infrastructure” and notes that “Iraq’s infrastructure already has suffered extensive damage.” This dilapidation of infrastructure is a product, the assessment notes, of both “the long-term impact of economic sanctions” and Saddam’s rule, namely “manipulation of resources to shore up his regime”. Despite these and other cautions, CIA Director George Tenet and his deputy John McLaughlin neither highlighted the assessment’s findings to interagency planners nor asked that it be briefed to either the NSC’s Executive Steering Group on Iraq or the NSC’s Deputies Committee (SIGIR 2009: 14).

As noted, stressing the lack of access to detailed information about the precise inner workings of the Iraqi regime does have some merit in that the repressive nature of the regime did severely limit a detailed study of the country’s bureaucracy. Whilst this likely impacted information flows, two counterarguments need considering. Firstly, that there was still a large body of information, both historic and contemporary, that could (and perhaps, normatively speaking, should) have given decision-makers reason to pause when positing the decapitation thesis as a viable post-war plan. Secondly, that if information flows were known to be limited (as a consequence of the repressive nature of the regime) then this should have prompted a more thorough search method rather than having key decisions made on unverifiable assumptions.

From a rational perspective then, in the Iraq case the lack of information should have prompted a more detailed search for available data. That the lack of information did not result in a more detailed search is suggestive of the cognitive limits of complex decision-making and the role of weak heuristics that are covered by the concept of bounded rationality; rather than a searching and analysing all information, when faced with complexity and the limits of human cognition only selective amounts of information were incorporated in also a limited search process. A rational approach to a lack of information would not have been to fall back

on weak heuristics and limited search but rather engage in an exhaustive search process that analysed all possible alternatives.

The lack of information argument also misses a crucial point regarding the assumptions upon which post-war planning were predicated. The pre-war assumption about the viability of Iraqi state institutions as governance structures that could be simply taken over to administer the country in the post-war period contrasted sharply with the literature on the transformation of the Iraq state. Whilst there was a lack of information about Iraq's internal workings, the particular notions upon which post-war planning were based were areas where detailed knowledge and information was available.

Two key authors of this literature, Professor Tripp and Professor Dodge, were part of the group of six academics who met Blair at Downing Street on the 19th November 2002 meaning the Prime Minister direct engaged with those best placed to critique assumptions underpinning post-war policy.

"Much of the rhetoric from Washington appeared to depict Saddam's regime as something separate from Iraqi society," Dodge reflects on the meeting. "All you had to do was remove him and the 60 bad men around him." (Steele 2008: 18-9) What Dodge and the other academics wanted to get across to Blair was that the Iraqi state had gone through a significant transformation since the 1970s and that "the regime had embedded itself into Iraqi society, broken it down and totally transformed it. We would be going into a vacuum" (Steele 2008: 18-9).

Rather than being interesting in the particular details of Iraqi governance structures, Blair seemingly had another purpose for the meeting. "I felt he wanted us to reinforce his gut instinct that Saddam was a monster", Tripp recalls. Professor Joffe described his impression of Blair as someone "who's not interested in issues other than the personalities of the top people, no interest in social forces, political trends, etc" (Steele 2008: 18-9). In keeping with the regime change doctrine argument (Burgos 2008), according to Joffe, Blair "personalised" the whole issue to be about Saddam Hussein and that consequently "the whole structure of Iraq was utterly irrelevant... It was very two-dimensional." (Hasan 2014) When confronted with the problems that post-war governance was likely to face, rather than address them Blair responded instead by saying, "But the man's uniquely evil, isn't he?" (Steele 2008: 18)

The revealed content of this meeting suggests that Blair was exposed, albeit briefly, to the reality of the effects of history on Iraq's governance capacity but that this information did not then impact on the decision-making process about how to deal with the post-war phase of operations. In reaching outside of government it appears that Blair was not seeking additional

veto players that could have potentially recalibrated policy in line with empirical reality but rather to confirm his pre-existing beliefs. Despite their expertise, the information these academics provided Blair seemingly did not appear salient enough to him to counter the key assumptions upon which post-war planning was being based or to change his course of action. If this is the case, then it was not a simple lack of information per se but an insufficient regard for important parts of available information and insight that underpinned the lack of critical inquiry of the core assumptions upon which policy was being based. Indeed, having been warned against attempting to dissuade Blair from a military course of action, Professor Dodge insisted on emphasising the risks and difficulties ahead following the removal of Saddam Hussein from power so that the relevant information was on the table: “My aim that day was to tell them as much as I could, so that there would be no excuses and nobody saying, ‘I didn’t know.’” (Moreton 2015)

3.3: Chapter Summary

This chapter establishes that the initial post-war policy adopted by British policymakers included the ‘hold’ assumptions about Iraqi governance structures that had previously been articulated by key members of the Bush administration. In addition to which, the chapter also demonstrates that the premise upon which these ‘hold’ assumptions were made was not only inaccurate but a detailed understanding of the Iraqi state existed within the academic literature that directly challenged these assumptions. Crucially, this substantiates the argument that the post-war planning failures were not the result simply of a lack of access to accurate and relevant information.

Chapter 4

The Crawford Moment

This chapter establishes the first of the two hypothesised aspects of path dependence in the Iraq case, that a sufficient offer of support was given by Prime Minister Blair to President Bush at Crawford, Texas in April 2002 that subsequently bound the British government in the future scope of possible policy choices available to it. In this sense, the ‘Crawford Moment’ can be seen as a critical juncture that helped set in motion a subsequent path dependent course of action regarding Iraq policy. Rather than seeking to concretely demonstrate that Blair gave a commitment to military induced regime change at Crawford, the purpose of this chapter is then to establish that the level of support Blair did give was sufficient to bind future government decisions.

Linking to Chapter 5, this chapter also argues that this offer of support subsequently necessitated and pressurised the process of gaining legitimacy for military force as a possible course of action at a time when public and parliamentary support for such a course of action was limited. This need to secure legitimacy helped complicate the task environment in which Iraq policy was being constructed and diverted limited cognitive resources away from post-war planning. In this sense, this complexity demanded attention from cognitively limited and time-poor actors meant that policy-makers were operating in a condition of bounded rationality that likely required the use of weak heuristics to help ease cognitive loads and navigate through the task at hand.

In terms of evidence, the Crawford meeting between Bush and Blair occurred behind closed doors and currently no direct record of the meeting has been released. As such, the calculus upon which this chapter’s determination about the binding effect of the ‘Crawford Moment’ is based combines a number of factors and evidence sources before making a deductive argument based on the threat calculus Blair used to justify the invasion of Iraq:

1. Both actors advocated for the removal of Saddam from power prior to Crawford which helped framed discussions within a narrow context in terms of policy options that appeared viable for ‘dealing’ with the ‘Iraq problem’.

2. The British government documentary record indicates on a number of occasions that support for military action was given.
3. Blair's own statements about the content of the meeting emphasise that regime change was a key theme and that he was willing to overthrow Saddam to 'deal' Iraq if necessary.
4. A deductive argument is made about the threat calculus used to assess Iraq biasing deliberations towards seeing a military induced regime change as the only viable policy choice. This approach references Blair's argument about Saddam intent to maintain an intellectual capability to produce weapons of mass destruction in the future, meaning that so long as Saddam remained in power he posed a threat of future proliferation.

The chapter is broken down into three parts, firstly establishing that a sufficient level of support was given by Blair at Crawford to bind future government decisions, secondly demonstrating the path dependent impacts of this level of support, and thirdly outlining the contradictions of the threat calculus used by Blair in offering this support. The latter of which offers a potential critique of the deductive part of the argument in the first section relating to the intent aspect of the threat calculus.

4.1: Background: Regime Change

As early as 1998 Blair had publicly stated his desire to see the removal of Saddam from power and that he believed this should be the government's broad policy for Iraq. In the House of Commons Following the commencement of the Desert Fox bombings Blair (1998: Column 1103) told the House of Commons: "I agree entirely that a broad objective of our policy is to remove Saddam Hussein and to do all that we can to achieve that... If we can possibly find the means of removing him, we will." Then following the 2001 terrorist attacks in American in a private phone call in December Blair (2011a: 37) would offer his support to President Bush for dealing with Iraq, including for regime change.

Moving to 2002, in advance of the Crawford meeting the strength of Blair's support for regime change had been articulated to members of the Bush administration. Manning had

a meeting with US National Security Advisor Condoleezza Rice (11th March 2002), recording that Rice's "enthusiasm for regime change is undimmed" Manning had then informed her that Blair "would not budge in support for regime change" (Manning 2002). The reference to Blair not budging from backing regime change suggests that this was not the first time this position had been communicated to key American officials; this may be a reference to the support Blair gave Bush in December 2001. In a meeting (13th March) with Paul Wolfowitz the British Ambassador records that he had informed the deputy Secretary of Defence that, "We backed regime change" (Meyer 2002).

Indeed, regime change had been set out as the policy option the government should pursue in the days before this meeting. An 8th March 2002 Cabinet Office (2002z) options paper outlined possible courses of action for dealing with Iraq that focused on two main options, continued containment or regime change. Finding that containment was no longer a viable policy option, the paper concluded that military induced regime change was the policy objective that the British government should adopt. "Implicitly," the options paper states, an Iraq without weapons of mass destruction "cannot occur with Saddam Hussein in power."

The Cabinet Office's conclusion was based on the same assessment that Blair used for his risk calculation, that the removal of Saddam was seen as the only way of ensuring compliance with Iraq's disarmament obligations and to bring Iraq back from its international isolation, that containment could not guarantee this outcome: "the use of overriding force in a ground campaign is the only option that we can be confident will remove Saddam and bring Iraq back into the international community" (Cabinet Office 2002z).

That this policy was then adopted by the government was confirmed by Blair (2011a: 39-41) when giving oral testimony to the Iraq Inquiry. Blair (2011a: 39-41) outlined that containment was no longer suitable for the task at hand in a post-9/11 world, in the absence of a "change of heart" from Saddam about fully compliance this meant "regime change".

4.2: Crawford: The Documentary Record

In terms of the documentary record there are a handful of incidences where it is mentioned both after and before the meeting in Crawford that Blair had given a commitment to support military action to overthrow the regime in Iraq.

In the days after the Crawford meeting, Defence Secretary Geoff Hoon was informed by the policy director at the Ministry of Defence that "one might also argue that the Prime

Minister has effectively committed us” at Crawford to military induced regime change (Webb 2002a).

On the 8th July 2002 Straw wrote to Blair, outlining that, “We are all agreed that we must act to remove the threat posed by Iraqi weapons of mass destruction. If the US decide that to do so requires military action the UK will want to support them.” (Straw 2002c) Four days later (12th July), Chaplin wrote to Straw and informed him Blair had, in fact, offered at Crawford to support military action: “The Prime Minister has promised President Bush UK support for military action if these conditions are met.” (Chaplin 2002) This stance was then reiterated in a briefing paper for a meeting at Downing Street on the 23rd July 2002:

“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.” (Cabinet Office 2002b)

Minutes of a telephone conversation between the Attorney General and Foreign Secretary in October 2002 reveal that Goldsmith made reference to “the Prime Minister’s assurance to Bush that we would participate in military action should the Security Council route fail” to secure a second resolution (Sedwill 2002b). Goldsmith “was concerned” about this situation as he felt the draft resolution (for what would become 1441) “would not be sufficient to authorize the use of force without a second resolution” (Adams 2002a).

4.3: Offering Support

The day before the Crawford meeting President Bush gave a clear indication that he sought the removal of Saddam from power, telling a television interviewer, “I made up my mind that Saddam needs to go.” (Guardian 2002) Shortly before Crawford Blair wrote to his advisor Jonathan Powell and expressed the need for action on certain points, including creating a potential military strategy for overthrowing Saddam Hussein. “I do not have a proper worked-out strategy on how we would do it,” Blair (2002a) told Powell.¹⁰ This means that Blair was looking to work on a military strategy to remove Saddam Hussein from power as

¹⁰ When asked at the Iraq Inquiry what the “it” in that sentence meant Blair responded that it was a reference to how to deal with Iraq either peacefully or by force: “How we would either get Saddam to cease being a threat peacefully or to get him out by force.” (Blair 2011: 42)

one way of dealing with Iraq in the weeks prior to Crawford. Blair (1998) had previously expressed both his hope for the removal of Saddam from power and agreed that this should be a policy objective of the government.

After the Crawford meeting, the two world leaders gave a press conference (April 6th 2002) during which Bush informed the gathered journalists that he had told Blair that his administration's policy was the removal of Saddam from power: "I explained to the Prime Minister that the policy of my government is the removal of Saddam and that all options are on the table." Bush later restated his position, attempting to draw back from his previous comments but just reaffirmed that regime change was government policy: "Maybe I should be a little less direct and be a little more nuanced, and say we support regime change." When asked about the British government's position, Blair stated, "it has always been our policy that Iraq would be a better place without Saddam Hussein". Blair also stated that having previously participated in the removal of regimes via the use of force there was also no taboo against military induced regime change, "I have been involved as British prime minister in three conflicts involving regime change" he told the press (Bush and Blair 2002).

These quotes demonstrate that going into the meeting, and immediately after it, President Bush was clearly set on a policy of regime change in Iraq, a policy Blair was not opposed to. As a consequence, offering to support the President to 'deal with the Iraq issue' at Crawford invariably meant supporting a possible course of action that explicitly included regime change, an outcome that was perhaps the most likely. Whilst not necessarily agreeing to undertake military action at this point, nonetheless, Blair was committing the British government to support an administration deal with Iraq that was explicit about its desire to remove Saddam from power. Blair emphasised the weapons issue as the animating purpose of action but he knew that Bush's concern was the removal of Saddam from power and whilst Blair also spoke of all options being open, this was only technically true in a formal sense as it was clearly apparent that military induce regime change was the likely end outcome.

In testimony to the Iraq Inquiry Blair (2011: 9) openly stated that at Crawford he had given the President his support for dealing with 'the Iraq issue' even if it was politically difficult: "Whatever the political heat, if I think this is the right thing to do I am going to be with you. I am not going to back out because the going gets tough." (Blair 2011: 48) When asked about the letters he sent to the President following the meeting, Blair (2010: 47-8) responded by saying that he was telling Bush that there was full support from the British: "You can count on us. We are going to be with you in tackling this."

The question of whether regime change was part of any discussion at Crawford was further answered by Blair when he told the Inquiry that regime change had been the official policy of the United States since 1998 and, as consequence, “it was obviously going to be on the agenda.” Blair (2011a: 7) continued by saying, “I was always going to make it clear and did make it clear we would be shoulder to shoulder with America”. Manning (2009: 58), Blair’s foreign policy adviser, also told the Iraq Inquiry that Blair had told the President at Crawford that he would support action including removing Saddam from power.¹¹

Blair (2011a: 37) also told the Inquiry that following the terrorists attacks in September 2001 there was “no doubt” that for the Americans regime change “was on their agenda”. Indeed, supporting the Bush administration if regime change was required had already been given in the wake of these terrorist attacks. Blair (2011a: 37) told President Bush during a phone conversation in December 2001 that “if [regime change] became the only way of dealing with this issue then we were going to be up for that”.

Blair offered his support fully aware that regime change was the official policy of the United States government and that military action was a likely course of action to achieve it. In this context, regardless of whether Blair actually agreed to military action or not, the offer of support Blair acknowledges he gave at Crawford was tantamount to agreeing to support military induced regime change if it came to it. Crucially, this meant that the British government had to both prepare for this eventuality if it came in terms of military planning and gaining public support, and support the Bush administration militarily if it went to war or face significant political fallout for not doing so. The former represents the pressure Crawford placed on the government in terms of necessitating the gaining of legitimacy for possible actions (see chapter 5), and the latter helps demonstrate the path dependent effect of Crawford in narrowing future policy options.

Having agreed to stand shoulder-to-shoulder with America in dealing with Iraq, even if an actual decision to undertake military action was not made, even if military action could be avoided, from this point onwards Blair had to create the conditions in which such a course of action could occur.

¹¹ Whilst this chapter’s emphasis is on the former Prime Minister, it should be noted that Blair was not alone in offering this level of support. For instance, on July 8th, 2002 Straw wrote to Blair and acknowledged that it would be difficult to gain legal cover for military action against Iraq but stressed that it was agreed upon that action was required and that support should be given if the Americans decided to use military force: “We are all agreed that we must act to remove the threat posed by Iraqi weapons of mass destruction. If the US decide that to do so requires military action the UK will want to support them.” (Straw 2002c)

4.4: The Threat Calculus

During the build-up to war Blair's threat perception about Iraq was not directly linked to any change in its material capabilities to develop weapons of mass destruction in 2002 and 2003. Understandings of the threat Iraq posed was based on an acknowledgement that the material position of weapons capabilities had not changed significantly in recent years. According to the documentary record, in mid-March 2002 Blair acknowledged this lack of substantive change, stating that based on intelligence assessments "the immediate WMD problems don't seem obviously worse than three years ago" (Blair 2002a). Following the terrorist attacks in September 2001 the threat calculation was instead based on a changed tolerance level to accept the potential risk from Iraq:

"Well, it was the case that following September 11th, it wasn't that he was doing any more than he had been before. It was that our assessment of the risk of allowing him to do anything had changed[.]" (Blair 2011: 44)

The threat was seen to come from the regime itself, not its weapons of mass destruction per se, thus dealing with the disarmament issue also required dealing with the regime. Despite this particular understanding of the threat, and the logical implications for the regime, members of the Blair government have claimed that if Iraq had complied with its United Nations obligations then it would have avoided military action and Saddam would have remained in power (Blair 2010b; Straw 2011). Blair (2010b: 239) also claimed that this was the position that President Bush adopted, that if compliance was forthcoming then Saddam would be left in power.

As such, Blair saw that there were two possible routes to resolving the issue, a "change of heart or change of regime" (Blair 2011: 40) and that for Iraq to have proven the former was relatively easy (Blair 2010b: 104): "what Saddam could have done perfectly easily is to have provided the proper documentation and he could have cooperated fully in the interviews of the scientists."

The framework by which Iraq's compliance with the various resolutions was being judged, however, biased by pre-existing conceptions about the Iraqi leader and his regime, a point somewhat admitted by Blair (2011a) in his Iraq Inquiry testimony when he would repeatedly reference past behaviour and then speak about how he was interpreting current actions. This is in also evidence during Blair's speech in the Commons during the Iraq debate

over authorising the use of force (18th March 2003), which is worth quoting at length to fully illustrate the extent of how past behaviour was shaping the interpretation of contemporary actions:

“Indeed we are asked to believe that after seven years of obstruction and non-compliance finally resulting in the inspectors leaving in 1998, seven years in which he hid his programme, built it up even whilst inspection teams were in Iraq, that after they left he then voluntarily decided to do what he had consistently refused to do under coercion. When the inspectors left in 1998, they left unaccounted for: 10,000 litres of anthrax; a far reaching VX nerve agent programme; up to 6,500 chemical munitions; at least 80 tonnes of mustard gas, possibly more than ten times that amount; unquantifiable amounts of sarin, botulinum toxin and a host of other biological poisons; an entire Scud missile programme. We are now seriously asked to accept that in the last few years, contrary to all history, contrary to all intelligence, he decided unilaterally to destroy the weapons. Such a claim is palpably absurd.” (Blair 2003y)

Blair is correct that Iraq did not unilaterally destroy its weapons between December 1998 and 2003, but it is not “palpably absurd” to suggest that Iraq would unilaterally disarm because that is precisely what they did in 1991 (Blix 2004: 257).

The influence of pre-existing understandings based on past actions impact on interpretations of Iraq’s contemporary behaviour is something that the CIA highlighted after they conducted a major retrospective of their analysis of Iraq intelligence. The CIA produced a document entitled ‘Misreading Intentions: Iraq’s Reaction to Inspection Created Picture of Deception’ in January 2006 which argues that the US intelligence failure regarding Iraq’s non-existent weapons of mass destruction was the consequence of “analytic liabilities” and predispositions that kept analysts from seeing the issue “through an Iraqi prism”:

“Given Iraq’s extensive history of deception and only small changes in outward behavior, analysts did not spend adequate time examining the premise that the Iraqis had undergone a change in their behavior, and that what Iraq was saying by the end of 1995 was, for the most part, accurate.” (CIA 2006: 14)

“Analysts tended to focus on what was most important to us - the hunt for WMD - and less on what would be most important for a paranoid dictatorship to protect. Viewed through an Iraqi prism, their reputation, their security, their overall technological capabilities, and their status needed to be preserved. Deceptions were perpetrated and detected, but the reasons for those deceptions were misread.” (CIA 2006: 16)

“Ironically, even at key junctures when the regime attempted to partially or fully comply with UN resolutions, its suspicious behaviour and destruction of authenticating documentation only reinforced the perception that Iraq was being deceptive.” (CIA 2006: 1)

The implications of this means that it may technically be true that it was possible for Iraq to avoid military action by complying, the calculus upon which compliance was being judged made it all but impossible for a positive determination to be made whilst Saddam remained in power. That the threat was seen not just in terms of the language of the UN resolutions but also on a perception about Iraq's future desire to have weapons of mass destruction that meant Iraq was likely to be seen to be an intolerable threat so long as Saddam remained the leader of the country. Indeed, in the minds of Blair and Bush the threat was such that dealing with the issue of Iraq's weapons of mass destruction necessitated the removal of Saddam from power.

There was a pervasive notion amongst key decision-makers that Saddam could not be trusted under any circumstances, that even if disarmed under the conditions of the Security Council resolutions, a threat would persist. For instance, despite his claim that Saddam could have been left in power following compliance Blair (2010b: 97) also outlined the American position that so long as Saddam was in power then there was a weapons of mass destruction threat, even if he had been disarmed: “[T]he American view throughout had been, you know, “This leopard isn’t going to change his spots. He is always going to be difficult.”” Posing to himself the question “did I have any real belief in his [Saddam’s] good faith”, Blair (2010b: 31-2) responded, “No, I didn’t.”¹² Blair (2011a: 80) made similar comments during his second oral testimony session with the Iraq Inquiry, that the American view was that it was “absurd to think Saddam was going to change his mind”.

¹² Jonathan Powell (2010: 37) confirmed to the Iraq Inquiry that this was the position of the British government: “I don’t think we believed you could get to any serious conclusion with Saddam, that he would ever stick to anything that he promised to do.”

The threat framework was based on two aspects, the nature of the Iraqi regime and its intent to maintain the ability to produce weapons of mass destruction even after it had disarmed. On the former, Blair (2010b: 65) has stated that his assessment of the threat from Iraq's weapons of mass destruction were not just a result of the horrific nature of the weapons, but directly linked to the nature of the Iraqi regime: "my assessment of the security threat was intimately connected with the nature of the regime." Additionally, given the nature of the regime and its past history, Blair (2010b: 67) has also publicly stated that much would have been needed to disprove the thesis that Iraq had weapons of mass destruction: "it would have required quite strong evidence the other way to have been doubting the fact that he [Saddam] had this programme [of weapons of mass destruction]." By Blair's own criteria then, coming to the determination that Iraq was in full compliance with its disarmament obligations was to require quite some doing; attempting to prove a negative in this matter is almost impossible, especially when those you are seeking to persuade believe you to be deceiving them as a matter of course. This position also saw the burden of proof shift from those making unfounded accusations about Iraq's alleged weapons to Iraq itself. Importantly, this statement by Blair also contradicts the one he made about the ease with which Saddam could have proved his willingness to fully comply with his disarmament obligations. Simply allowing interviews of scientists outside Iraq, it would seem, would not have sufficed to convince Blair of Iraq's desire to comply fully with its disarmament tasks.

The nature of the regime was also, in Blair's assessment, directly linked to the intent argument and how the issue of Iraq's weapons of mass destruction was assessed:

"[W]hen you actually read the descriptions of what happened when Saddam Hussein used chemical weapons in the Halabja village, and by some accounts as many as 5,000 people died through chemical weapons, there are people in Iraq today still suffering the consequence of that, to me that indicated a mindset that was horrific. It is horrific whether or not he then uses weapons of mass destruction, *but if there is any possibility of him ever acquiring them or using them, it is a mindset that indicates this is a profoundly wicked -- I would say almost psychopathic man.* ...this definitely impacted on our thinking." (Blair 2010b: 66, emphasis added)

Given this history, Blair posits, the calculation that needed to be weighed by decision-makers keen to resolve the issue was the risk of allowing the regime to acquire weapons of mass destruction at some future date:

“[T]he decision I had to take was, given Saddam’s history, given his use of chemical weapons, given the over 1 million people whose deaths he had caused, given ten years of breaking UN Resolutions, could we take the risk of this man reconstituting his weapons programmes, or is that a risk it would be irresponsible to take?” (Blair 2010b: 90)

For Blair, if there “was any possibility” that Saddam could develop weapons of mass destruction then his view was that “we should stop him” as he believed with such a regime on such an issue “you don’t take any risks” (Blair 2010b: 83 and 91). If Iraq complied, was verified to have complied and subsequently sanctions were lifted, Blair believed that under Saddam Iraq would still desire mass destruction weapons and actively pursue them. This reality, Blair believed, necessitated the removal of Saddam from power to fully disarm the country.

4.4.1: Intent

Linked to the threat calculus was, then, an argument that Saddam intended to restart or retain WMD capabilities even if he first complied with UN resolutions. In his Iraq Inquiry testimony Blair (2010b: 104-8, 111; 2011: 8, 13, 78, 85, 88) repeatedly focused on this aspect of the ‘threat’, stating that he believed Saddam intended to maintain the intellectual capacity to produce weapons of mass destruction and that this informed his decision to undertake military action. For Blair (2010b: 104; 2011: 88), a key indicator of this future intent was Saddam’s unwillingness, and failure, to allow interviews with Iraqi scientists to be held outside of Iraq. Intransigence on this issue, the Prime Minister argued, demonstrated a wider resistance on the part of Saddam to fully accept the need to disarm and that, therefore, he had no real intention of disarming. By not allowing these interviews to take place Blair also argued that Saddam was trying to maintain the intellectual capacity to produce weapons of mass destruction, that these scientists knew how to produce illegal weapons and could apply this knowledge in the future, signifying his intent to reconstitute them.

That Saddam may have sought weapons of mass destruction after being verified to have complied was Blair’s (2001: 90) justification for war and not allowing the inspection process to play out: “‘May have been’ is my justification for this.”

Seemingly the future intention calculation took priority in Blair’s mind over current compliance actions, which produces a problem with the consistency of argument the Prime Minister was putting forward about his decision to use military force. Blair was claiming that

his actions were motivated by an attempt to maintain the integrity of the Security Council resolutions (and the UN more broadly) but these resolutions included a clear release mechanism from sanctions following compliance and did not reference issues of future intent and risk. If Iraq complied, then sanctions would be lifted. Blair's threat calculus included consideration for what would follow once Iraq had complied and sanctions were lifted. In Blair's mind, the real threat seeming stemmed from a post-sanctions Iraq with Saddam still in power. By complying Iraq was, in this calculation, posing a future threat where it could reconstitute its weapons programmes in the absence of UN controls.

Essentially then, Blair did not want to see Iraq verified to have complied and sanctions be lifted so long as Saddam was in power (see Chapter 7). He feared that the international community would move on and not have the will to deal with a post-compliance Iraq again at a future date, a risk that was unacceptable to Blair. The contradiction is that in a stated attempt to uphold the provisions of the Security Council, Blair was unwilling to preserve a key part of them, the release mechanism upon compliance. No doubt Blair would argue that Iraq was not in compliance, and could never be so long as the intent to have weapons of mass destruction remained.

As with the threat argument, the intent element was also predicated on a particular way of viewing Iraqi behaviour that influence how actions were interpreted. Blair's predisposition to see Iraq as not willing to fully comply and his personal beliefs about the nature of the regime meant that again analysis was biased by pre-existing understandings of the situation and helped obscure alternative explanations for Iraq's action. The so-called "deterrence by doubt" policy Iraq promoted in regard to Iran meant that it was seeking to maintain ambiguity over its weapons programme as a way of balancing against Iran and keeping it in check (Gordon and Trainor 2006: 65). This political strategy certainly was a risky one and ironically, given that its purpose was to deter attack, probably made a coalition onslaught even more likely.

Viewed through this framework of this deterrence strategy Saddam's resistance to allow scientist linked to Iraq's weapons programme leave the country is not necessarily the indicator of future intent that Blair was so sure it illustrated. Whilst this future intent was likely still there, and whilst part of the ambiguity campaign was to "frighten into submission" potential rebellious groups (Gordon and Trainor 2006: 65), the simplified framework through which Blair viewed Iraq's actions lacked the ability to understand the nuanced elements of the situation and to formulate alternative explanations and responses.

Given this Iraqi strategy, it is not necessarily surprising that coalition members thought Iraq was hiding something, but the point is that they did not challenge their pre-existing assumptions or attempt to understand Iraqi behaviour from an Iraqi perspective. Having decided that regime change was the end state objective it is even less surprising that these assumptions were not seriously tested in any sustained or vigorous manner, but this just helps illustrate the limiting consequences previous decisions can produce.

Implications of the intent argument

Psychologically, the intent argument and threat calculus also had the effect of allowing Blair to pledge support for Bush and the potential use of force throughout most of 2002 whilst maintaining the no final decision had been made and that Iraq could disarm peacefully. The two aspects meant that it was virtually certain that war would occur but they did not necessarily preclude the avoidance of war if Saddam complied fully with Iraq's disarmament obligations. This allowed Blair to maintain right up until March 2003 that no actual decision to use force had been made despite the fact that his support for President Bush's course of action would be unwavering and that the most likely outcome was that war would be necessary under the calculation that was being employed.

This allowed Blair not to be disingenuous in a technical sense when stating no decision had been made about military action, but equally this presented events in a manner that belied the practical implications of his offer of support and the calculus upon which he was assessing Iraq's disarmament.

4.4.2: A Unique Threat?

There were two threat calculations that were being made in parallel by the British government, one that was the eventual justification for war that saw Iraq as a threat that necessitated military action as the only viable disarmament option, and another one that readily acknowledged that based on a material assessment the Iraq threat was limited and less than that of other countries (Scarlett 2002a; McDonald 2002a). In terms of the latter, that there was not a direct material threat from an active weapons programme meant that in its public presentations the government had to instead rely on emphasising the 'threat' Iraq posed (see Chapter 5).

Indeed, a 7th March Cabinet Office paper spoke about "sensitising the public" as part of making the case against Iraq and, crucially, the need for "a media campaign to warn of the

dangers that Saddam poses and to prepare public opinion both in the UK and abroad” (Foreign Office 2002a). The emphasis on the “dangers” of the Iraqi regime was part of a deliberate strategy to draw attention to the broad ‘threat’ posed by the regime and weapons of mass destruction rather than simply focus on new information about a material change in weapons of mass destruction production. This threat focus followed, as mentioned above, an acknowledgement that the material capabilities in Iraq to produce WMD had not changed, rather, it was the willingness post-9/11 to tolerate the risk that Iraq posed that had changed.

That the government adopted this new ‘threat’ approach to make the case against Iraq is evidenced in a 5th March op-ed by Foreign Secretary Jack Straw (2002a) entitled ‘Removing the Threat of Iraq’s Weapons of Mass Destruction’ that claimed “evidence has been building up that the threat from Iraq’s weapons programmes is growing once more.” Following the Cabinet Office paper the focus on threat was also seen in a press conference that Blair gave alongside Vice President Cheney on the 11th March 2002. Blair told the assembled journalists that “no decisions have been taken on how we deal with this threat, but that there is a threat from Saddam Hussein and the weapons of mass destruction that he has acquired is not in doubt at all.” Blair’s references to the “threat” were in line with the proposal put forward in the Cabinet Office (2002) paper three days earlier that stressed that the public should be given notice of the “danger” from Iraq.

The ‘threat’ focus was then reiterated to Blair as he prepared for the Crawford meeting, a stance Blair (2010b: 12) would himself later often repeat in his testimony to the Iraq Inquiry. This advice stressed that what had changed was not Saddam’s weapons programme in a material sense, but the tolerance towards it following the terrorist attacks in America (Ricketts 2002a; Straw 2002b).¹³ This ‘threat’ position, however, produced a problem in terms of making the public case for war. Ricketts (2002a) pointed out that there was still an issue in regard to public perception of the supposed Iraqi threat, noting “we are still left with a problem of bringing public opinion to accept the imminence of the threat from Iraq”. Essentially, Ricketts was noting that the public did not accept the new risk calculus that was driving the government perception that there was an imminent need to confront Iraq.

¹³ This ‘threat’ focus did not preclude material arguments about weapons production from being made, indeed, numerous examples exist but these often included allegations about the retention of previous capabilities and unaccounted for. When the public focus on the dangers emanating from Iraq were failing to gain traction, allegations about new production and capabilities increasingly became part of the narrative, especially around the time of the September dossier.

4.4.3: Four Nation WMD Dossier

In early 2002 the British government intended to produce a dossier that not only focused on Iraq (as it would in September 2002), but also included details on Iran, North Korea and Libya. In mid-March 2002, however, “it was decided, as a policy decision, to proceed not with the four country paper, but with a draft on Iraq alone”; the Iraq document was then shelved as the evidence remained too weak and the moment was considered too early politically (Scarlett 2009: 26).

The documentary record helps reveal why the four nation document was replaced by a single one focussing on Iraq. The joint paper was considered to put the Iraq issue in a useful wider context of the threat of weapons of mass destruction generally but, given the inclusion of the other countries, would also result in Iraq being seen not as an exceptional WMD threat. Scarlett (2002a) suggested that the release of an Iraq only document would have the “benefit of obscuring the fact that in terms of WMD, Iraq is not that exceptional”. This followed comments by Straw questioning whether an Iraq document should not be released first as there was a need “to show why there is an exceptional threat from Iraq”, something Straw thought the four nation document did not do (McDonald 2002a).

The inclusion of the three other nations demonstrated that Iraq was not alone in terms of the British government’s concerns about countries with weapons of mass destruction programmes and could mean the public might conclude that dealing with Iraq was not the first priority.

Crucially, the government itself had come to the conclusion that these other nations posed more of a threat than Iraq did in some respects, a point later publicly acknowledged by Straw (2011b). Indeed, according to evidence provided in secret to the Iraq Inquiry of a conversation at Chequers on the 4th April 2002, the day before Blair flew to Crawford, the Prime Minister is said to have “realised” and “understood” that Libya “posed a bigger threat” than Iraq. The documentary record corroborates this secret evidence, revealing that such an assessment about the relative threat of Iraq was also made at a 23rd July 2002 meeting at Downing Street. The meeting’s minutes reveal the government’s belief that Iraq’s “WMD capability was less than that of Libya, North Korea or Iran.” (Cabinet Office 2002c)

Having replaced the four country white paper with the (eventual September) dossier on Iraq, the government actively began a concerted effort to portray Iraq as uniquely threatening, focusing on its lack of compliance with a number of UN resolutions and its previous use of WMD to make this case (Scarlett 2002a). A review of Government ministers’

speeches in the House of Commons, for instance, reveals that despite knowing that a material change in armaments had not taken place and that as a country Iraq represented less of a threat than others, Iraq was repeatedly represented as a unique threat (Blair 2002d: Column 19; Blair 2003z: Column 33; Straw 2002x: Column 26; Ingram 2002: 568; Mandelson 2002: 91).

4.5: Other Critical Junctures

In his book about the ‘special relation’ between Britain and America, Riddle (2003: 195) makes the case that in terms of committing the British government, Crawford was the engagement but the wedding was the September 2002 Camp David summit. By this the author means that rather than making an explicit military commitment at Crawford, “Blair became steadily more tied in to the Bush strategy during the course of 2002”, that the movement towards military action occurred in stages across a period of about a year from Crawford onwards (Riddle 2003: 194-5). Relating this back to this research and notions of path dependence, such a line of argument suggests that there were a number of incremental points whereby the commitment to support the Bush administration was given, that these were cumulative critical junctures that increasingly limited the future scope of action. In this view Crawford was the initial step but the final determination came later with steps that increasingly moved Blair towards military action in between.

The importance of illustrating such a line of reasoning is to outline that the ‘Crawford Moment’ argument outline here is not to suggest that it was this summit alone that caused path dependent effects. Rather, the ‘Crawford Moment’ needs to be seen within the wider context of it being the instigation and that a number of other moments occurred afterwards that then increasingly moved policy along the path Blair set in Texas in April 2002.

Blair’s support was constantly tested but each time he reaffirmed what he offered at Crawford the path to regime change increasing became harder to deviate from. For instance, after the 23rd July 2002 Downing Street meeting in which both regime change and the use of force were described to the Prime Minister as now being seen as inevitable in the US (Rycroft 2002a) meant that proclamations of continuing support was no long just abstractly supporting military action as a possible avenue to Iraqi disarmament, it was now the course of action.

Similarly, in agreeing to the UN route in September 2002 on the condition that any resolution authorised the use of force without the need to return to the Security Council Blair

was no longer offer potential support for future military action in the abstract. Not long thereafter (17th October 2002), Blair decided that if a report of material breach was produced by the UN weapons inspectors then military action would be taken whether a second determination was made by the Security Council or not (Rycroft 2002a), despite this being considered illegal at the time by government Legal Advisers (Wood 2002e).

Also, Blair wrote a number of letters to President Bush during 2002 which have been seen by the Iraq Inquiry but are not publicly available. However, these written accounts have been described as containing “important and often unique insights into Mr Blair’s thinking and the commitments he made to President Bush” and Sir John Chilcot, Iraq Inquiry chairperson, has said the letters “illuminate prime minister Blair’s positions at critical points”. (Norton-Taylor 2011) According to Alastair Campbell (2010: 56-7) the tenor of these communications to President Bush was that “we are absolutely with you” in dealing with Iraq and that if this cannot be achieved peacefully then “Britain will be there” to do it militarily. That Blair was constantly reaffirming his position of support even as other elements changed helps sustain the argument that Crawford set in motion a path that was then further strengthen with each subsequent movement along it. The implication of each additional step (the reaffirmation of the Crawford commitment of support) was to increasingly limit the scope of future actions and imposed increasing costs of reversal.

4.6: Impact of withdrawing support

In terms of the impact of renegeing on this support and invoking notions of path dependence, a heavily redacted January 14th 2003 document sent from Permanent Undersecretary of State Kevin Tebbit sets out the potential consequences of withdrawing support and not participating with the US in military action. The paper, set against the backdrop of trying to gain a second resolution at the United Nations, notes that the Bush administration was aware that proceeding with military action without a further UN mandate would be problematic for the country redacted from the document, which it is safe to assume was the UK. Tebbit notes that the White House, therefore, considered this to be “a defining moment for courage and determination.” Tebbit then sets out the implications of withdrawing support having pledged it to the Americans:

“[H]aving valued profoundly the way we have stood shoulder-to-shoulder with them so far, the US will feel betrayed by their partner of choice. New Labour’s carefully constructed relationship with a Republican Administration (that is set to remain for a second term) would be seriously weakened... It is also reasonable to expect that the damage to our interests and influence would be felt almost immediately and strongly in the foreign policy and security field, although other areas of the relationship could not be immune.” (Tebbit 2003a)

Blair (2011b) would later make similar statements, contending that if Britain had withdrawn its support for US military action it would have had “disastrous consequences for a tough stance on WMD and its proliferation – and for our strategic relationship with the US, our key ally”. If Blair had not given the level of support he evidently did at Crawford, it is likely that the impact of non-involvement in military action would not have risen to the level of these consequences. This signifies and helps support the argument about the binding effect of the Crawford commitment. In a path dependence sense, the cost of altering the course set in motion at Crawford was huge. These costs of reversal arguments help explain how the ‘Crawford Moment’ locked the government into a temporal inertia and thus also help illustrate the usefulness of applying the pre-existing and longstanding path dependent literature to the Iraq case.

4.7: Chapter Summary

This chapter established that Blair clearly offered his support to Bush in April 2002 to ‘deal with the Iraq issue’. In promising to stand shoulder-to-shoulder with the President, Blair did so fully aware that the American government’s official policy was to seek the removal of Saddam Hussein from power and that the President had recently made public statements to this end. Indeed, Blair’s personal belief, shared by his key advisors and ministers, was that Iraq would never fully comply with its disarmament obligations so long as Saddam remained in power. This outlook helped bias the assessment of Iraq’s compliance and behaviour (see Chapter 7), whilst the possibility of avoiding war was technically available, the likelihood of such an outcome was incredibly small given the calculus on which the threat was being determined. Combined with the knowledge about the US position, this meant that an offer of

support to deal with the Iraq issue was effectively to agree to the possibility of overthrowing Saddam.

One consequence of this is that following the Crawford summit the British government had committed itself to support the President in dealing with Iraq to such a degree that even if it did not manifest it necessitated preparing to use military force to overthrow Saddam from power. This commitment helped bound the attentional dynamics of time-poor, cognitively limited actors by necessitating the prioritising of a legal and public information campaign to attempt to legitimise future actions against Iraq.

Another consequence of the Crawford commitment was that it bound the scope of future decisions the British government could make in a manner akin to path dependence. This is perhaps most evident in how the British government then had to deal with post-war issues. Particularly, this meant that post-Crawford phase IV difficulties were unlikely to be seen as sufficient to determine that military action was not a viable course of action in a manner that might have been the case absent such a commitment. Consequently, rather being an impediment to going to war, post-conflict difficulties simply became hurdles that must be overcome.

Chapter 5

A Bounded Task Environment: War Legality and Public Persuasion

This chapter details how the British government sought to gain legal cover for the potential use of force and how they were constrained by legal issues during the build-up to war. It is argued that driven by the ‘Crawford Moment’ (see Chapter 4), the intensity of government attention to gain legal cover for the use of military force was not so much motivated by the law per se, but rather by the need for political legitimacy. This chapter also argues that the legal constraints the government faced and the inertia of the ‘Crawford Moment’ were sufficient to limit the scope of cognitive actions that boundedly rational actors could undertake and that this bound the task environment in which Iraq policy was constructed.

In of itself, the need to gain legitimacy did not necessarily have to bind the task environment, what bound it was the amount of attentional resources that were required over a prolonged period of time to secure the political cover that the government needed. If legal cover had been easily and quickly forthcoming then the impact on limited attentional resources would have been significantly lower than the protracted and difficult affair that policy-makers actually faced. What complicated the pursuit of legal political cover was that as things stood there was no legal route to the use of force and the policy option, regime change, would be illegal as the objective of any military action. Regime change could lawfully be an outcome of military action if it was considered a necessary requirement to ensure compliance with disarmament obligations, meaning to achieve the end of regime change lawfully, the Blair government needed to be legally authorised to disarm Iraq through the use of force.

In 2002 no such legal authorisation existed and self-defence and humanitarian intervention arguments were considered not to be applicable at this time either. The route to gaining legal authorisation to militarily disarm Iraq was through the United Nations, problematically, this was an avenue of action to which key members of the Bush

administration were deeply hostile. Under these circumstances, considerable effort would be required to convince President Bush to adopt a multilateral approach for dealing with Iraq, an outcome that was by no means guaranteed.

This context placed the Blair government in a particularly difficult position, especially post-Crawford where it had effectively committed itself to the use of force if that was the American course of action. The legal authority to support such an action did not exist at the time that the commitment to the United States was made and the routes to achieving it were uncertain at best, given the Bush administration's resistances to the United Nations. This was further pressurised by a deeply sceptical British public over the merits of military action in Iraq. Confirmation by at least July 2002 that the use of force to overthrow Saddam was seen as all but inevitable in the minds of the Bush administration added to this pressure, particularly as the policy objective of regime change could not be legally justified.

Given that the eventual legal authority to use force against Iraq came a matter of days before the invasion in March 2003, there was a protracted, yearlong period following Crawford in which the government unsuccessfully sought legal cover. By analysing the documentary record it is possible to see throughout this period a number of ways in which this issue drew considerable resources, particularly the 'call and response' scenarios whereby various members of the Blair government tried to make different legal arguments at different times that were constantly, and immediately, rebuffed by legal opinion. This ongoing rejection of numerous attempts to find a legal argument necessitated additional resources to secure a lawful course of action. This was then complicated by the fact that having gained a commitment from President Bush to pursue the UN route, the subsequent Security Council resolution was considered by legal opinion to not be sufficient on its own to authorise the use of force. This meant that after significant time and effort, having finally secured the UN route and a new resolution, the intended goal of achieving legal sanction still eluded the British government.

There are two components of this chapter. Firstly, the establishment of a link with Chapter 4 by outlining that the legal campaign was not just a response to the law but was part of a broader, political strategy necessitated by the 'Crawford Moment'. Doing so helps substantiate the path dependent argument (see Chapter 6) about the offer, and level, of support Blair gave the US President at Crawford being a critical juncture that set a particular course of action at the expense of previously viable alternative policy options. Secondly, the chapter locates the attempts to gain this political need within the concept of bounded rationality, establishing that the process of this attempt was sufficiently complex to bind the

task environment in which Iraq policy was being constructed. Crucially, beyond adding complexity to the task environment it also drew significant cognitive resources right up to the time of the invasion at the expense of the less prioritised task of post-war planning (see Chapter 6).

Political Persuasion

Adding to the complexity of the task environment was another aspect stemming from the ‘Crawford Moment’ that also consumed valuable cognitive and attentional resources: an information campaign. Much like the legal aspect, it is not necessarily surprising that the British government undertook an informational campaign to present evidence against Iraq as the need to gain legitimacy and be seen to be open and transparent are especially important in liberal democracies. There was also a precedent in terms of publishing intelligence in regard to intervention in Afghanistan.

Primarily focused on the September 2002 white paper on Iraq’s alleged weapons of mass destruction, this part of the chapter analyses the documentary record and reveals that this campaign was one aimed at public persuasion and one that garner significant resources. One particular way in which it required considerable political effort was the presentational need to make sure that it aligned with previous public statements and a similar dossier being created by the Bush administration.

Part I: Legal

5.1: Seeking Political Cover

The political dynamic of the legal campaign is particularly evident in terms of the so-called second resolution. Attempts to securing a second determination by the Security Council following the adoption of resolution 1441 were more so for domestic politics reasons than about enhancing the legal cover for the use of force: “It was always clear to me that in working for a ‘Second Resolution’ in early 2003 HMG’s motives were primarily political: to help shore up flagging political support in the UK.” (Pattison 2011) Straw (2003b) made the same point in internal communications on the 6th February 2003 when reiterating the political importance for the British government for domestic reasons of securing a second resolution within the Security Council: “the UK attaches high priority to achieving a second Resolution

for domestic political reasons.” Also a ‘Key Issues’ paper was submitted to prepare for Straw’s visit to Washington in which a proposed legal avenue in the absence of a second resolution was presented: “In domestic politics terms we need [a second SCR] more than ever.” (Wood 2003a)

During early 2003 Blair and others in his administration did not believe that the legal advice they were gaining was the correct interpretation of resolution 1441, their take was that it authorised the use of force without the need of a further determination from the Security Council following material breach. Seeking a second resolution that explicitly authorised the use of force, Blair (2011a: 61) told the Iraq Inquiry, was not for legal reasons as he believed he already had authorisation for the use of force. For Blair, gaining a second resolution would provide political cover at a time when the British public was deeply opposed to military action against Iraq. For instance, a mid-February 2003 poll showed that 52% of the population were opposed to the war, with only 29% supporting it (Travis and Black 2003). “I think politically at that time that was the pre-occupation”, to get a second resolution Blair (2011a: 61) told the Iraq Inquiry, “it was certainly politically a lot easier to do it [invade Iraq]” with a second resolution. An illustration of the political importance of gaining a new determination by the Security Council is a January 2003 Guardian/ICM opinion poll that revealed 81% of the British population believed a new mandate from the Security Council was essential before any resort to the use of force (Travis 2003).

5.1.1: Pressurised Task Environment

Whilst it is possible, and necessary, to clearly establish the pressures within the task environment, it is also the case that these pressures have been articulated by Blair. In his own words Blair (2011a: 62) describes the pressures within task environment in which Iraq policy was being formulated as being “enormous” and occurring across a number of months: “I can only say the political pressure was just enormous at that time in December, January, February 2002/2003, and I think it would have been very hard not to have pushed for the second resolution”.

Blair also described how he “was in a very, very difficult situation politically” (Blair 2011a: 67). In terms of commitment, Blair (2011a: 129) “was absorbed enormously by the politics” of trying to gain a second resolution and describes how he was “literally on the go virtually round the clock trying to herd up the members of the Security Council” (Blair 2011a: 94). He also reiterated how having a second determination by the Security Council would have made things a lot easier politically speaking (Blair 2011a: 28, 61).

5.1.2: Political Costs

In addition to the potential costs to the special relationship of withdrawing support (see Chapter 4.6) there were also potential costs associated with failing to gain a further determination by the Security Council. Attempting to avoid these costs, by Blair's own admission, pressurised the task environment considerably. Indeed Alastair Campbell (2006: 666) recorded in his diary on the 10th February 2003 that Blair "could barely be in a more exposed place now". The mounting pressure was such that on the 7th March 2003 Campbell (2006: 672) described how the Cabinet Secretary "was quietly looking into how a JP [Deputy Prime Minister John Prescott] caretaker premiership would operate" should Blair be forced to resign. Campbell (2006: 672) also records that Blair had said he would resign if he lost the House of Commons vote on the use of force.

The intensity of the pressure was such that it prompted a dramatic response from the US President. On the 9th March Bush told Rice, "We can't have the British Government fall because of this decision over war" and in a subsequent phone conversation with Blair told him "my last choice is to have your government go down" and suggested that the UK could "drop out of coalition" for the initial invasion (Seldon 2007: 116). Confirming the path dependent nature of the 'Crawford Moment', Blair replied "I said I'm with you, I mean it" (Seldon 2007: 116).

The Government's predicament was so serious that in addition to Bush, it prompted Manning, Sally Morgan and Straw to make "further attempts to persuade Blair to pull back." (Rawnsley 2010: 160) Blair (2010a: 429) also records in his memoirs that Straw met him at Downing Street on the 5th March and told him that if the Prime Minister supported Bush in the use of force without a second resolution "the only regime change that will be happening is in this room". Blair (2010a: 429) also reveals that as the Cabinet Secretary drew up plans for what would happen in the "event of my falling" and thought to himself, "These really could be the last days in office."

5.1.3: Crawford Inertia

This is the crucial context in which attempts to secure a legal route to military actions were conducted. In terms of pressurising the task environment, the tightrope that the government were walking over gaining legitimacy for action was such that the cost of failure would be the potential fall of the Prime Minister.

Seen in this light, the repeated and concerted attempts to find a legal route for the use of force, and their constant rebuttal right up until the days before the war, chronicled below, were not simply a debate over the law, but about the survival of the government. Course reversal was unforeseeable for Blair, but the cost of failing to gain the legitimacy to continue along that course was massive. Having made the commitment to stand by the President, Blair was willing to resign rather than deviate from the path set at Crawford.

5.2: Regime Change Focus

A constant legal position that was repeatedly made clear to the Blair government during the build-up to war was that regime change could not be the animating purpose of any military action. This did not preclude the removal of Saddam from power if that was deemed a necessary part of disarmament but it could not be a lawful objective of military action.

For instance, an early example of the desire for Saddam to be removed from power that ran in parallel with an awareness of the illegality of a regime change policy can be found in a letter to Manning from Richard Dearlove's (2001) via his Private Secretary on the 3rd December, 2001 and a Foreign Office options paper issued the same day. The letter from Manning noted that, "The removal of Saddam remains a prize", but the Foreign Office options paper stressed that military intervention for the purpose of regime change would be illegal (Foreign and Commonwealth Office 2001).

On the 21st March, 2002, Foreign Office Legal Counsellor John Grainger responded to a request from Foreign Secretary Straw for advice about the provisions of international law as relevant to regime change and the use of force to achieve it. On the issue of the use of force, Grainger responded by noting that all forms of "interference or attempted threats" against either the "personality of state" or political, economic or culture elements of it "are violations of international law." Even if British forces were not directly involved, any action by the government to assist in the overthrow of Saddam "would be contrary to international law." Grainger notes that "any use of force by HMG [Her Majesty's Government] with the objective of changing the Iraqi regime would also be illegal", but points to a case whereby the end product of regime change could be lawful. Where the use of force was legally mandated, force would not become illegal simply because it resulted in the change of regime in the target state "provided that the action was within the criteria for the legitimate exercise" of military action (Grainger 2002).

A memo from the Foreign Office to Blair in early March 2002 stressed that, “Of itself, REGIME CHANGE has no basis in international law.” (Foreign and Commonwealth Office 2002a) Straw (2002b) followed this up by providing advice directly, noting to Blair that “regime change per se is no justification for military action” but informing the Prime Minister that it could be part of “the method of any strategy, not the goal.” Blair (2010a: 400) would later recall in his memoirs that he knew that “regime change could not be our policy”.

Other examples of acknowledgments that regime change could not be the objective of military action include a document produced by Powell (2002) on the 19th July 2002. This document outlined that the legal basis for military action needed to be in regard to disarmament and not regime change (Powell 2002) and a Cabinet Office briefing paper reiterated this stance on the 22nd July: “Regime change per se is not a proper basis for military action under international law. But regime change could result from action that is otherwise lawful.” (Cabinet Office 2002b).¹⁴ Additionally, the next day (23rd July) Goldsmith (2002a) told Blair, and others, at a Downing Street meeting the same thing, that regime change could not be the focus of any legal military action against Iraq, but could be the by-product of a legal use of force. Goldsmith (2002b) then set this position out in a letter to Blair a week later. Minutes also reveal that this point was yet again made by the Attorney General in a September 23rd meeting with Straw (McDonald 2002b) and was expressed in other internal discussions (Webb 2002b; Ricketts 2002).

This regime change stance necessitated legal sanction for the use of force to disarm Saddam, which in turn required UN action as at the time no legal authorisation existed for military action.

5.2.1: No Legal Route Currently Exists

A number of different lines of argument were set out to try and find a legal route of action, however, for the vast majority of the planning phase, military action was considered to be illegal. Indeed, as Elizabeth Wilmshurst, deputy legal advisor in the Foreign Office, pointed out, prior to the passing of UNSCR 1441 it was widely considered “that it would be necessary to have a resolution of the Security Council, if force against Iraq were to be lawful” and that other lawful reasons, such as self-defence or a humanitarian catastrophe, to use force “were not present at that time.” Wilmshurst also noted that this was the “consistent view”

¹⁴ Interestingly, Blair would tell the Iraq Inquiry that these were not in fact conditions so much as points where he hoped to influence Bush.

amongst all the law officers within the Foreign Office dealing with the issue, that they “were entirely of one view” on the issue and that ministers were aware of this view (Wilmschurst 2009). This legal position, Foreign Office Legal Advisor Michael Wood (2009: 15), notes “was pretty straightforward and pretty uncontroversial”.

For instance, on the 8th March 2002 a Foreign Office paper “put up in lights officials’ very serious doubts that a legal base for any [military] action” existed at that point in time (Rickets 2009: 8). Indeed, Straw would express concerns that the government may not even be able to secure a legal basis for the use of force, stating the prospect was “uncertain at best.” (Straw 2002c)

Additionally, in July 2002 the Attorney General again looked into whether there was a self-defence argument that could be made to legalise a use of force. Lord Goldsmith concluded that he did not believe that there was a compelling legal argument for self-defence due to the fact that he “didn’t see any evidence of an imminent threat”, something required for the self-defence argument to stand (Goldsmith 2009: 12). Then on the 23rd July, 2002 Goldsmith expressed the view in person to the Prime Minister that neither humanitarian intervention nor self-defence arguments would provide a legal basis for military action (Goldsmith 2009: 21). In Goldsmith’s judgement, it would not be possible to rely upon UNSCR 1205, as had been the case in the December 1998 bombing of Iraq, as a basis for the use of force. As such, “you would therefore need to have at least a new determination by the Security Council, somehow or another, that there was a material breach.” (Goldsmith 2009: 22)

In making this argument in July 2002, Goldsmith also expressed his belief that “it is essential to show at least some determination by the Security Council itself that there has been a sufficiently significant violation of the ceasefire conditions” and noted that not only was the revival argument controversial when used in support of Operation Desert Fox in late 1998 but that UNSCR 1205 “did not contain any explicit authority to use force”, thus arguing that the Desert Fox precedent was not one that would hold water in 2002: “I do not consider it legally possible to rely on resolution 1205” and that many events had occurred since which “would need to be addressed by the Security Council.” With this all being the case, Goldsmith’s expressed position was that in the absence of a new Security Council resolution that outlined a new material breach, “military action would be unlawful.” Crucially, for events that unfolded in March 2003, Goldsmith went on to say that a new resolution alone was not sufficient on its own:

“Even if there were such a resolution, but one which did not explicitly authorise the use of force, it would remain highly debateable whether it legitimised military action – but without it the position is, in my view, clear.” (Goldsmith 2002b)

Goldsmith (2002b) followed this up by providing the same advice in writing to the Blair on the 30th July. The following month (15th August) Wood (2002d) wrote a letter to Stephen Wright (Deputy Under-Secretary at the Foreign Office) on the legality of the use of force against Iraq: “I am not, at present, aware of facts which would provide a respectable legal basis for military action, though further action of the Security Council could provide such a basis.” Wood also stressed that using military force “without a properly legal basis is to advocate the commission of the crime of aggression, one of the most serious offences under international law.” (Wood 2002d)

The key point is that after considering a number of different avenues no route to the lawful use of force existed but the United Nations could legally sanction force. However, key members of the Bush administration were deeply opposed to a UN route for dealing with Iraq, meaning the one avenue to lawful military action was not even guaranteed to be pursued, let alone successful.

5.3: US resistance to the UN Route

During a Cabinet meeting on the 7th March 2002 the main focus for Iraq planning “above all” was to “get the United States down the UN route.” (Straw 2011a: 38) Meetings with Under Secretary of Defense Paul Wolfowitz on the 18th March, however, revealed that key members of the Bush administration were “viscerally hostile to the United Nations policy” that the British government was seeking (Meyer 2009: 29). Indeed, Straw later informed Blair (25th March) that, “The US are likely to oppose any idea of a fresh [UN] mandate.” Problematically, Straw also then outlined that “the weight of legal advice here is that a fresh [UN] mandate may well be required” to authorise the use of force against Iraq (Straw 2002b).

During the summer of 2002, the British need to go down the United Nations route was being impeded by members of the Bush administration who were deeply hostile to such an approach for ideological reasons. On the 23rd July during a meeting at Downing Street it was noted that the US National Security Council (NSC) “had no patience with the UN route” (Rycroft 2002a) and on the 29th August internal communications noted that “Cheney and

Rumsfeld have been highly dismissive in public of any value to resume inspections.” (Brenton 2002) Indeed, two days earlier (27th August) Cheney had effectively dismissed the return of UN inspectors as a futile exercise when saying, “A return of inspectors would provide no assurances whatsoever of his [Saddam’s] compliance with U.N. resolution”. The Vice President also stated that it could also be actively damaging as there was “a great danger” that the inspector’s return might “provide a false comfort” that Saddam was being contained (Woodward 2002: 344).

During this period in the summer of 2002 it was later reported that Blair and his advisers were “mounting an intense diplomatic campaign to persuade Bush to agree to seek United Nations support over Iraq” over the summer recess (Rose 2012).

Despite its hostility to the UN, Colin Powell informed key members of the Bush Administration on the 14th August that the Blair government was behind the administration but that this support was fragile in the absence of some international cover (Woodward 2002: 335).

The summer diplomacy proved a success in early September. Over the weekend of 7-8th September 2002 Blair and President Bush met at Camp David, one significant outcome of which was that Blair was able to persuade the President to go down the United Nations route. Straw (2011a) later noted that for Blair to secure this agreement from Bush was no small feat given this resistance amongst key members of the Bush administration and demanded a concerted effort on the part of the Prime Minister. This level of effort also had the effect of drawing away attentional resources from other less prioritised tasks such as post-war planning.

In term of the effort required by Blair to secure this concession from Bush, Cheney was still arguing, in Woodward’s (2002: 345-6) words, that “to ask for a new resolution would put them back in the soup of the United Nations process – hopeless, endless and irresolute.” Whilst Cheney remained deeply hostile to the idea of going the UN way, Woodward (2002: 347) reveals that “Blair told Bush privately that he had to go the U.N. resolution route”, Manning informed Rice of the same. This means that British domestic politics considerations played a part in moving the president towards the UN option.

This decision to go through the UN was contingent, however, on gaining a resolution that once adopted would not require a return to the Security Council to authorise the use of force if Iraq was in material breach.

5.3.1: UNSCR 1441

However another problem arose, that once the US agreed to go down the UN route the resolution that was adopted was considered insufficient to authorise the lawful use of force, thus necessitating further action to find a legal course of action.

Blair (2011a: 55-6) acknowledged to the Iraq Inquiry that going into the negotiations and drafting of what would become UNSCR 1441, his view was “let’s not go through all this again”. This was in part because the resolution was supposed to represent a “final opportunity” to disarm peacefully but also because he was aware that it might not be possible to return to the council for a future decision (Blair 2011: 56). Iain Macleod, who helped negotiate and draft the resolution, told the Iraq Inquiry that a “key criterion for the resolution” (Macleod 2010: 17) was “that there would not be a further Security Council decision at a later stage”, to “make clear that there would be no further resolution required” (Macleod 2010: 10-11).

Blair (2011b) would later state that 1441 achieved this objective, however, at the time of the resolution’s adoption, and indeed through until March 2003, Goldsmith insisted that it was insufficient on its own to authorise the legal use of force, and that a further Security Council determination was required.

5.4: Revival argument, material breach and an unreasonable veto

Despite the desire not to have to return to the Security Council, in preparation for Camp David Greenstock wrote on the 3rd September that much more groundwork was required for the government to achieve even the softest of resolution texts. In the case that going through the United Nations route fails “to secure legal cover for military intervention”, Greenstock set out a Plan B, arguing that “our priority should be to reactivate SCRs 678 and 687” as part of the so-called revival argument (Greenstock 2002). However, the prevailing legal advice at the time was that without further United Nations Security Council action then the so-called revival argument would not be sufficient legal cover for the use of military force against Iraq. This would be the case even following the adopting of the circulating draft resolution that would become 1441 (Foreign and Commonwealth Office 2002; Sedwill 2002b; Adams 2002a).

This means that having secured the UN route, a tough task in itself, Blair was unable to secure a resolution that authorised the use of force and the legal option that followed was

also insufficient to lawfully authorise military action. Having already expended a great amount of effort, the prize was still yet to be obtained.

The rejection of the legality of the revival argument without a further determination by the Security Council was repeatedly made by Wood and the Attorney General. For instance, on the 4th October Wood reminded Straw that previous Law Offices' legal advice was "that the revival of the authorisation to use force in SCR 687 requires a further decision of the Council" (Wood 2002b). This followed a previous occasion whereby Wood (2002a) had outlined that the government could not legally rely on the revival argument absent a further decision by the Security Council. Wood stressed that Britain "would receive no support for reliance on the 1990 resolution authorising the use of force prior to Desert Storm in the absence of a further decision by the [UN Security] Council" (Wood 2002a). This stance was then reiterated by Wood (2002d) on the 15th October stating that the current draft resolution would not provide legal authority for the use of force based on the revival argument, a point again made on the 17th October (Wood 2002e), the 18th October (Wood 2002f) and the 6th November (Wood 2002g).

In March 2002 Goldsmith had already expressed his view that "there could be considerable difficulties in justifying reliance on the original authorisation to use force" (Goldsmith 2002a), the so-call revival argument, predicated on 1991's UNSCR 687, a point reiterated in July (Goldsmith 2002b). This position was the re-made having analysed the latest draft resolution when on the 18th October Goldsmith telephoned Straw and explained that the draft resolution "did not provide a legal authorisation for the use of force." (Sedwill 2002)

This consistent delivery of argument by Goldsmith and Wood of the need for a further determination meant that the government was unable to fully sustain its claims to have secured its objective of not having to return to the Security Council (Blair 2011b; Macleod 2010: 10-11). Rather than gaining clear legal cover, this situation prompted "a continuing debate" about the legality issue over the coming months (Blair 2011a: 56).

It was this ongoing 'debate' (see Chapter 5.5), stemming from the failure to clearly secure the objective of not having to return to the Security Council, that helped add complexity to the task environment across a protracted time period and drew considerable government attention and pushed the Prime Minister towards resignation (see Chapter 5.1).

5.4.1: Material Breach

Part of the argument about resolution 1441 not providing sufficient legal authorisation on its own for the use of force stemmed from the fact that it was for the Security Council, and not member states, to make the determination about whether Iraq was in material breach. In late October 2002 Goldsmith repeatedly outlined this point that it was for the Security Council to decide whether Iraq was in material breach, on the 18th (Foreign and Commonwealth Office 2002b; Sedwill 2002b), again on the 21st (Straw 2002d) and then to the Prime Minister on 22nd October 2002 (Adams 2002b). Goldsmith's "firm view" was that even if the weapons inspectors reported to the Security Council that Iraq was in material breach, "the resolution as it stands would not be sufficient to authorise the use of force without another Security Council resolution." (Adams 2002a) It was "for the Council to decide" the question of material breach and what the response should be if a determination of material breach was reached (Adams 2002b)

Similarly, on the 6th November Wood also outlined that it would be for the Security Council to make the determination on material breach, either in the form of a new resolution or by Presidential statement and explicitly noted that "this is not a judgment to be made unilaterally by individual Member States." (Wood 2002g) If the Security Council did not make such a determination "at the second stage" then, Wood (2002g) argued, there would "be nothing to point to by way of revival of the authorisation of force given in SCR 687."

On the 11th November the Attorney General told Jonathan Powell in a telephone conversation that whilst it was possible that Iraq could be in breach of Security Council resolution 1441 in the future with no second resolution, he stressed that he was "not at all optimistic" about this being "a sound legal basis for the use of force against Iraq" (Brummell 2002a). During the conversation, Powell had informed Goldsmith that Downing Street "were under no illusion" as to his position in this regard (Brummell 2002a). The following day (12th November) the Attorney General phoned the Foreign Secretary and reiterated that even after the passing of resolution 1441, an Iraqi breach on its own was not "a sound legal basis" for the use of force, stressing that further Security Council action would be required (Brummell 2002b).

5.4.2: An Unreasonable Veto

Following the adopting of resolution 1441, having failed to secure a determination that the use of force could be legal in the absence of a further determination by the Security Council,

as events moved into 2003 the government changed tack and focused on the unreasonable veto argument.

This argument had previously been muted by Straw on the 21st October 2002. On that occasion the Foreign Secretary had responded to the Attorney General's legal opinion that the draft of 1441 was insufficient on its own to lawfully authorise the use of force and that consequently the Security Council would be required to make an additional determination. Straw challenged this position (see Chapter 5.5 below) and suggested that it might be possible to legally use force in the absence of a further determination by the Security Council if, for example, "in the face of clear evidence that Iraq was flouting the Council's demands" where force would otherwise be "justified on the basis of existing resolutions." (Adams 2002a)

When meeting with the Attorney General the following day (22nd October) Blair also attempted to make an appeal to an unreasonable veto being one possible route to lawful military action in the absence of a further determination by the Security Council. Similarly to his conversation with Straw the previous day, Goldsmith outlined that the draft resolution was not sufficient on its own to authorise the use of force without a subsequent determination by the Security Council. As Straw had previously done, so too did Blair make an appeal to the unreasonable veto agreement to which Goldsmith informed the Prime Minister that "a condition of reasonableness" was not a precondition for "the lawful exercise of a veto." (Adams 2002b)

Both of these interactions with Goldsmith followed a meeting between the Prime Minister and key advisors on the 17th October 2002 at which it was decided that if Hans Blix, the head of UNMOVIC, reported a material breach then military action would be taken whether or not a second determination was made by the Security Council. "In other words," Rycroft (2002a) explained in a letter detailing the meeting, "if for some reason (such as a French or Russian veto) there were no second resolution agreed in those circumstances, we and the US would take action." On the very same day, Wood (2002e) wrote to Chaplin and outlined that the current draft of the resolution would require further action from the Security Council if Iraq was in material breach and that without such a determination the revival argument would not legally stand. This means that the decision made by Blair was in direct conflict with the specific legal advice of the time. The argument that the government was trying to deploy to support such a cause of action is that which would later manifest in the form of the unreasonable veto.

Following these early examples, Blair addressed the House of Commons on the 15th January 2003 and stated that there were legal routes to military action without a second United Nations resolution: “There are circumstances in which a [UN] resolution is not necessary,” the Prime Minister said, “because it is necessary to be able to say in circumstances where an unreasonable veto is put down that we would still act”. (Savage 2011) This statement contrasted starkly with the legal advice Blair had received from the Attorney General the day before. Goldsmith produced a draft legal opinion that was handed to Blair on 14th January in which Goldsmith (2003a) ruled out the use of force being legal in the absence of the second Security Council decision (paragraph 16). Importantly, under paragraph 18, Goldsmith also directly addressed the idea of an unreasonable veto, stating “I do not believe there is room for arguing that a condition of reasonableness can be applied as a precondition for the lawful exercise of a veto.” As a consequence, if there was a veto to a further Security Council decision then “there would be no Council authorisation for military action.” (Goldsmith 2003a) In terms of what was driving the seeking of legal authorisation for the use of force, importantly, when asked about this inconsistency between his statements to the House of Commons and Goldsmith’s advice, Blair (2011a: 71) responded that he entirely accepted that there was “an inconsistency” between the two positions but Blair then said he was not acting as a lawyer, rather that he “was making basically a political point.”

In making this statement to the House, Blair (2011a: 73) was indicating concern about a situation whereby “there’s a breach but they still veto”, that he was questioning why the revival argument would not work if “it was accepted he [Saddam] is not fully complying”. What is missing from this account is who is making the determination about material breach in this scenario or how it can be accepted that Iraq was in material breach if the Security Council does not determine that it is. Following his House of Commons statement Goldsmith (2003b) responded to Blair on 30th January to reiterate his view “that a further decision is required” by the Security Council, not member states. Despite having received this reminder about the legal position regarding the need for a further Security Council determination, Blair appeared on BBC’s *Newsnight* (6th February) and again argued against the legal advice that the Attorney General had provided. Once more Blair made the unreasonable veto argument, stating that he would take military action outside of a further Security Council decision if such a decision had been vetoed in a manner he considered unreasonable.

Blair (2011b) later stressed that he was not simply stating that any veto against military action would be considered unreasonable simply because he disagreed with it, rather that if the Security Council accepted a material breach had occurred but that then there was a

veto of a resolution authorising the use of force then he would consider that to be an unreasonable. This is a more nuanced position that postulates a specific response to a specific instance rather than a being a blanket cover against any veto in the Security Council against military action. That said, however, what Blair does not include in his oral testimony is how a material breach would have been determined by the Security Council without a unanimous decision by the body. These two positions are logically inconsistent. Granted, Blair is more specific on the circumstances in his February 2003 Newsnight interview when he refers to a report of non-cooperation from the United Nations weapons inspectors working in Iraq. If UNMOVIC “report that they can’t do their work properly” due to compliance failures by Iraq then, in Blair’s view, there would be “no doubt” under such conditions that this would represent a breach of the existing Security Council resolutions. Whilst this provide some clarity on the issue, at no point did UNMOVIC report in such a way and yet despite this Blair still made appeals to the unreasonable veto argument in his speech to the House of Commons on the 18th March as a reason to use force absent a second determination.

The question of the so-called unreasonable veto came up yet again days before the invasion when on the 5th March 2003 asked whether he would go to war without a new Security Council mandate Blair replied he would if he considered a veto had been applied unreasonably (Tempest 2003b). If a resolution got majority Security Council support but was vetoed Blair (2010a: 430) “could live with it” as at that point, as in his mind, it “was now a political not a legal issue.”

In coming to this conclusion, Blair was saying that the legal issue had already been settled. For Blair, United Nations weapons inspector’s reports had already established that Iraq was in material breach of resolution 1441’s provision and that consequently “military action was justified” (Blair 2010a: 430). With the legal question already settled Blair acknowledges that there was still a political question at hand. Whilst Iraq was in material breach, Blair (2010a: 430) acknowledges that some compliance was occurring and that and “the areas of non-compliance could be identified” and be drawn up into a list of unresolved issues to be met by Iraq. A timetable for compliance with these unresolved issues could be established, if Iraq then failed to resolve them within the specified time then the pre-existing authorisation of military action would be utilised to force Saddam from power (Blair 2010a: 430-432). The obvious criticism of this argument was that the legal position at the time was that a material breach needed to be determined by the Security Council, and that an inspectors’ report was not sufficient on its own.

In his memoirs Blair (2010a: 432) writes that during this period “we had resolved our own legal issues”, meaning that Goldsmith had issued his 7th March opinion. Granted, the timetable that UNMOVIC and the IAEA produced was released on the same day as Goldsmith’s opinion that military action could be argued to be lawful absent a further Security Council determination. However, a number of Blair’s public statements about an unreasonable veto came before the 7th March opinion, for instance on the 15th January, the 6th February and the 5th March. Crucially, although Goldsmith’s 7th March opinion stated that the revival argument could be made, the Attorney General still held the position that a determination by the Security Council that a material breach had occurred that sufficiently violated the conditions of the ceasefire was needed to re-authorise the use of force. On the balance of judgments, Goldsmith had decided that it should be the Security Council, not member states on the Council, who should make the determination about material breach (Goldsmith 2003d). In contrast, the stance Blair adopted located the final authority to determine Iraq’s compliance with individual members of the Council.

5.4.3: The Final Legal Authority

On 30th January Goldsmith (2003b) expressed to Blair his view “that a further decision is required” by the Security Council for military action to be authorised legally. Goldsmith also informed Blair that he had been provided “valuable background information” on the negotiating history of resolution 1441 and was willing to meet with US counterparts to hear their interpretation of the resolution. Although, Goldsmith (2003b) stressed that whilst he “remain[ed] ready to hear any arguments”, he was not convinced that they would make “any difference” to his view the 1441 was insufficient legal cover for military action on its own.

A slight shift in position then occurred when on the 12th February 2003 Goldsmith informed Blair that whilst further authorisation from the Security Council remained “the safest legal course” for military action, he was now “prepared to accept that a reasonable case” could be made for revival argument. In the absence of a further Security Council decision, however, Goldsmith cautioned that particularly if the UK had attempted and failed to secure a second resolution he expected “the Government to be accused of acting unlawfully.” Crucially, the lawfulness of action also depended on “the question of proportionality”, that military action and regime change must be demonstrated as necessary requirements to achieve disarmament (Goldsmith 2003c).

As noted above, a greater change in his views occurred on the 7th March 2003 when the Attorney General provided new legal advice. Although Goldsmith now accepted the

revival argument could be made, there still needed to be a determination by the Security Council (and not individual member states) that a material breach had occurred that sufficiently violated the conditions of the ceasefire to revive the authorisation to use force (Goldsmith 2003d). Goldsmith also again warned Blair that the use of force using the revival argument alone could be considered illegal in a court of law, therefore, the safest course of action remained gaining a further Security Council determination explicitly authorising military force.

By the 13th March Goldsmith had come to what he called a “better view” about the legality of military action now believing that the necessary conditions for the revival argument had in fact been met and thus military action without a further determination by the Security Council would be lawful (Brummell 2003a).¹⁵ Underlining this new interpretation of resolution 1441 was the belief that it could be member states that determined Iraq was in material breach without necessarily needing a further determination from the Security Council. What prompted this change in opinion or what underpinned this determination is unclear at this time.

On the 14th March Goldsmith sought the explicit position of the Prime Minister regarding a determination that Iraq was indeed in material breach of its United Nations obligations sufficiently enough to revive the 1990 authorisation of the use of force. Whilst Goldsmith was aware that Blair “unequivocally” held this position, he wanted it acknowledged formally (Brummell 2003c). A response from Downing Street later that day confirmed that it was Blair’s “unequivocal view that Iraq is in further material breach of its obligations” (Rycroft 2003c). The net outcome of this exchange of correspondence was that it was the Prime Minister and not the Security Council that ultimately made the determination that Iraq was in material breach of its disarmament obligations. Not only was this directly at odds with previous determinations by the Attorney General, but it stood in direct contrast to the points made the day before (13th March) to the French Foreign Minister and to the French President that day (Cannon 2003c) that it was for the Security Council to make such a determination. Again, the basis upon the Attorney General change his mind on this point is not evident in the publicly available documentary record.

¹⁵ “The Attorney confirmed that, after reflection, he had come to the clear view that on balance the better view was that the conditions for the operation of the revival argument were met in this case, i.e. there was a lawful basis for the use of force without a further resolution beyond resolution 1441.” Brummell (2003a).

On the 17th March Goldsmith outlined the legal case for military actions against Iraq in the House of Lords,¹⁶ he did so on the same day that President Bush announced that Saddam and his sons had 48 hours to leave Iraq and that failure to do so would result in military conflict. Military action commenced in the early hours of 20th March.

5.5: Call and Response Rebuttals

What is particularly striking about the documentary record is that it reflects almost a ‘call and response’ interaction between leading members of the Blair government and various law officers, including the Attorney General. A persistent theme emerges whereby when a government minister suggested that a certain legal course was available to them it was greeted with a rapid response to reaffirm the actual legal position of the time and to refute the claims these ministers were making. The documentary record reveals that Wood became particularly tenacious in this regard and later told the Iraq Inquiry that whenever he saw something that suggested a government official had inaccurately described the prevailing position he contacted them to make sure they understood the legal position (Wood 2010: 14-5).

A clear example of this is that on the 4th October 2002 Wood wrote to Straw (via his Private Secretary) after reading a transcript of the minister giving evidence to the Foreign Affairs Committee. Straw had expressed his belief to the Committee that there was sufficient legal authority to lawfully attack Iraq, that existing resolutions were adequate in providing legal cover for the use of force. Wood reminded Straw that such a position was not in keeping with legal opinion within the Foreign Office (Wood 2002c). As noted below, a similar occurrence happen in January 2003 when Wood responded to Straw following comments he made to the US vice president (Wood 2003b; Wood 2010: 31), indeed, it had also occurred in relation to the so-called unreasonable veto (Wood 2003a).

Like Wood, the Attorney General also had a number of exchanges with ministers about assertions they had made about the lawlessness of the use of force, including with the Defence Secretary, Geoff Hoon, in February 2002. This instance followed an interview between Hoon and journalist Jonathan Dimpleby during which Hoon had repeatedly “expressed himself with apparent clarity” that there was a clear basis at that point in time for

¹⁶ Hansard: House of Lords, 17th March 2003: Column WA2

military intervention without the need for further United Nations authority, based seemingly on a doctrine of self-defence (Goldsmith 2009: 18). Hoon had “made a clear statement that we would be perfectly entitled to use force without a specific United Nations resolution and that there is no legal need to go back to the United Nations”. Whilst Goldsmith expressed his desire not “to be definitive” in his legal position until he had the full benefit of reviewing various relevant intelligence materials and arguments, nonetheless, he saw “considerable difficulties in being satisfied that military action would be justified on the basis of self-defence.” Goldsmith also expressed his view that “there could be considerable difficulties in justifying reliance on the original authorisation to use force”, the so-called revival argument, predicated on UNSCR 687 (April 1991) (Goldsmith 2002a).

Hoon’s response was to state that it was too early to come to any judgements and that it could in principle be the case that self-defence was a legitimate justification for the lawful use of force (Hoon 2002b).¹⁷ Goldsmith did not respond directly on this particular matter but would later comment to the Iraq Inquiry that he felt Hoon’s position was incorrect and that he felt his statement to Hoon had achieved his intended goal (Goldsmith 2009: 19).¹⁸

5.5.1: Rejecting Legal Advice

Part of the call-and-response episode was that a number of ministers, Foreign Secretary Jack Straw in particular, openly questioned and rejected the legal advice they were receiving including from the Attorney General. One such instance occurred when Straw responded by writing a letter to the Attorney General on the 6th February 2003 about the interpretation of resolution 1441. Straw opens the correspondence by acknowledging that a further Security Council resolution would be the soundest legal option and then reiterated the politically benefits for domestic reasons of securing a second resolution: “the UK attaches high priority to achieving a second Resolution for domestic political reasons.” Straw then devotes the remainder of the correspondence to outlining a counter interpretation to that of the Attorney General, concluding the letter by arguing that there was a “better interpretation of the scheme

¹⁷ “It is too early to give specific answers about the range of options that we need to consider. I said that we would be entitled, in principle, to act in self-defence, if it was shown that Iraq had weapons of mass destruction which were capable of posing a threat to the UK.” (Hoon 2002b)

¹⁸ “I didn’t respond to that. I didn’t actually think that was a correct statement of what the law was, but I had achieved my purpose of making it clear I didn’t want to see senior ministers making apparently authoritative statements on behalf of HM Government about the use of force before I had even been asked to express any view about it.” Goldsmith (2009:19)

laid out in 1441” and that it “deserves to be given the same weight” as the prevailing legal argument (Straw 2003b).¹⁹

This followed Straw’s rejection of part of the Attorney General’s advice in late October 2002. The Attorney General had informed Straw that whilst circumstances may change, he wanted to make clear that on the current draft resolution his “firm view” was that “the resolution as it stands would not be sufficient to authorise the use of force without another Security Council resolution”. This would be the case, Goldsmith argued, even if the weapons inspectors reported to the Security Council that Iraq was in material breach. Straw responded by not fully accepting this part of the advice, that a second determination would be required. Instead, the Foreign Secretary suggested that the Attorney General not “commit himself on paper” until he had met Blair and proposed a possible circumstance where failure to gain another resolution might not be required, arguing for what was a precursor of the unreasonable veto argument. Straw suggested the example of a veto from Russia “in the face of clear evidence that Iraq was flouting the Council’s demands” where force would otherwise be “justified on the basis of existing resolutions.” (Adams 2002a) This stance was clearly at odds with the advice the Attorney General was presenting at the time and helps illustrate that legal advice was not impacting on public statements and government arguments for the legality of military action.

Responding to Straw’s rejection of the advice of the Legal Advisors, the Attorney General’s 3rd February 2003 correspondence with Straw also prompted a further response from Straw (20th February) in which he stressed his belief that, “The full range of views ought to be reflected in the advice offered by our Legal Advisors.” (Straw 2003c) Given the unanimity of legal opinion amongst the Foreign Office’s Legal Advisors, Straw’s position is a hard one to sustain but it also suggests that Straw was seeking to find a legal argument to support policy rather than framing policy around what was considered legal.

Another example of this was with Michael Wood, who on the 24th January 2003 wrote to Straw after seeing a report of a meeting between Straw and the US Vice President. The report outlined that Straw had made the argument that although a second resolution was desired, it was not necessary given the availability of the so-called ‘Kosovo option’ to provide legal cover for military action. Straw is recorded as saying, “We would much prefer a second resolution. We would be OK if we tried and failed (à la Kosovo).” Wood responded

¹⁹ For Straw, accepting Goldsmith’s legal position was tantamount to handing France, Russian and China “the very legal prize they failed to achieve in the negotiation of 1441” (Straw 2003b), which was something he was particularly unwilling to do.

by, yet again, outlining the legal opinion that “a further decision of the Security Council is necessary if the use of force is to be lawful”. Wood stressed once more that “Kosovo is no precedent” given that no such “overwhelming humanitarian catastrophe” was occurring in Iraq at the time (Wood 2003b).

In regards to what prompted this communication, Wood later told the Iraq Inquiry that Straw’s stance “was so completely wrong” from a legal perspective he felt it was important to contact the Foreign Secretary directly and reiterate the legal advice of the time (Wood 2010: 31). Wood and Straw then held a bilateral meeting (29th January) in which Straw again rejected the legal advice (“I do not accept it”) that a further determination was required by the Security Council to lawfully authorise military force, stressing it was not “certain territory” and international law was “an uncertain field” (Straw 2003a). Again, given the Foreign Office’s legal advisors’ unanimity of opinion this particular counterargument seems hard to sustain and, as Elizabeth Wilmhurst (2010: 7) and Wood (2010: 33-4) later argued, in the face of this uncertainty, caution to make sure action stayed within legal limits was surely the more prudent response. Straw did note that for reasons of politics he hoped a second determination would be made by the Security Council that explicitly authorised the use of force (Straw 2003a). Wilmhurst (2010), who would later resign over the issue of legal advice, told the Iraq Inquiry that it was “rather uncomfortable” to have the minister of a department reject that department’s legal advice and stressed that this was highly unusual. Wilmhurst also commented that in the face of such uncertainty this “ought to make one more cautious about trying to keep within the law, not less.” Wood (2010) came to the same conclusion, stressing that uncertainty should make actors “all the more scrupulous in adhering to the law”, not less as the Straw position would have it.

It was not just the case that ministers were making legal arguments that the government’s own legal advisors rejected but that these minister actively disagreed with the legal advice they were being given. While pursuing the second resolution in early 2003 Blair rejected Goldsmith’s opinion that another Security Council determination was legally necessary, telling the Iraq Inquiry “I didn’t believe it was legally necessary. Peter [Goldsmith] was advising it was.” (Blair 2011a: 61)

Beyond this disagreement, Blair (2011a: 63-4) also actively tried to find an alternative that might convince Goldsmith that military action was legal without a further determination by the Security Council following. “We should get Jeremy Greenstock over to suggest alternatives to him”, Powell told the Prime Minister after he had received Goldsmith’s draft advice on the 14th January 2003. Blair responded by suggesting alternative approaches to

needing a determination by the Security Council: “We need to explore whether we can revive self-defence or whether the United Nations Security Council could have a discussion that makes plain there is a breach without a second resolution.” (Blair 2011a: 62)

In the end, it was the input from Greenstock about the negotiating history and visiting lawyers in America that convinced Goldsmith to come to the “better view” that 1441 did authorise the use of force on its own. That this tactic proved successful does not detract from the fact that Goldsmith’s legal advice was constantly responded to by seeking to find alternative routes to lawful action, effects that were politically crucial to the government and effects that receive high priority and considerable attention.

Part II: Political Persuasion

5.6: A Campaign of Political Persuasion

At the time of the Crawford summit in April 2002, and in the months that followed, the British public at large remained unconvinced by the threat calculus upon which the Blair government was arguing it was necessary to deal with Iraq immediately, possibly resorting to the use of force. This public rejection of the use of force manifested itself in an unprecedented historical moment on the 15th February 2003 when upwards of two million people marched in London against a war that had yet to occur. This groundswell of public protest reflected just how deeply unpopular potential military action against Iraq was in 2003. Opinion polls at the time confirm this (see Chapter 5.7 below). This created a potential problem for the Blair government in the wake of Crawford the response to which was to undertake a campaign of political persuasion aimed at shoring up support for the potential actions which Blair had promised to support.

Questions have arisen within the academic literature about the purpose of the information campaign that accompanied the build-up to war. One line of inquiry has been to ascertain whether the campaign was an act of deceptive or non-deceptive organised political persuasion (Herring and Robinson 2014). This investigation focuses on the September 2002 white paper about Iraq’s alleged weapons of mass destruction and unpacks the claims made in it against the available information at the time and investigates the production process. This research also represents the first occasion whereby a clear conceptual framework is applied to both the production and presentation of the dossier to distinguish between whether

its purpose was to inform, persuade, or deceive, and did so based on crucial new documentary evidence. Herring and Robinson (2014: 559) come to the conclusion that the white paper “originated in the need to make the case to the public for British backing for U.S. plans to invade Iraq, rather than in response to public demand for information.”

This conclusion contrasts starkly to statements made by members of the Blair government who have repeatedly asserted that the publishing of this document was as a response to a demand by the public, media and parliament for intelligence. For instance, Alistair Campbell (2010: 60), Blair’s Director of Communications and Strategy, told the Iraq Inquiry that the production of the various white papers was “about informing the public about why we are concerned” and not an active attempt to persuade (Campbell 2010: 60). Campbell claimed that putting information about Iraq’s alleged weapons of mass destruction into the public domain was “an exercise in openness and much more open government and trying to share with the public information that is really quite sensitive, but which he is trying to share with the public so that they can be informed about all the factors going into his decisionmaking process.” (Campbell 2010: 65)

The British government documentary record, however, strongly refutes Campbell’s position and helps support Herring and Robinson’s (2014) conclusion that this was part of a concerted government effort to persuade, not inform. For this reason, it argued in this chapter that the September dossier, the other white papers and media campaign were part of a political persuasion campaign that garnered significant focus and resources.

5.7: Public Opinion

Results from numerous public opinion polls help establish the reason why the Blair government felt the need to undertake the information campaign. Around the time Blair went to Crawford (April 2002) British public opinion was strongly against the use of force, across March 2002 opinion polls revealed that the population was largely unsupportive of British backing for a US invasion, that over half the country thought backing a US invasion would be wrong, whilst only a third supported it (Travis 2002; Ipsos Mori 2002).

Around the time of the Crawford meeting, a Guardian commissioned poll in April 2002 revealed that whereas 71% of respondents had supported the war in Afghanistan, only 34% supported a war with Iraq (Rai 2003: 165-7). Opinion polls also reveal that the British population was mostly unsupportive of regime change. For instance, a Guardian/ICM poll

released on August 28th outlined that only 33% of those polled supported British military action to remove Saddam whereas 50% were opposed. Only 21% said that they believed that President Bush's Iraqi policy was correct and that Blair should support him (Travis and Watt 2002).

Following the publication of the weapons of mass destruction white paper on the 24th September 2002 there was a decrease in opposition to the use of force, down to 40% and an increase in those in favour to 39% (Travis, Watt and Norton-Taylor). By January 2003 opposition to military action was at 47%, with support for it at 30% (Travis 2003) and mid-February 2003, just weeks prior to the actual invasion, 52% of the British population were opposed to the war, with only 29% supporting it (Travis and Black 2003).

Parliamentary opinion, particularly within the Labour Party, was also unsure about the use of force as Blair departed for Crawford. For instance, following his presentation to the Parliamentary Labour Party (PLP) earlier in the month about the threat posed by Iraq, on the 25th March 2002 Straw (2002b) stated his opinion that it had not been overly successful: "I judge that there is at present no majority inside the PLP for any military action against Iraq."

5.8: Managing Public and Parliamentary Opinion

In terms of the documentary record, it is clear that the government was aware of the need for an information campaign as public opinion was not onside with the line of argument they were using to present Saddam as a threat. The primary record also reveals that there was a subsequent need to manage public opinion.

Examples of this need to manage the public being brought up in internal government discussions are evident in meetings between members of the British and American governments prior to Crawford. On the 11th March 2002 Manning met Rice in Washington during which Manning outlined unequivocal support for removing Saddam and that this was only tempered by the need to "manage" domestic and parliamentary opinion (Manning 2002).

Another example quickly followed when on the 17th March Ambassador Meyer met with the US deputy Defense Secretary Paul Wolfowitz and stated that there was a British need to gain domestic support to cover the decision to overthrow Saddam. Meyer told Wolfowitz that this "would be a tough sell for us domestically, and probably tougher elsewhere in Europe." Whilst Meyer stresses that the US could militarily conduct any operation against Iraq on its own, "if it wanted to act with partners, there had to be a strategy

for building support for military action against Saddam.” The Ambassador also linked this need to gain public and parliamentary support for any future military action to what would become the subsequent white papers, noting that the “U.K. was giving serious thought to publishing a paper that would make the case against Saddam.” (Meyer 2002)

Meyer (2002) also stressed that: “If the UK were to join the U.S. in any operations against Saddam, we would have to be able to take a critical mass of parliamentary support and public opinion with us”. This helps emphasise that the information campaign was an important part of any use of military action because, as with the legal case, there were serious political implications of not gaining legitimacy.

On the 22nd March 2002 Ricketts outlined advice to be passed on to the Prime Minister in advance of his meeting at the Crawford. Alongside the need to focus on the threat from Iraq, Ricketts expressed his relief that the publication of the intelligence document had been postponed. Ricketts believed that much more work was needed as the intelligence did not show a clear advancement of Iraqi weapons of mass destruction programmes and, crucially, that there was currently too much inconsistency with US claims (Ricketts 2002a).²⁰ Also on the 22nd March, Defence Secretary Hoon advised Blair to raise with President Bush at Crawford “the need for a comprehensive public handling strategy, so that we can explain convincingly why we need to take such drastic action against Iraq’s WMD now.” (Hoon 2002a)

That the information campaign referred to in the documentary record was about persuasion rather than simply the release of information is evidenced by how the information was to be presented. For instance, Tim Dowse (2002) made suggestions internally about how to present information about Iraq’s alleged weapons of mass destruction in a way that would “finesse” the information to make it appear stronger than it was to the public. As opinion polls revealed, the British public largely did not accept the government’s argument that Saddam posed a significant threat, to help overcome this Dowse suggested a change in presentation: “I wonder if we might finesse the presentational difficulty by changing the terms?” The terms Dowse (2002) was referring to were a change from the weight of precursor chemicals – “which don’t mean much to the man in the street” – to a focus on

²⁰ “I am relieved that you decided to postpone publication of the unclassified document. My meeting yesterday showed that there is more work to do to ensure that the figures are accurate and consistent with those of the US. But even the best survey of Iraq’s WMD programmes will not show much advance in recent years on the nuclear, missile or CW/BW fronts: the programmes are extremely worrying but have not, as far as we know, been stepped up” (Ricketts 2002a).

munitions. This change would see government references to precursor chemicals in regard to how many munitions they could be loaded into and was one that Dowse thought would have a useful impact on the population at large in persuading them of the threat Iraq's weapons posed:

"I realise that this would not in the end hoodwink a real expert, who would be able to reverse the calculation and work out that our assessment of precursor quantities had fallen. But the task would not be straightforward, and would be impossible for a layman. And the result would, I think, have more impact on the target audience for unclassified paper." (Dowse 2002)

5.8.1: Post-Crawford: The Rolls Royce Information Campaign

Following on from what Meyer and Manning had communicated to Bush administration officials in March about the need for gaining public support for any action, according to the documentary record, at Crawford Blair had set out three conditions for UK involvement with President Bush including "preparation of public opinion" (Straw 2002c).²¹

This need would manifest itself in a "Rolls Royce information campaign" and the release of a number of white papers (Powell 2002).²²

On the 21st July 2002 the Cabinet Office produced a briefing paper in which there was agreement to establish "an ad hoc group of officials under Cabinet Office Chairmanship to consider the development of an information campaign to be agreed with the US." Such an entity was considered to be needed as, "Time will be required to prepare public opinion in the UK that it is necessary to take military action against Saddam Hussein." The paper also stressed that there would "need to be a substantial effort to secure the support of Parliament" and that "[a]n information campaign will be needed" to achieve this (Cabinet Office 2002b).

This outcome became especially important two days later when it was revealed in minutes to a meeting with Blair that in the US "[t]here a perceptible shift in attitude. Military action was now seen as inevitable. Bush wanted to remove Saddam, through military action". Blair is recorded as believing that "[i]f the political context were right, people would support regime change" with the minutes from the meeting then stating that "efforts had been made to

²¹ Blair (2011a) would later tell the Iraq inquiry that these were in fact not prerequisites for support.

²² "We need to make the case. We need a plan and a timetable for releasing the papers we have prepared on human rights abuses, WMD etc. We need to have the sort of Rolls Royce information campaign we had at the end of Afghanistan before we start in Iraq." (Powell 2002)

construct a coalition/shape public opinion.” (Rycroft 2002a) During this 23rd July, 2002 meeting, however, it was “noted that current intelligence assessments would not support a war” (Jones 2010: 76-77) with the minutes of the meeting stating that “the case was thin”.

As noted above, these references in the documentary record provide a clear critique of Campbell’s stated position that the production of the government’s white papers was a result of public demand and not a concerted attempt at political persuasion.

5.9: The September Dossier

Despite being put forward as an intelligence assessment produced by JIC, presentational changes and content suggestions for the September dossier were being made by actors from outside of JIC. The importance of this here is that it demonstrates that significant resources were being put into the dossier from Downing Street and others. For example, Alistair Campbell supplied the Select Committee on Foreign Affairs (2003) “with a list of changes to the September dossier which were requested by him” and noted that “some of which were made and some not.” At the Iraq Inquiry, Campbell (2010: 75) would also admit that chairing the meetings about the September dossier was “unprecedented” and was so he could oversee and advise “on all presentational aspects of the dossier”.

That Blair tasked Campbell with this role helps demonstrate the importance Downing Street placed on the dossier and that it was communicating the right message and helps highlight the political role the dossier had rather than simply being an intelligence document.

5.9.1: *Need to Harmonise and Recalibrate*

A second aspect of producing the September dossier that consumed considerable resources was that there was a need to make sure that the white paper was consistent with public pronouncements, including by members of the Bush administrations, and with the dossier that the US sought to release. Any inconsistency would undermine the veracity of the intelligence claims and by extension claims about the need to use force against Iraq.

For instance, on the 8th September 2002 the *New York Times* published an article claiming that “Iraq has sought to buy thousands of specially designed aluminum tubes, which American officials believe were intended as components of centrifuges to enrich uranium” as part of a nuclear weapons programme (Gordon and Miller 2002). This was then used that day by a number of Bush administration members, including Vice President Cheney, as evidence

of why Saddam needed to be dealt with. This not only ratcheted up the fear levels by invoking the spectre of nuclear war, but it also prompted a rewrite of the dossier that Blair had only days before announced was soon to be published.

This supposed attempt by Iraq to purchase “specialised aluminium” for its nuclear programme was cited in early drafts of the UK dossier, however, some analysts doubted the tubes’ relevance to a possible nuclear programme as they would require substantial re-engineering to be fit for such a purpose. Dowse (2009: 70) has recalled that there was a point when such claims were not going to be included in the eventual dossier but following Cheney’s comments and the perceived need for unity of argument between the UK and the US, the accusation was reintroduced into the final draft.²³

Such efforts to make sure documents from both sides of the Atlantic were sufficiently aligned took time and effort to coordinate but also occurred at a point when work on the weapons of mass destruction dossier was increased; according to Campbell (2010: 60) it was post-Camp David that “the real kind of work” on the September dossier “really stepped up”.²⁴ Campbell chaired a meeting on the 9th September attended by Scarlett and Williams which relayed from Camp David that the US planned to produce its own series of dossiers. In keeping with events following Cheney’s nuclear accusations, Campbell also noted his confidence in regard to making sure that the two countries’ dossiers would complement one another (Campbell 2002a).²⁵ The Select Committee on Foreign Affairs (2003: paragraph 78) have since recorded their surprise and displeasure that Campbell chaired this as the September dossier was supposed to have been produced by the JIC.²⁶

The Select Committee (2003) also revealed that following this meeting another draft of the dossier was produced the next day (10th September 2002) by Scarlett (with a further draft appearing on the 17th September (the final draft was completed on the 19th September

²³ Dowse told the Iraq Inquiry: “At one point we, I think, were not intending to make any reference to them in the dossier... Vice-President Cheney made some public comments on US television related to the aluminium tubes and we felt that it would look odd if we said nothing on the subject.” (Dowse 2009: 70)

²⁴ “From my perspective, post-Camp David, that was when the real kind of the work on the September dossier really stepped up” (Campbell 2010: 60).

²⁵ The memo records Campbell as saying, “I am confident we can make yours one that complements rather than conflicts with them.” (Campbell 2002a)

²⁶ “Mr Campbell actually chaired the planning meeting which took place on 9 September. This was surprising, because we were told by a FCO official, albeit one who had not attended the drafting meetings, that they had been chaired by the Chairman of the JIC. We are concerned that a meeting to discuss a document which Ministers had asked the Chairman of the Joint Intelligence Committee to prepare was chaired by the Prime Minister’s Special Adviser. **We conclude that it was wrong for Alastair Campbell or any Special Adviser to have chaired a meeting on an intelligence matter, and we recommend that this practice cease.**” (Select Committee on Foreign Affairs 2003: paragraph 78, original emphasis)

and published five days later). The Scarlett draft was shown to the CIA and there is evidence to suggest that the UK drafters were also comparing notes about the forthcoming CIA paper so as to make sure their claims were consistent with it. For instance, between the 10th and 17th September drafts, the timescale for how quickly Iraq could develop a nuclear weapon once it had sufficient fissile material was shortened from “at least two years” to “between one and two years”. This change between drafts coincided with a speech given by President Bush in between the two drafts in which he claimed that Iraq, once it had fissile material, could obtain a nuclear weapon in less than a year. “Should Iraq acquire fissile material,” the President told the UN General Assembly on the 12th September, “it would be able to build a nuclear weapon within a year.” Bush’s new worst-case nuclear timeline of less than a year contradicted the 10th September draft estimate that put the timeframe at “at least two years” for the same scenario (Scarlett 2002b).

On the 13th September, Campbell was shown a new version of the dossier in which, according to a memo to Scarlett, the timeline in that draft had been shortened to “1-2 years” (Campbell 2002b). It was this time length that then featured in the final published document.

Such documentary evidence strongly suggests that the British dossier consciously mirrored US claims. This would have added an additional layer of complexity to the task of producing the white paper as it involved coordinating with agencies across the Atlantic and making sure all the details aligned rather than simply producing for public consumption a summation of British intelligence.

A precedent of changing the intelligence that was to be presented to the public had already been set in March 2002 following Straw’s briefing to the Parliamentary Labour Party (PLP) on Iraq’s alleged weapons of mass destruction. Importantly, the briefing alleged that an “unchecked” Iraq could produce “a crude nuclear device in about five years” (Russell 2002). The next day, however, Foreign Office non-proliferation official Tim Dowse complained that his department had not been forewarned about the paper and that it differed in one important respect from the government’s public line. For Iraq to build a bomb required that the controls imposed on Iraq, such as sanctions, needed to be lifted, “in other words, we believe that at present the Iraqi nuclear weapons programme is not ‘unchecked’” as sanctions and the no-fly zones remained in place against Iraq. Dowse pointed out that this line was also included in what he called “the draft public dossier on ‘WMD programmes of concern.’”

Whilst acknowledging that this was a nuanced point – “The difference is small, but significant” – not only was it important in of itself but it also had implications for future allegations against Iraq. Dowse told Williams that as a result of what the Foreign Secretary

had said, “We clearly will now have to review that text, to avoid exposing differences with your paper.” (Dowse 2002) Dowse thus signalled his willingness to change its claims to bring them into line with previous claims, even if they were not entirely accurate representations.

5.10: Chapter Summary

During 2002 and early 2003 there was a concerted political effort to gain legitimacy for future military action against Iraq that was necessitated by the offer of support Blair had given at Crawford in April 2002. This chapter establishes that this created a task environment characterised by extreme complexity and of bounded rationality that impacted on the attentional focus and scope of post-war planning. The importance of gaining political legitimacy was amplified by the negative consequences of withdrawing support for US action and by the potential political costs Blair would likely face if he failed to gain political legitimacy. This pressurised the task environment and also diverted limited attentional resources to prioritised tasks at the expense of post-war planning.

Chapter 6

Post-war Planning

Having established that the 2002-3 task environment for constructing Iraq policy was one characterised by additional complexity (Chapters 5) and that Blair made an offer of support that was sufficient to bind future government decisions at Crawford (Chapter 4), this chapter sets out how these two elements impacted on post-war planning.

Adopting the Waltzian inspired method of assessing the structural pressures placed on actors, this chapter analyses the likely outcomes of these pressures. In doing so, the chapter concludes that the implications of the ‘Crawford Moment’ helped add complexity to the task environment in which post-war policy was being constructed and diverted limited attentional resources toward prioritised tasks at the expense of post-war planning. As a consequence, key policy assumptions were not tested and neither were alternative approaches sought out in any sustained or rigorous manner. This is not to argue that post-conflict issues were not planned for, rather it suggests that planning was inappropriately focused and crucially lacked an accurate understanding of the likely environment in which coalition forces would find themselves (Defence Committee 2005: 15). Blair (2011a: 123) himself conceded that the post-war planning failure was not due to a lack of planning per se but an inaccurate focus: “The trouble was we were planning... on an assumption that Iraq had a functioning bureaucracy and civil service, which in the end it didn’t”. This chapter argues that this was a consequence of the task environment and the inaccurate pre-existing understandings of Iraq that were essentially adopted as a time-primed weak heuristic.

This chapter is an initial test of the hypothesis and the cognitive-temporal framework in that it sets out how the structural pressures likely impacted on post-war planning and offers an explanatory framework to understand why key policy assumptions were left untested and viable alternatives were not pursued.

6.1: A phase 4 UN role

The early British government planning for the post-war environment seemingly moved beyond the simplified understanding held within the regime change doctrine (Burgos 2008).

Whilst removing Saddam was considered to resolve the disarmament question, in early 2002 it did not necessarily also sufficiently answer the question about what would follow his overthrow. It appears that the change to a more simplified understanding of post-war Iraq came later and coincided with attentional resources primarily being focused elsewhere.

In March 2002 both Straw and Hoon separately told Blair that answers to the question of who would govern post-war Iraq continued to elude policymakers. Hoon stressed that when “considering how to support President Bush on Iraq” a key thought to keep in mind was that despite a decade long search “no one has found a credible successor to Saddam.” (Hoon 2002a) Unlike the prevailing regime change doctrine, Straw told Blair that there were also no guarantees that any replacement regime would be better than the current one and that there was no clear planning picture of how post-war events would unfold (Straw 2002a).²⁷ Straw also argued that Iraq had “no history of democracy” and that this lack of democratic experience posed serious questions over what any replacement regime would be like. The problematics of identifying a successor regime, despite years of trying, was also made by the policy director at the Ministry of Defence, Simon Webb (2002a) in April 2002 and by the Cabinet Office in July 2002, with the latter noting that more work was needed to even better understand the timescale required to identify a successor, let alone identifying who or what would follow regime change (Cabinet Office 2002b).

Webb (2002a) outlined the lack of a clear alternative to Saddam’s regime and stressed that “the prospects of finding a stable political solution are poor in the short term”. Webb also confirmed that the US had “not identified either a successor or a constitutional restructuring to provide a more representative regime” in post-war Iraq. Of the ideas that had “been aired over the years” about Saddam’s replacement, “none so far look convincing.” Undermining the notions of freedom upon which the war was, in part, later sold, it is interesting to note that Webb suggests that another Ba’athist or Sunni military dictator could be found as a replacement for Saddam “with whom we could do business” (Webb 2002a).

In response to a lack of a clear alternative to Saddam, in April 2002 some potential “holding solutions” were suggested, including a UN mandated interim administration either “under external leadership” as in Kosovo or an option more akin to the administration in Afghanistan (Pattison 2011a). By the 3rd October 2002 two broad UN options for post-war

²⁷ “There seems to be a larger hole in this than anything. ...No-one has satisfactorily answered how there can be any certainty that the replacement regime will be any better. Iraq has no history of democracy so no-one has this habit or experience.” (Straw 2002a)

governance had been formulated, of which the “preferred option” was a light UN administration that incorporated the IIA:

“The preferred option was a light UN administration and this was based on the view generally held at the time that Iraq was in many ways an efficiently run state with a functioning civil service. My belief was that the technocrats who had served Saddam would switch easily into serving a new administration.” (Pattison 2011a)

Enshrined in this option were a number of assumptions about the functionality of Iraq’s political institutions, the ability of them to hold following military action and a misunderstanding about the transformation of the Iraqi state and the role of the shadow state. Stephen Pattison (2011a), Head of United Nations Department in the FCO Foreign, later stated that this notion of a light UN administration helped “inform FCO thinking on the [post-conflict] issue over the next few months.” When asked at the Iraq Inquiry about where the information upon which the assumptions about Iraq’s political institutions came from, Pattison (2011b: 79-8) informed the Inquiry that this was a widely held belief across the government. This is further evidence (see Chapter 3) of how the hold assumptions were pervasive within the Blair government and how they informed the initial British post-war policy.

When Chaplin (2009: 67) was asked the same question about where the information underpinning post-war policy came from, crucially, he concluded that no one outside of Iraq was really aware of “the pressure of sanctions” and “how broken Iraqi society had become”. Of course, this is not the case, as we shall see the issue was instead that planners did not engage critically enough with the detail of their plans or seek to challenge their own assumptions in any sustained manner. The consequence of this was that the basis of policy remained untested and empirical reality was only exposed to them as they entered Iraq.

Initially then, post-war planning seems not to have been overly influenced by the simplified assumptions held within the regime change doctrine; serious questions were raised about what would follow the demise of Saddam. As the task environment increasingly became complex following Crawford, however, the regime change doctrine began to filter its way into planning assumptions. This is particularly so in early 2003 when the government was failing in its attempts to secure a further determination from the Security Council that would authorise the use of force and as the known date for military action drew closer. There

is then a direct correlation between post-war planning being increasingly simplified in its assumptions and less critical as cognitive resources were increasingly becoming pressurised.

6.2: Untested assumptions and the lateness of detailed post-war planning

Despite the key role of the IIA in British post-war assumptions, key details and information required for planning were yet to be found even as the invasion was only a couple of weeks away; post-war planning for the IIA was made late in the day and without detailed analysis. Pattison (2011b: 97) told the Iraq Inquiry that “there was not much detailed discussion” on how the IIA would operate or on the underlying assumptions, rather what negotiations and discussions there were added no detail beyond a broad outline of what the IIA was supposed to be.

On the 6th March 2003 Blair chaired a meeting “to discuss Iraq post-conflict issues” (Cannon 2003a) and concluded that the Foreign Office “should prepare a Phase IV plan” including “the key decisions for Ministers to take.” (Cannon 2003b) The drafts of which were due no later than the 11th March. It is rather striking that two weeks before military operations began post-hostilities planning was still yet to be prepared and required future decisions from ministers. Indeed, as the start of military action was just hours away, key ministerial decisions still had not been made. On the 19th March the Cabinet Office recorded that the UK’s post-conflict objectives were, “Subject to on going [sic] work and yet to be finally endorsed by Ministers.” (Cabinet Office 2003) As ground forces were actively engaged, on the 25th March the Chiefs of Staff recorded that ministers were still confirming guidance for Phase 4 planning and that it was “subject to further work” on the exit strategy and duration of post-conflict operations (Chiefs of Staff 2003).

In terms of the basis and scope of planning, the documentary record reveals that it was not only late but lacked detail and sufficient information to suitably inform decisions. For instance, on the 1st April 2003 DFID’s Permanent Secretary wrote to the Cabinet Office outlining the Strategic Overview for the rapidly approaching post-conflict phase in Iraq: “UK policy should increasingly be informed by a detailed understanding of this context, which we do not yet have but are rapidly acquiring.” (Chakrabarti 2003b) Interestingly, although there was this expectation that the IIA would take over the political administration of post-war Iraq, Downing Street had no detailed information on how it would do so and

neither did it have an assessment of the functionality of Iraq's governance structures. On the 3rd April Downing Street sought an assessment "of how ORHA and then the IIA will actually run the Iraqi ministries" and also requested an evaluation about "the state of the Iraqi civil service and bureaucracy." (Rycroft 2003d) Given the overarching post-war strategy of utilising existing institutional governance structures, that Blair was seeking the assessment of how this was to be done just days before it needed to be implemented underlines the assumptive and untested nature of post-war planning. This is particularly important as it demonstrates that it was not simply a lack of information (see Chapter 3) that led to the flawed nature of post-war assumptions, rather a lack of adequately testing the hypothesis before implementing it. Information that would have significantly critiqued such assumptions was available to planners if they sought it out (see Chapter 3) but this information either did not reach them due to a lack of a detailed search or if it did it was not considered salient to these policy-makers, influenced as they were by time-primed weak heuristics.

The reason why the post-war assumptions were not rigorously tested is partly a consequence of post-war planning not being prioritised by the British government to a sufficient degree relative to the level of attentional focus aimed towards the legitimacy campaign. Given the attention priority of the legitimacy campaign, what is also pertinent here is the lateness of the Attorney General's determination that the use of force could be considered lawful as it meant the British government had to focus on attempting to gain legal legitimacy right up to the moment before war. This had implications for the allocations of limited resources of time-poor, cognitively limited actors and meant that the priority of focus on legal issues remained throughout the entirety of the pre-war planning period.

The complexity of post-war planning – "these things are very difficult to arrange, organise and resource-intensive" (Pattison 2011b: 87) – meant that it required detailed and sustained resource allocation, but instead it was an afterthought that garnered limited resources and was conducted at a time where government attention was very much focused elsewhere. Under these conditions it is unsurprising that key assumptions went untested and that detailed analysis was not undertaken by policy-makers. Instead, prevailing and time-primed understandings of the Iraqi state were used as they helped ease cognitive loads and helped provide a way of navigating through the task.

6.3: Insufficiency of Planning

It is clear that failure to secure legitimacy for the invasion would have potentially had dramatic consequences for the Labour government and Blair's premiership in particular, so it is unsurprising that under such circumstances the legitimacy campaign garnered so much attention and resources. Whilst cognitive, attentional and other resources were limited, this does not necessarily mean that focusing on legal and public presentation issues occurred at a cognitive and attentional cost to post-war planning. Indeed, members of the Blair government have argued that their attention being focused at gaining legal cover in terms of pursuing the United Nations route did not mean that post-war planning was ignored or not suitably prioritised (Straw 2011a: 113-4).²⁸

Part of the argument presented here is not that post-war planning did not occur within the British government, but that it was inappropriately focused and lacked an accurate understanding of key elements about Iraq. Specifically in terms of IIA and what would follow regime change in terms of future governance, there was no sustained analysis that tested key assumptions instead focus was on humanitarian issues in the immediate aftermath of war. Indeed, the House of Commons Defence Committee (2005: 15) reported that the British government "clearly undertook considerable post-conflict planning in the run-up to military action" but that "the entire planning process was affected by misjudgements about the nature of the task at hand." The inappropriateness of focus is partly a result of the task environment in which Iraq policy was constructed, the lack of sustained attention meant simplified, pre-existing understandings of Iraq came to dominate policy.

It is argued here that through a review of the documentary record it is possible to demonstrate that post-war planning was not suitably attended to on a number of key issues. What follows is an overview of how the primary record captures that actors were aware of the insufficiency of post-war planning occurring in the US for at least a year prior to the invasion and yet this awareness did not prompt any sustained effort to rectify the situation. The documentary record reveals that when opportunities to address their concerns with the Bush administration directly arose the government failed to take them. Whilst this can partly be

²⁸ For instance, Baroness Usha Prashar asked Straw at the Iraq Inquiry: "By your own admission you said you were focused on the diplomatic process and it has been suggested so was the rest of the Foreign Office. People were so concentrating on the diplomatic process that to some extent not much attention was paid to post-Saddam situation. Is that fair?" Straw responded by saying: "It is certainly fair I was focused on the diplomatic process. I don't think it is fair to say as a result of that, planning for the aftermath within the United Kingdom was ignored or not given the priority it should have been". (Straw 2011a: 113-114)

explained by the British assumption that the UN would be the lead organisation, thus reducing the need for British leadership, this does not fully explain the government's inaction in this regard. If the post-war phase had been suitable prioritised, rather than being an effect of the task environment bounded by the Crawford critical juncture, then one would expect to see requests for detailed analysis and sustained responses to the lack of planning in the United States. Contrastingly, Blair's actions with the US President and Tim Cross in 2003 are both explained by the impact of Crawford.

Another aspect that impacted on post-war planning was the path dependent effects of the 'Crawford Moment'. It is argued that in different ways it is possible to see the impact of the offer of support Blair gave at Crawford on post-war planning. Firstly, it limited the scope of British actions to address post-war problems with the Bush administration. Having offered his support, at great personal political risk, Blair was unwilling to do anything that might communicate to President Bush that this support was wavering, especially so at a point when gaining the second resolution, a political necessity for the British at the time, was looking increasingly unlikely. The summit meeting at the end of January 2003 was a perfect opportunity for the Prime Minister to raise and seriously discuss post-war issues with the President, but instead Blair settled for a simple assurance that the post-war phase was being taken care of. Based on Blair's own testimony to the Iraq Inquiry, the reason for this can be seen to be a path dependent impact of Crawford.

Secondly, it has been argued that the 'Crawford Moment' constrained future action as post-conflict issues would, most likely, no longer be sufficient to impact on the decision to use military force and that consequently rather than helping to inform a decision about the viability of military action, they simply became hurdles to negotiate. This impact is in evidence during the meeting the Prime Minister had with Tim Cross on the 18th January in which Cross told Blair that post-war planning was so thin that he advised postponing military action until a more detailed post-conflict plan could be devised. Due to the inertia of events in terms of Crawford, the inevitability of the use of military force, and the US military timetable, this concern was not sufficient to alter the course of action. Counterfactually, it is argued that absent the Crawford commitment, such a reality would have impacted on the decision to use force, however, the offer of support to go along with such a decision had already been made.

Having not sufficiently dealt with post-war concerns previously meant that when post-war policy was more directly addressed it came with a time pressure due to the lateness relative to military action and took place within a task environment of bounded rationality.

These pressures, it is argued here, meant actors forewent detailed and sustained analysis and instead adopted time-primed weak heuristics.

6.3.1: Awareness of lack of planning

On 14th March 2002 David Manning, Blair's foreign policy advisor, told the Prime Minister that the President had yet "to find the answers to the big questions", including "what happens on the morning after" the invasion (Manning 2002). On 8th July 2002 Straw told Blair that there was a need to address "some of the lacunae" in US planning, notable amongst which was that "no thought [has] apparently [been] given to "day after" scenarios" (Straw 2002c). Indeed, the same point was made by the Cabinet Office in a 21st July Cabinet Office memo. The Cabinet Office outlined that military planning was rapidly proceeding, but it "lack[ed] a political framework" and emphasised that insufficient consideration had been given to post-conflict issues, that US military planning was "virtually silent on this point" (Cabinet Office 2002b). This latter point was re-emphasised by then head of MI6, Richard Dearlove at a Cabinet meeting on 23rd July, 2002 who stressed that, "There was little discussion in Washington of the aftermath after military action." (Rycroft 2002b) A few days earlier Powell had told Blair that "we need a plan for the day after" and that there was a "need to be working on this now" (Powell 2002, original emphasis).

Come the end of August and not much had seemed to change in the US. Following Congressional hearings about Iraq, Tony Brenton wrote to Edward Chaplin to summarise the current situation in Washington and referenced the Bush administration's failure to have sufficiently considered the post-war period (Brenton 2002). On the eve of summit talks at Camp David (7-8th September), Ambassador Meyer concluded that there were significant "policy gaps to be filled" the biggest of which was to do with post-war planning (Meyer 2006: 249-51). Meyer warned Blair that American "planning for the aftermath is a blind spot" and having "upped the volume" of this warning a few weeks later stressed that "there was a black hole in American planning for the aftermath" (Ware 2007). On the 15th January 2003 Blair was informed of the lack, and lateness, of post-war planning going on in the United States with the Chiefs of the Defence Staff (CDS) stated that "thinking on this issue was "woolly" at this stage with work only just beginning." (PJHQ 2003)

The British government's response to post-war planning limitations was less than vigorous. It is clear that the military aspect of planning was prioritised over post-war planning, which is illustrated in the levels of response the British government gave to issues relating to both. For instance, following the CDS briefing, Blair identified a number of issues

on which he sought further advice. Unlike the other issues that were on this list whereby Blair requested specific actions for each, in the case of the aftermath only greater clarity about US planning was required:

“Aftermath: The Prime Minister agrees with CDS that much greater clarity about the US intentions is required. He would be keen to see the outcome of the Whitehall visit to Washington next week.” (Watkins 2003)

This document (Watkins 2003) seemingly demonstrates a more passive reaction by Blair to addressing post-war issues compared to the other military related issues. For example, in regards to the section on ‘Predicting Saddam’ Blair called for “further work to be done systematically to test Saddam’s possible responses to military action” and what countermeasures could be put in place to address these possibilities. Regarding the topic ‘Baghdad’ Blair asked for a full risk analysis of a concentration of Iraqi forces in Baghdad, the so-called ‘Fortress Baghdad’ scenario, and details of how the US planned to respond to such an eventuality. The action regarding the post-war situation, in contrast, was simply an agreement that further information was required on US intentions, which contrasts sharply to the systematic analysis and risk assessments requested for other elements. Additionally, the memo’s concluding paragraph outlined the need to coordinate these requests and set out the further action required for all but the aftermath section, which again suggests a hierarchy of needs in which the aftermath was at the bottom (Watkins 2003).

6.3.2: Path Dependence and Oval Office Meeting

Given the post-war planning limitations, Rycroft stressed in mid-January 2003 that the government would “clearly need to use all our regular contacts with the US, in both Centcom and the Pentagon” to gain a clear insight into US aftermath planning. Rycroft also suggested that it was an issue Hoon could raise with his US interlocutor, Rumsfeld (Rycroft 2003a). In the case of Blair meeting Bush, this opportunity was not used to pursue the aftermath question with sufficient vigour.

Indeed, a number of British government officials such as Chaplin (2009) and Ricketts (2009: 65-6) told the Iraq Inquiry that there was a much greater and more in-depth focus on post-war efforts in the UK than there was in the US but that they were unable to get their message across to Washington despite concerted efforts to do so. Chaplin (2009: 58-9) acknowledged that there was “a pretty dire state of lack of planning” but claimed Ministers

“constantly talked to their US opposite numbers for the need for proper aftermath planning” and that this included “the Prime Minister talking to President Bush.” (Chaplin 2009: 71). The documentary record provides a contrasting account.

When Blair met with the President in the Oval Office on the 31st January 2003 this provided an opportunity to use all contacts in the US that had been stressed earlier in the month by Rycroft (2003a) to ascertain the US position regarding the post-war phase of operations. The minutes record that Blair did raise the issue of post-war planning but President Bush “devoted much of the meeting to outlining the military strategy” meaning that the pair only “briefly discussed plans for a post-Hussein Iraqi government” (Van Natta 2006). Blair’s acceptance of such little focus on the post-war phase contrasts to the account given by Ricketts (2009: 65-6) to the Iraq Inquiry of how the British government dealt with post-war issues with the Americans: “Blair and the foreign secretary in their many conversations always made a point, I think, of stressing to the US that they must take planning for post-conflict Iraq just as seriously as planning for any military operation.”

Having raised the post-war issue Blair settled for a response that lacked any real substance on the issue. Rice responded by saying that “a great deal of work was now in hand” and informed Blair that a Pentagon planning cell “was looking at all aspects and would deploy to Iraq to direct [post-war] operations as soon as the military action was over.” President Bush then stated “that a great deal of detailed planning had been done on supplying the Iraqi people with food and medicine.” (Manning 2003) This latter statement conforms to the general assumption that the Bush administration seemingly operated under, seeing the priority in the post-war period as avoiding a humanitarian disaster rather than reconstruction or institutional rebuilding.

Rather than having a detailed and sustained discussion about post-war planning as had been established as required from meetings with the Americans, Blair reiterated his unbridled support to the President for any course of action to disarm Iraq. “The diplomatic strategy had to be arranged around the military planning”, Bush told Blair, to which he prime minister raised no objection and stressed the he was “solidly with the president and ready to do whatever it took to disarm Saddam” (Norton-Talyor 2006). The military timetable and the inevitability of war were dictating and influencing all other actions, meaning the decision to support this action was binding the scope of British actions and further helps demonstrate the path dependent effects of the ‘Crawford Moment’.

In regard to the post-war period, the President expressed his belief that it was “unlikely there would be internecine warfare between the different religious and ethnic

groups”, an assessment with which Blair agreed. Blair’s agreement on this point seemingly contrasts with the need expressed during the 15th January CDS briefing that the coalition must plan to “prevent anarchy and inter-Nicene fighting” (PJHQ 2003). A crucial part of the decapitation thesis was an understanding of the post-war situation that envisioned it would be relatively benign and not see outbreaks of civil violence. Bush’s belief that there would not be civil, religious or ethnic violence helps support the argument that the decapitation thesis was indeed the basis of US policy (see Chapter 3.1).

In keeping with the decapitation thesis argument, the minutes also indicate that the two leaders envisioned a quick victory and a transition to a new Iraqi government. Immediately after the war a military occupation was imagined, but the length of time it would be in place for was unknown, the President was described as saying. Bush acknowledged the “dilemma of managing the transition to the civil administration” but, without revealing how, thought that this was realisable. Essentially then, both leaders agreed, without any discussion on the details or explanation of how they came to the determination, that it would be possible to quickly transition to an Iraqi interim government and that the post-war situation would not present significant problems.

That Blair did not push for a detailed discussion on post-war planning with the President tallies with Major General Tim Cross’s assessment that across Whitehall there was “a serious reluctance to take on the US over their views” (Cross 2009a).

Analysing Blair’s Iraq Inquiry testimony it is possible to establish one possible explanation for his actions regarding post-war planning during this meeting. In the 31st January 2003 meeting with President Bush support for action was reiterated by Blair despite the fact that Manning had told the Prime Minister that the Attorney General was clear in his advice that a second resolution was required. When asked at the Iraq Inquiry why he gave his support yet again when no legal cover existed and a second resolution was looking unlikely Blair (2011a: 67-8) responded by saying that raising “any doubt at that time” would have “been dramatic” given that Britain was the leading ally:

“I think it would have started to make him [President Bush] concerned as to whether we were really going to be there or not and what was really going to happen.” (Blair 2011a: 69)

This is a reference to the British political need to gain a second UN resolution but it is possible to also apply this logic to the reason why Blair did not confront the President more

forcefully over concerns about the lack of post-war planning. Under this framework, Blair would not have wanted the President to think that these concerns might be an impediment to continued support if the situation was not suitably resolved. If this was the case, it is likely only one part of the myriad reasons why Blair did not seek more detailed assurances about post-war planning, but it does help explain the lack of action on Blair's part to some degree. If this is a suitable explanation then it also demonstrates the impact of the inertia of events, that having made a commitment at Crawford Blair was determined that his support was not seen to be wavering, even if this was at the expense of post-war planning.

6.3.3: *Inertia and the Inside Man*

Although in a different manner to Blair's dealings with the President in January 2003, the inertia of events post-Crawford also had an impact when Blair was informed of key failings in post-war plans in mid-March 2003. Having committed to supporting the policy actions of the Bush administration, including possible military induced regime change, Blair subsequently found himself in a position where post-war problems were no longer sufficient on their own to prevent the use of force.

Major General Tim Cross²⁹ was a member of the British military who had been installed within ORHA and was one of the few British people to have direct access to US post-war planning. On route from Washington to Kuwait, on the 18th March 2003 Cross met with Blair at Downing Street and communicated that post-war planning was "woefully thin" and there was only very limited institutional capacity within ORHA (Cross 2009b). At the end of a 30 minute conversation Cross told the Prime Minister, "I have no doubt at all we will win this military campaign. I do not believe that we are ready for post-war Iraq." (Cross 2009a: 34) Cross also warned Blair that the UK "needed more robust thinking" about the aftermath and that as things stood, "the chances of chaos were not insignificant." (Cross 2009a: 35) Cross was not only telling Blair (and Whitehall more broadly) that there were major deficiencies both in terms of planning and the capacity to implement post-war policy in Iraq, but that these limitations were such that they could result in major problems in post-war Iraq. Cross told the Prime Minister that he "did not believe postwar planning was anywhere

²⁹ The importance of these concerns coming from Cross, as opposed to anyone else, is not insignificant. Cross was in a privileged position that should have afforded his views an equal privilege in the hierarchy of advice Blair was receiving. Cross was the UK representative to ORHA, the US agency responsible for drawing up plans for post-war Iraq, and had also been brought into Centcom planning. As such, Cross had detailed knowledge and access to US post-war planning.

near ready” and, crucially, then actively petitioned Blair to delay military action so as to have additional time to better prepare for the post-war period: “I offered my view that we should not begin that campaign until we had a much more coherent postwar plan.” (Cross 2009a: 15) No such delay was forthcoming.³⁰

This is particularly significant as it goes to the heart of the question of what was driving Britain’s Iraq policy, it poses questions about whether the policy was being created in reaction to events on the ground or was being constrained by other factors.

One topic of decision during the 31st January 2003 Oval Office meeting between Bush and Blair Oval gives an indication that post-Crawford decisions were being constrained by previous decision rather than being constructed in relation to current events. It was revealed during this meeting that the start date for military action had been pencilled in for the 10th March (Manning 2003), whilst this was pushed back a few days it shows that when Blair was assessing Cross’s arguments he was doing so in full awareness of the military timetable that mean war was imminent. Indeed, Sir Jeremy Greenstock is reported to have said, “We were on a timetable of American making which we couldn’t escape from” (Blair 2011a: 80). The inertia of the offer of support at Crawford was taking its effect and the casualty in this instance was a rigorously undertaken process of post-war planning.

Part of the argument outlined in Chapter 4 about the ‘Crawford Moment’ was that it bound future government decisions, particularly in regard to post-war planning. Absent this offer of support, post-conflict problems such as those outlined by Cross to the Prime Minister would have, most likely, impacted of the decision to use military force. If Cross had told the Prime Minister the same things absent the ‘Crawford Moment’ the counterfactual hypothesis is that it is much more likely, though not guaranteed, that Blair’s decision to undertake military action would have been harder to make. As it stands, having offered his support and risked all to stand should-to-shoulder with the president in mid-March when the invasion was days away Blair was not going to allow post-war issues to derail his support and therefore, by extension, the invasion. Rather than being possible impediments to the use of force, post-war issues post-Crawford simply became hurdles to overcome.

³⁰ Whilst an ever so slight delay was eventually granted by Washington, this was to do with attempts to secure the second resolution at the UN, rather than affording more time and effort to post-war planning in the manner Cross requested.

6.4: Chapter Summary

Chapters 3, 4 and 5 outline various different elements that made up the task environment in which phase IV planning took place during 2002 and in early 2003. This chapter sets out to analyse the structural pressures these chapters establish were placed on post-war policy-makers and assess the likely consequences these pressures had on actors and post-war planning. The chapter achieves this by applying aspects of the literatures on path dependence and bounded rationality to explain the likely consequences of these pressures on post-war planning.

There are essentially three aspects of the argument outlined in this chapter that seek to link Chapters 4 and 5 together and explain their impact on post-war planning, all of which help construct an understanding of the task environment in which post-war planning was constructed.

Firstly, it is argued that there was a prioritisation of tasks which placed post-war issues lower than other concerns, such as the legitimacy campaign and military aspects of planning. This had the implication of diverting limited attentional and cognitive resources towards these prioritised tasks at the expense of post-war planning, meaning that the aftermath was planning for with limited attentional resources.

Secondly, it is argued that because detailed planning began so late and in a task environment of bounded rationality, post-war Iraq policy was conducted with limited time and cognitive resources. The result of this was that rather than engaging in sustained and rigorous analysis time-poor and cognitively limited actors were unable to test key assumptions and seek out potential alternative approaches. Instead, these actors adopted weak heuristics in the form of the simplified, time-prime understandings of Iraq.

And thirdly, it is argued that there were path dependent effects stemming from the offer of support at Crawford that negatively impacted on post-war planning. These effects are in evidence in Blair's limited response with Bush over post-war concerns in January 2003 and the inability of Cross's warning in mid-March 2003 to impact on the timing of the commencement of the invasion. It is argued that if the Crawford commitment had not been made then it is more likely that Blair would have sought a more detailed response from President Bush and have pushed for a postponement of military action following Cross's warnings.

Having analysed the likely consequences of structural pressures actors were under, this chapter concludes by suggesting that the failures in post-war planning can be usefully

explained within a cognitive-temporal framework that analyses the procedural mechanics of post-war policy-making.

Chapter 7

Applying and Testing the Explanatory Model

Having established the structural pressures of the task environment in Chapters 3, 4 and 5 and then analysed their likely impact on post-war planning in Chapter 6, this chapter sets out to test the contention that aspects of the regime change doctrine were adopted as weak heuristics during post-war planning.

Due to the relative slowness in change of cognitive constructs, Jacobs (2011b: 23) posits that it should be possible to see evidence of the relative stability of actors' ideas and policy choices over time even as material conditions change. On a circumstantial level, this being so, the case for ideational effects is strengthened when actors' choices remain consistent with the ideational commitment being tested over a multitude of points in an extended time horizon, even as material pressures shift. This chapter sets out to analyse the ideational impact of the regime change doctrine on the construction of Iraq policy in 2002 and early 2003 and does so by applying this methodological test that Jacobs has established to various points between 1990 and 2003. Doing so acts as an empirical test of a key aspect of the hypothesis, that simplified understandings of Iraq and the removal of its leader were adopted as time-primed weak heuristics during post-war planning.

Two key points along the timeline are the changes in administrations in the US and UK with the elections of Clinton (1992) and Blair (1997) respectively that both saw changes in political leadership from one political party to another. On each occasion the regime change doctrine continued along the path set by their predecessors.³¹ In the British case, compared to the Major government a tonal change in terms of public statement followed the election of the Labour Party in 1997 but the policy of maintaining sanctions remained broadly similar. This is particularly well illustrated in how the Blair government responded to the request for a comprehensive review of sanctions by the Iraqi government during 1998. Analysing this period forms the major basis of this section of the chapter and concludes that it demonstrates that the regime change doctrine was a prominent feature of the Blair

³¹ Clinton initially publically indicated that, in principle, he was willing to accept Iraq under Saddam back from international isolation but the following day retracted this statement and reaffirmed Bush administration policy that sanctions would remain so long as Saddam was in power.

government's dealings with Iraq prior to 2003. The comprehensive review episode illustrates how material changes that could have led to the suspension and eventual lifting of sanction did not see a resultant change in British policy, instead British actions sought to bolster its existing policy position. This is then supported further by various responses to the sanctions issue, particularly in relation to the release mechanism and their humanitarian impact, and assessing the response to weapons inspector searches during 2002-3 at the locations the government was citing as the source of Iraq's weapons production.

Burgos (2008) has already process-traced the rise of the regime change doctrine within the US government and demonstrated how this doctrine became to be seen as the solution to the Iraq problem. Burgos (2008: 222) unpacks the social construction of American foreign policy relating to Iraq and shows that during the 1990s "the Iraq Problem was redefined as the 'Saddam Problem' and regime change was defined as the only viable policy for solving that problem." The embedding over time through repetition of this notion that regime change was the only practical policy option had the incremental effect of making previously viable alternatives increasingly seem unworkable. It is argued that the regime change doctrine rise resembles a path dependent process of each further step down the path making future steps in the same direction increasingly more likely, the effects of which influenced the Iraqi policy-making processes during 2002 and 2003.

Testing the regime change doctrine's ideational stability against material change reveals that the original triggering point for the regime change trajectory was a culmination of the Gulf War and a realist conception of international relations dominant within the first Bush administration, but that this origin itself was not the point at which the doctrine became the dominant framework through which Iraq policy was constructed. There is then an important distinction between the simple desire to overthrow Saddam and the embedding of the regime change doctrine as the dominant paradigm for Iraq policy thinking, the latter a product of repeated priming over time. The particular importance of highlighting this change over time is that it emphasises an incremental change in policy that resembles path dependent processes, that at the beginning a number of viable policy options were available but once a certain course began those alternatives became increasingly considered to be less available and the removal of Saddam Hussein from power became seen to be the only viable policy option for dealing with Iraq.

Beyond just outlining the rise of the regime change doctrine, it is also crucial to demonstrate how this then links to perceived notions within the decapitation thesis about Iraq's governance structures holding in the post-war period. Without making this link all that

is established is that the dominant paradigm through which Iraq policy was seen was the regime change doctrine, but on its own this does not answer why policy-makers then thought that Iraqi political institutions would hold following regime change. What joins these two aspects together, it is argued here, is how British policy-makers responded to the humanitarian crisis in Iraq during the sanctions years. It is argued that the this systematic downplaying of the humanitarian impact of sanctions and their detrimental effects on infrastructure and state capacity ended up impacting on policy-makers assumptions' about the post-war environment. Linking back to the transformation of the Iraqi state (Chapter 3.2), this collective denial amongst western policymakers about the impact of sanctions and instead a relentless blaming of Saddam's administration for them helped blind policy-makers to the wider, complexed understanding of the Iraqi state. The social and infrastructural breakdowns in Iraq were seen by Washington and London as the direct result of the corrupt machinations of Iraqi government's administration of sanctions, rather than as a product of sanctions themselves, implying that the removal of this corrupt administration would remove the humanitarian impediment.

By viewing the humanitarian crisis in this manner, British policymakers were in a position whereby they viewed the solution to the humanitarian crisis as the removal of Saddam from power, as it was his administration of them that was the root cause of the problem. Not only did this reinforce the regime change doctrine, but systematically downplaying the impact of sanctions also had the effect of obscuring the transformation of the Iraq state that had occurred following the invasion of Kuwait in August 1990 (see Chapter 3.2). Rather than anticipating the potential collapse of the state bureaucracy in Iraq following regime change, this view of the sanctions and humanitarian crisis helped conceal the true level of social and political degradation that had occurred since 1990.

7.1 Rise of the Regime Change Doctrine: Realist Origins

The rise of the regime change doctrine is interesting for a number of reasons, but the realist element is particularly relevant to this research. The realist origin of the doctrine helps illustrate that there is an important distinction between the doctrine itself and a simple desire to remove Saddam from power, as evidenced by the response to the end of the Gulf whereby Saddam was left in power to prevent possible region change. This origin also helps establish

that the doctrine was one that emerged over time and was not ingrained as the leading aspect of Iraq policy until towards the end of the 1990s.

The military action against Iraq in 2003 was transformative in nature as it sought the removal of the existing regime, the outcome of which was expected to have regional implications, sparking a wave of democratic transitions across the Middle East. For instance, President Bush spoke of how “a new regime in Iraq would serve as a dramatic and inspiring example of freedom for other nations in the region” (Bush 2003).” Indeed, Bush stated that “it would be reckless to accept the status quo”. This stands in stark contrast to the aims and motivations of the Gulf War that sought to re-establish the status quo in the region following Iraq’s invasion of Kuwait. The transformative dimension of the 2003 intervention, however, had at its root an understanding of the threat posed by Iraq that was born out of the conservative, realist outlook of the first Bush presidency during the Gulf War that prioritised stability even over the desired removal of Saddam from power.

Rather than seeking to militarily advance on Baghdad and overthrow the regime directly following the invasion of Kuwait, the Bush administration sought to decapitate the leadership through less immediate means and leave the regime otherwise in place. This policy was born out of a desire to not see revolutionary change in a strategically important region that could upset the balance of power locally. This realist position meant there was a particular appeal to removing Saddam, but not his regime, as the core dynamics both within Iraq and the region would remain the same. Conversely, regime change would alter Iraq’s governance structure and it was feared that this could lead to the break-up of Iraq along ethnic and sectarian lines thus altering regional dynamic by empowering Iran and giving Iraqi Kurds autonomy along the border of US ally Turkey.

Despite the clear capacity to advance on the capital, military plans had not been drawn up to take Baghdad (Bush and Scowcroft 1998; Schwarzkopf 1992: 497; Powell 1995: 490; Baker 1995: 435), but it was the tacit intention of policy-makers to remove Saddam from power. If Saddam was not killed during the air campaign,³² the intention was to create the conditions for his overthrow from within. The combination of the effects of sanctions, the

³² During the Gulf War itself, the US publicly denied intentions to remove Saddam. For instance, State Department spokeswoman Margaret Tutwiler repeatedly claimed that military action was not aimed at changing the governance of Iraq (Human Rights Watch 1992). However, Scowcroft openly conceded that Saddam was deliberately targeted (Cockburn and Cockburn 1999: 34) and so did one of the top aides of General Horner, the air war architect, Colonel Michael F. Reavy (Gordon and Trainor 1995: 314). According to a detailed US Air Force retrospective of the Gulf War, targeting of the Iraqi leadership was, “At the heart” of the air campaign plan (Cohen 1994: Volume 1, 111).

impact targeting had on infrastructure, and the crushing military defeat of Iraq's armed forces were believed to be such to inspire a military or palace coup to prevent further onslaught and depravation.

The strategic air campaign incorporated an integrated targeting list that included Iraq's civilian infrastructure, the bombing of which "deliberately did great harm to Iraq's ability to support itself as an industrial society." (Gellman 1991) A US Air Force retrospective notes that military planners did not "attempt to avoid inconvenience to the Iraqi population" and in targeting civilian infrastructure set out "to inflict disruption and a feeling of helplessness on the Iraqi people without bringing about sever suffering". This was carried out "all in the hope of weakening Hussein's grip" on power (Cohen 1994: Summary, 43). The strategic air campaign intention was "to convince the Iraqi populace that a bright economic and political future will result from replacement of the Saddam Hussein regime" (Cohen 1994: Summary, 44; COMUSCENTAF 1990).

In this sense, the electrical and power generation sectors were considered "leverage" targets precisely because striking them could dramatically impact on the everyday functions of a modern state (Cohen 1994: Volume 2, Part II, 304). Being an advanced society, Iraq was dependent on electricity (Cockburn and Cockburn 1999: 4) meaning that damage to the electrical sector "caused the collapse of water and sanitation systems, and of irrigated agriculture" as they all relied on electric pumps, and the lack of clear drinking water resulted in widespread illness (Graham-Brown 1999: 157).

In June 1991, a few months after the ceasefire, the Washington Post quoted an unnamed planning officer as saying the purpose of "the attacks on infrastructure was to accelerate the effect of the sanctions." The same article also quoted Colonel Warden, the air campaign mastermind, who agreed with the unnamed planning officer, stating that one aim of attacking Iraq's electrical sector was that "you have imposed a long-term problem on the leadership that it has to deal with sometime" which in turn "gives us long-term leverage." (Gellman 1991)

With such a strategy in place, and the means to implement it, it is not unsurprising that many intelligence analysts, policy-makers and military planners believed that Saddam's reign would be brought to an end without the need to for a direct march on Baghdad (Cockburn and Cockburn 1999: 37). There was a clear expectation, including by President Bush, that following the destruction of the Gulf War, the defeated Iraqi army would turn on the leader that had set them on the path of folly and overthrow him (Gordon and Trainor 1995: 517; Bush and Scowcroft 1998: 488).

That the policy of removal focused on Saddam and not his regime was articulated the day after the February 1991 Gulf War ceasefire by Richard Haass, director for Middle East affairs at the US National Security Council (Cockburn and Cockburn 1999: 37). This focus on Saddam, and not his regime, would later be described in the New York Times as being “the best of all worlds: an iron-fisted Iraqi junta without Saddam Hussein.” (Friedman 1991)

One of the animating purposes of such a goal was highlighted in a secret meeting before the war where British diplomats from the Gulf region pointed out that if the coalition removed Saddam and occupied Baghdad then eventually they would have to hold elections in Iraq before withdrawing; elections would have been problematic for Anglo-American allies in the region, especially Saudi Arabia. In addition, there was a fear of a break-up of the Iraq polity along sectarian lines, strengthening Iran and upsetting a key ally, Turkey. As such, the Gulf War was “a conservative war to keep the Middle East as it was, not to introduce change” (Cockburn and Cockburn 1999: 33), a stance supported by Colin Powell (1995: 490), Chairman of Joint Chiefs of Staff during the Gulf War and by Richard Haass (2009: 136), who was on President Bush’s National Security Council.

Haass (2009: 136) described the US intention not to “try to recast the internal politics of a defeated Iraq” and that “the operating assumption was that the disenchanted Iraqi military... would likely ouster Saddam” and replace him with “an authoritarian, Sunni-dominated state” that lacked “Saddam’s excesses”. This point was also made and expanded upon by Colin Powell (1995: 527) as he stressed that rather than being “replaced by a Jeffersonian in some sort of desert democracy” it was more likely that a post-Saddam Iraq “would have wound up with a Saddam by another name”. Indeed, “Saddam by another name” was the hoped for outcome, in February 1991 Haass described to Peter Galbraith, staff director of the Senate Foreign Relations Committee, that “our policy is to get rid of Saddam Hussein, not his regime.” (Cockburn and Cockburn 1999: 36-7)

Before the war, the US ambassador to Saudi Arabia outlined that “we cannot pursue Iraq’s unconditional surrender and occupation by us. It is not in our interest to destroy Iraq or weaken it to the point that Iran and/or Syria are not constrained by it.” (Powell 1995: 527) Similarly, a pre-war Pentagon memo also stressed a deeply ingrained belief that civil disorder would inevitably fragment Iraq and empower Iran: “Iraqi disintegration will improve prospects for Iranian domination of the Gulf and remove a restraint on Syria.” (Cockburn and Cockburn 1999: 39) Powell (1995: 527) concurred with this assessment, noting that it “would not contribute to the stability we want in the Middle East to have Iraq fragmented into separate Sunni, Shia and Kurd political entities.” In Powell’s mind the only way of avoiding

such an outcome would have been to “undertaken a largely U.S. conquest and occupation of a remote nation of twenty million people”, something the administration was unwilling to do. US Ambassador to Saudi Arabia Charles Freeman told reporters after the war that “Washington was obsessed by the idea” that Iraq would break up. Indeed, On the 26th March 1991, Bush convened a meeting of his senior advisors in which a decision not only to leave Iraq to its own devices was approved by all those present but whereby it also appears that no one questioned “the presumption that a rebel victory would inevitably have led to Iran seizing a piece of Iraq” (Cockburn and Cockburn 1999: 40).

Former National Security Advisor Scowcroft explicitly outlined the outcome the US had wanted in post-war Iraq, stating “we clearly would have preferred a coup. There’s no doubt about that.” (Graham-Brown 1999: 19) Indeed, President Bush actively called for a military uprising against Saddam (Cockburn and Cockburn 1999: 37) as civil unrest against the regime broke out in the north and south of the country. Rather than supporting the March 1991 civilian uprisings to overthrow Saddam, the US administration refused to help them and allowed the regime to brutally crush them, including through the use of helicopters as the coalition still controlled the Iraqi skies. Colin Powell (1995: 531) confesses that without US support, “Neither revolt had a chance. Nor, frankly, was their success a goal of our policy.” Instead, Powell (1995: 531) stressed that the “practical intention was to leave Baghdad enough power to survive as a threat to Iran” and a popular uprising could threaten this.

The origins of the ‘leadership change, regime stabilisation’ policy are rooted in the realist doctrine of the George H.W. Bush administration that prioritised stability over transformative action. There is then perhaps somewhat of an irony that this focus on stability and rejection of attempts to alter the balance of power in the Middle East helped create the foundational point for the second Bush administration’s first step towards remaking the Middle East.

7.2: Sanctions Release Mechanism

Security Council resolution 687, adopted on the 3rd April 1991, was passed following the end of the Gulf War and both re-imposed sanctions against Iraq and created the weapons inspection team, the United Nations Special Commission (UNSCOM), and its mandate for disarmament. Under paragraph 8, resolution 687 stipulated that “Iraq shall unconditionally accept destruction, removal, or rendering harmless, under international supervision” all

chemical and biological weapons and “related components” as well as all ballistic missiles “with a range greater than one hundred and fifty kilometres”, their “major parts” and “repair and production facilities.” Paragraph 20 of resolution 687 decided to maintain sanctions against Iraq, exempting medical supplies and foodstuffs, with paragraph 22 linking the lifting of sanctions to Iraq’s new disarmament obligations.

Paragraph 22 states that “upon council agreement” that Iraq has fulfilled these disarmament obligations the sanctions “shall have no further force or effect.” The importance of paragraph 22 was that it outlined the mechanism by which Iraq would be released from the sanctions imposed against it. That mechanism was directly linked to Iraq’s disarmament obligations, which, once met in the eyes of the Security Council, would free Iraq from sanctions. This linkage between disarmament and the lifting of sanctions would play a crucial and leading role in the confrontations between Iraq and the permanent members of the Security Council, especially the United States and United Kingdom.

Initially at least, the US expressed a commitment to the specific ends drawn up in resolution 687 when US ambassador to the United Nations Thomas Pickering clearly reiterated the sanction’s release mechanism, stating that “[u]pon implementation of the provisions dealing with weapons of mass destruction and the compensation regime, the sanctions will be lifted” (Tyler 1991). The US Department of State, in a dispatch issued on the 8th April 1991, described the provisions of Security Council resolution 687 as providing for the lifting of sanctions Iraq “when Iraq agrees to the destruction of its weapons of mass destruction and missiles, provides their locations to the Special Commission, and agrees not to acquire or develop them in the future, and when the Security Council approves the Secretary General’s plan for the compensation fund.” Indeed, prior to the end of the war, when asked on the 27th February 1991 about a report stating that it was US policy to maintain sanctions after the war to help prevent Iraq’s ability to reconstruct itself unless Saddam Hussein was removed, State Department spokeswoman Margaret Tutwiler said, “I have never heard that mentioned... I have checked in this building [the State Department] and I have checked at the White House. I am not aware of a United States decision to keep an economic embargo.” (Human Rights Watch 1992)

Not everyone saw the situation this way. The British government clearly linked the removal of sanctions with the removal of Saddam Hussein rather than to Iraq’s obligations as stipulated by UNSCR 687. During the discussions regarding the drafting of resolution 687, the UK’s ambassador to the United Nations, Sir David Hannay, stated that, “My government believes that it will in fact prove impossible for Iraq to rejoin the community of civilised

nations while Saddam Hussein remains in power” (Graham-Brown 1999: 20). Indeed, on the 11th May 1991 British Prime Minister John Major threatened to use the British Security Council veto against a proposal to lift economic sanctions “as long as Mr. Hussein is in power” (Tyler 1991) and did so again on the 21st May 1991 (Pienaar and Doyle 1991).

A few days after the adoption of the resolution itself President Bush, on 16th April 1991, made the same argument at a press conference: “There will not be normalised relations with the US until Saddam Hussein is out of there. And we will continue economic sanctions.” (Graham-Brown 1999: 20; Cockburn and Cockburn 1999: 43)

On the 7th May Deputy National Security Advisor Robert Gates, reiterated the policy, saying, “Saddam is discredited and cannot be redeemed. His leadership will never been accepted by the world community. Therefore, Iraqis will pay the price while he remains in power. All possible sanctions will be maintained until he is gone... Any easing of sanctions will be considered only when there is a new government.” Gates also said that Iraq “will be nothing but a pariah state” whilst Saddam Hussein continues to rule the country and, consequently, “Iraqis will not participate in post-crisis political, economic and security arrangements until there is a change in regime.” (Tyler 1991) Importantly, as The Los Angeles Times reported, this announcement by Gates “clearly strayed far beyond the intent of the cease-fire resolution” (Meisler 1991).

On the 20th May President Bush made two paradoxical statements during a press conference by claiming that the United States would “abide by the United Nations resolutions, of course,” whilst also stressing that it was his view that “we don’t want to lift these sanctions as long as Saddam Hussein is in power.” These two positions are incompatible with one another given that adherence to the United Nations resolution should allow for the lifting mechanism to be implemented, once the obligations were considered to have been met, regardless of whether Saddam Hussein was still in power or not. Earlier in the day White House spokesman Marlin Fitzwater had referred reporters to the May 7th speech by Gates, which indicated, in the words of the New York Times, that “Mr. Gates’s strong formulation on the sanctions question represented American policy.” (Tyler 1991)

The New York Times also reported the policy “that the United States would oppose the lifting of the worldwide ban against trading with Iraq until President Saddam Hussein is forced out of power in Baghdad.” (Tyler 1991)

7.2.3: The Clinton Administration

The Democrats' victory in the 1992 president elections saw a significant shift in American politics after twelve years of Republican leadership under Reagan and Bush. During the transition phase between presidencies, Clinton reaffirmed that US policy under his leadership would remain the same in regards to Iraq. "There is no difference between my policy and the policy of the present Administration," Clinton told the media in January 1993 (Friedman 1993). Indeed, a 14th January 1993 New York Times article opens with the paragraph:

"Anxious to erase any impression that he would change American policy on Iraq, President-elect Bill Clinton said today that he had "no intention" of re-establishing diplomatic relations with Saddam Hussein." (Friedman 1993)

This followed a statement the previous day whereby Clinton had seemingly indicated that his administration would take a different approach to dealing with Iraq on weapons inspections and sanctions that his predecessor:

Clinton: "I always tell everybody I'm a Baptist. I believe in deathbed conversions. If he [Saddam Hussein] wants a different relationship with the United States and with the United Nations, all he has to do is change his behavior." (Friedman 1993)

Clinton: "If you [Saddam Hussein] want a different relationship with me, you could begin by upholding the United Nations requirements to change your behavior." (Friedman 1993)

Following these statements, there was a concerted effort to make sure the narrative was seen as a continuation of the Bush policy. "President-elect Clinton never meant to suggest in any way that normalizing relations with Saddam Hussein was on his agenda," George Stephanopoulos, Clinton's spokesperson, said (Friedman 1993), and would later say that there was "no daylight between President Bush and President-elect Clinton" on Iraq (Ifill 1993). Vice President-elect Gore told the nation (17th January 1993) that there would be "no fundamental difference" between the Clinton and Bush Administration on Iraq policy (Ifill 1993).

On the normalisation of relations with Iraq, Gore (1991) had been clear on this point

since the end of the Gulf War: “it is not just enough to say that there will not be normal U.S. relations with Iraq while he is in power.” Gore stressed that Saddam should not be considered “an acceptable part of the landscape” and not only called for his overthrow but detailed how it could be possible (Gore 1991).

Even if Clinton had meant that a normalisation of relations was possible, he almost immediately retracted such a position and his future policy actions aligned with the policy proscriptions that the Bush had advocated for. For instance, in March 1997 Albright stated that US policy was to maintain sanctions even if Iraq complied with the UN resolution arguing, “We do not agree with the nations who argue that if Iraq complies with its obligations concerning weapons of mass destruction, sanctions should be lifted.” (Cockburn and Cockburn 1999: 263; Albright 2003: 275) Albright was linking the lifting of sanctions to broader conditions such as prisoners of war issues and accepting Kuwaiti sovereignty, but in doing so maintained that sanctions would remain regardless of Iraq’s compliance with disarmament obligations if Saddam remained in power.

As had Bush, Clinton also supported a number of covert actions to overthrow Saddam that, most notably, led to an attempted coup in June 1996 (Hiro 2001: 102-119; Cockburn and Cockburn 1999). This failed coup occurred over two years before the passing of the Iraq Liberation Act in October 1998 and demonstrates that Clinton, whilst somewhat reluctant and not through direct military means in the form of an invasion, was willing to actively pursue the possibility of overthrowing Saddam.

It is clear that despite the partisan change in the White House, Clinton’s policy towards Iraq was largely a continuation of the Bush Administration’s and he would later sign into law regime change as official US policy.

7.2 Position of Blair’s Government: Pre-Crawford

The Major government explicitly rejected the provisions in paragraph 22 of UNSCR687, stating that sanctions would remain so long as Saddam did. Having first stated this position in 1991, it continued to inform policy throughout his administration, for example it was reiterated in 1994 by the Foreign Office which stated that sanctions not be lifted “whatever the degree of Iraqi compliance with UN resolutions, as long as President Saddam remains in power”. In 1997, just prior to the Labour Party’s election victory, Foreign Secretary Malcolm Rifkind said “we won’t lift the sanctions while he’s in power” (Curtis 2003: 12), a policy

position that would continue under Blair, although public pronouncements were much more measured.

Unlike that of his predecessor, the British position under Blair's leadership was not to explicitly articulate that sanctions would remain in place so long as Saddam was in power.³³ Indeed, the Blair government's public position often reiterated that if Iraq complied with its United Nations obligations then, as stipulated within Security Council resolutions, economic sanctions against Iraq would be lifted (Straw 2002z; Hoon 1999, 2000, 2001; Hain 2000; Fatchett 1998).

This position seemingly contrasted with the US government stance that sanctions would not be lifted following Iraq's full compliance with its disarmament obligations so long as Saddam remained in power. The apparent schism between the two positions, however, was more of a presentational issue rather than a largely substantive policy difference. Blair (1998: Column 175) suggested that compliance with disarmament obligations in UNSCR687 was not sufficient to have sanctions lifted so long as the threat from them remained, suggesting that subsequent requirements would also need to be fully complied with, such as accounting for missing Kuwaitis (Blair 1998: Column 175). Much like Albright two years before, Hoon (1999: Column 255) stressed that the lifting of sanctions was linked to disarmament but also a review of "Iraq's policies and practices, including its implementation of all relevant resolutions."³⁴

Running throughout Blair's dealings with Iraq was his fear of lifting sanctions whilst Saddam was still in power. What motivated this policy position, it is argued here, is a combination of the intent argument and the reality that Iraq could rapidly reconstitute its weapons production in the absence of UN controls. Lifting sanctions with Saddam still in power, Blair believed, would allow Saddam to pursue his deeply held intent of having weapons of mass destruction unchecked. As outlined in Chapter 4.4, this intent argument informed Blair's threat calculus and eventual justification for the use of force in March 2003, but its presence from the early parts of his premiership onwards suggests that there was stability maintained in thinking about Iraq, irrespective of material changes.

³³ Blair would in both 1997 and 1998 say that regime change was actively desired by the government but on the sanctions issue Blair's government was consistent in saying that there was a pathway towards them being lifted with Saddam still in power.

³⁴ Hoon (1999: Column 255): "It provides that sanctions will be lifted following compliance by Iraq with its obligations relating to weapons of mass destruction and following review by the Security Council of Iraq's policies and practices, including its implementation of all relevant resolutions."

7.2.1: Comprehensive Review

The Blair administration was much more subtle in its rejection of adhering to paragraph 22. Whilst often publicly stating that it would adhere to the provisions of paragraph 22, the policy actions it took undermined this key provision. This means that despite tonal differences in public pronouncements, there was a continuation of the policy the Major government began.

It is easier for political actors to continue controversial policies if there are pre-existing rather than needing to initiate them oneself, even those such as the sanctions policy that are controversial and actively detrimental (Herring 2004).

In October 1998, at a point when Iraq was actively seeking confirmation of the required steps necessary to end sanctions, the British government watered down the Security Council clarification on this point. This was done at a time that the Clinton administration was publicly saying that sanctions would remain so long as Saddam did, regardless of levels of compliance, and was in the process of signing into US law the Iraq Liberation Act. The message these combined actions clearly sent was that paragraph 22 was being undermined.

By 1998 the disarmament process in Iraq and the economic sanctions were both becoming contentious issues and ones that increasingly divided the Security Council between Britain and the US on one side of the permanent five and France, Russia and China on the other. Military action had been averted at the beginning of the year by the United Nations Secretary General Kofi Annan who went to Baghdad to mediate a resolution to that crisis over arms inspectors. In early August 1998 Iraq suspended its cooperation with UNSCOM inspections (but allowed ongoing monitoring). This prompted Kofi Annan to propose what was to become known as the Comprehensive Review that would assess the progress of weapons inspectors and outline the required steps to full compliance: “The idea was to give Baghdad fresh hope that sanctions could end, perhaps within six months, if it resumed its co-operation.” (Usborne 1998)

That a comprehensive review of disarmament tasks should be undertaken was agreed by the Security Council and Annan submitted his proposal for the terms of the review in October. Part of the purpose of the comprehensive review was to clearly articulate to Iraq that compliance would lead to the lifting of sanctions. The paper Annan produced was, however, revised by the UK in a crucial manner that left adherence to the key provisions of paragraph 22 unspecified:

“In a letter sent back to Mr Annan on 30 October, the council agreed to the review, but on condition that the burden of proof fell on Iraq, not on Unscm, to demonstrate it was indeed free of all weapons of mass destruction. The council also referred only very obliquely to Article 22 of the 1991 Resolution 687 that says that the oil embargo on Iraq will be lifted as soon as the weapons were indeed gone.” (Usborne 1998)

Iraq responded to this by withdrawing cooperation with United Nations Special Commission (UNSCOM) the following day.³⁵ The Associated Press (1998) reported that Iraqi diplomats had stated that the decision by to halt dealings with UNSCOM was a response to the lack of clarity in the Comprehensive Review about the conditions for lifting sanctions.

The Blair government’s public line is that the Security Council offered a Comprehensive Review that outlined the terms by which Iraq could have seen the lifting of sanctions but that instead Iraq rejected the review and withdrew from cooperation with UNSCOM and the IAEA. Then Foreign Secretary Robin Cook (1998: Column 703) told the House of Commons that Iraq’s decision was “particularly perverse” as the terms of Comprehensive Review provided for the prospect of the lifting of sanctions if Iraq complied with its obligations. Even after Iraq had responded to the terms of review and stated that they were concerned that the course to the eventual lifting of sanctions was not explicit enough, key members of the Blair government continued to promote the idea that a clear pathway to the lifting of sanctions was established within the Comprehensive Review: “The aim of the review will be to provide a clear statement of the remaining steps that are needed for Iraq to meet its obligations and, if followed, will provide a timetable towards the lifting of sanctions” (Robertson 1998: Column 508).

The British government’s claims that the Comprehensive Review was offered as an incentive for Iraq to move towards contrasts significantly with the fact that it was they who had redrafted the letter send back to Kofi Annan, altering it to not specifically outline that disarmament compliance would lead to the lifting of sanctions (Usborne 1998).

Numerous British national newspaper articles linked Iraq’s withdrawal of cooperation with this decision to not clearly articulate that sanctions would be lifted following compliance (Usborne 1998; Rai 2003: 47-8). The Associated Press reported that the US had made it clear

³⁵ It is worth noting that the day Iraq withdrew its support for the inspection propose not only came after the reworded comprehensive review but arrived on the very same day that the US signed into law that the removal of Saddam from power was official policy. This is not to suggest that the two are directly causal but rather than this was the contextual environment in which the crisis unfolded.

“that economic sanctions against Iraq will not be lifted at the end of a review of Baghdad’s compliance with U.N. resolutions” and quotes the Deputy US Ambassador to the UN as saying the US government viewed the comprehensive review as not being a stepping stone to the lifting of sanctions: “We don’t see the sanctions lifting as the end result of the comprehensive review” (Lederer 1998). In redrafting the parameters of the comprehensive review, Britain was actively supporting the well-publicised US position that disarmament alone was not sufficient to see sanctions lifted.

Following the beginning of the Desert Fox bombing campaign, in the House of Commons the Leader of the Opposition expressed his support for the action and for removing Saddam from power. Hague also suggested that this should be the position of the UK government, saying “the overall objective of our policy towards Iraq should be to remove Saddam from power rather than temporarily checking his ambitions.” (Hague 1998b: Column 1103) Uncharacteristically, whilst stressing it was not the objective of Desert Fox, Blair responded by concurring with this position: “I agree entirely that a broad objective of our policy is to remove Saddam Hussein and to do all that we can to achieve that... If we can possibly find the means of removing him, we will.” (Blair 1998b: Column 1103)

The British government was also actively pursuing the so-called ‘Indict Campaign’ to indict Saddam for various crimes, with the Foreign Office also regularly meeting with Iraqi opposition groups in London. For instance, on the 23rd November 1998 Derek Fatchett held a meeting with 16 representatives of the Iraqi opposition and noted to the press afterwards that “I usually meet with these groups about every 2 or 3 months.” Fatchett also told the assembled press that these opposition representatives felt that the crisis that would lead to the Desert Fox bombings “was one which suggested that there is a very good chance of internal political change in Baghdad.”³⁶ Whilst neither of these two aspects of government actions would directly lead to the overthrow of the government in Iraq, it does make clear that this was a desired outcome and one that was being supported.

The policy position that the reaction to the comprehensive review suggests is that sanctions would remain so long as Saddam did. It is also clear that the government, and Blair personally, desired the overthrow of Saddam and believed that this should be the policy of the government.

Although on a small scale, a similar position was then again played out on the BBC’s *Newsnight* in May 2002 when the host asked Blair about regime change, to which the Prime

³⁶ Available: <http://www.casi.org.uk/discuss/1998/msg00338.html>

Minister repeatedly stated his desire to remove Saddam from power and that this should be actively pursued:

Blair: “I certainly believe getting rid of Saddam Hussein would be highly desirable. It’s always been the American policy to get rid of Saddam Hussein.” (BBC 2002)

Blair: “I certainly endorse the policy of doing everything we can to get rid of Saddam Hussein if at all possible.” (BBC 2002)

Blair: “My position is that it would be highly desirable if Saddam Hussein was got rid of. I certainly agree with that.” (BBC 2002)

Crucially, Paxman then repeatedly asked Blair that if Saddam complied with the demands being placed on him, whether the desire to overthrow him would cease. Like during the Comprehensive Review saga, at no point does Blair confirm that this would be the case. Blair did passingly mention that it would “make a difference to the situation” if Iraq complied, but then swiftly says there is “no sign” that Iraq will meet the demands placed on it (BBC 2002). Having not clearly stated that regime change would be avoided if disarmament obligations were met when given the opportunity to affirm that was the policy, Blair then repeatedly restates his belief that Iraq would be better off with Saddam removed from power.

Blair (2010b: 239) would later claim to the Iraq Inquiry that if Saddam had complied then he would have remained in power, a position reiterated by Straw (2011: 3) in his testimony. Given the opportunity to clearly outline that this was the case on national television, Blair did not, instead repeatedly stating his desire to see the demise of Saddam Hussein. This sent a clear message and illuminated Blair’s policy preferences. Indeed, the BBC headline that accompanied the transcript was ‘Blair’s call to ‘get rid’ of Saddam’.³⁷

7.2.2: Material Change and Intent

The Blair government’s reaction to the Comprehensive Review can be seen as being part of a much broader Iraq strategy and as having been influenced by the intent argument that the Prime Minister would later use in his justification for war. Despite repeated government claims about the threat from Iraq’s weapons in a material sense, such as unaccounted for

³⁷ Available: http://news.bbc.co.uk/1/hi/uk_politics/1989845.stm

anthrax or VX, the actual focus of the threat was Saddam himself. This personification of the threat stemmed from Saddam's assumed intent to produce weapons in the future and Iraq's intellectual and technological ability to do so if desired.

The question is where did Blair's focus on intent come from?

Blair has stated that his resolve to deal with Saddam in 2003 derived from the early intelligence briefings he received from Secret Intelligence Service (SIS) chief David Spedding at the beginning of his premiership that provided detailed intelligence on Iraq and recent British efforts to contain the country. "Strangely enough," Blair would recall, "it was reading the intelligence reports soon after I became prime minister" (Coughlin 2006: 44). Analysing what is publicly available of the intelligence material from that time, it is possible to trace back that Blair was exposed to a particular narrative about Iraq's weapons that likely informed his later views about Saddam's intent and future threat. This narrative was an emphasis in JIC intelligence assessments not on hidden stockpiles, but on Iraq's capacity to rapidly reconstitute weapons programmes in the future following the lifting of sanctions.

In terms of SIS, Blair (2011a: 35-6) quoted SIS4, an SIS officer below the rank of Chief, during his Iraq Inquiry testimony that emphasises the importance not just of material capabilities but the technological and intellectual ability to rapidly create those capabilities. "So many people think of WMD as being rather like tanks and missiles and aeroplanes," SIS4 told the Iraq Inquiry, "things you could look at. In my own mind I always thought of WMD as being contained really in the brains of the experts who understood them and were able to produce them sometimes at very short notice." (Blair 2011a: 35-6; SIS4: 12). Whilst access to the actual content of the briefings Blair received from SIS in 1997 is publicly unavailable, quoting this statement by an SIS officer would suggest that it was obviously a perspective that the Prime Minister thought was important and likely one that reflected thinking within the organisation.

JIC assessments of Iraq both prior to and after Blair became Prime Minister in May 1997 set out a pattern that sits perfectly with this SIS officer's understanding of the Iraq threat, so even if SIS were not briefing along this line, JIC certainly was. This narrative became common place in the years prior to Blair becoming Prime Minister and then continued after his election. For instance, the JIC Assessment of 8th September 1994 reported:

"Although UNSCOM has destroyed large declared stocks of CW [chemical weapons] agents, precursors and weapons, Iraq may have retained a secret stockpile that we have no direct evidence. Hidden stockpiles are probably unnecessary as the Iraqi civil

chemical industry can produce all the precursors needed to make mustard agent and most of those for nerve agents.” (Butler Report 2004: 47)

As for chemical weapons, the JIC assessment similarly concluded for biological weapons that Iraq did not need to retain its stockpiles as it was possible for them to quickly produce new stocks:

“There is little need for hidden stockpiles of BW [biological weapons] weapons or agents. Small quantities of agent could be quickly and covertly produced”. (Butler Report 2004: 48)

A JIC assessment produced on the 24th August 1995 reported the same finding, that whilst Iraq may have retained some hidden stockpiles, they were likely to be only small but crucially Iraq “could begin to make chemical weapons within a matter of weeks, and produce sufficient quantities within months, if UN constraints were removed.” The ability to re-start production post-sanctions was assessed to be a greater threat than any chemical or biological stockpiles that may possibly exist (Butler Report 2004: 48). Crucially, this August 1995 JIC assessment makes the link to the sanctions regime, that if, or once, sanctions are lifted then Iraq would be in the position to rapidly reconstitute its weapons programme.

It is this link between the lifting of sanctions and Iraq’s capability to quickly produce weapons again that is argued to have become the focus of Blair’s understanding of the potential threat Iraq posed. These examples show how a consistent narrative became present in JIC assessments about the threat not being an existing material capability but that Iraq could have one if it so desired.

After Blair had become Prime Minister this focus on the capacity to reconstitute weapons continued in these assessments, meaning they would have been communicated to him following his party’s victory in the May 1997 election. For instance, the 8th October 1997 JIC Assessment reported that regardless of whether Iraq actually has weapons stocks, “Iraq nevertheless remains capable of regenerating a CW capability in a matter of months.” (Butler Report 2004: 47) This assessment was again made by the JIC on the 4th December 1997, stressing that whilst Iraq could possibly have current stockpiles, the real issue was that it could “regenerate a significant offensive BW [biological weapons] capability within months” in a post-sanctions environment (Butler Report 2004:).

Having assessed various JIC assessments over the years, the Butler Inquiry concluded that the impression these assessments would have left readers, following the withdrawal of inspectors in December 1998, would “have been of suspicion and concern about Iraq’s breakout capability” (Butler Report 2004: 48). Crucially, Iraq’s breakout capability was largely based on intellectual capabilities, as Blair would argue in his Iraq Inquiry testimony, and dual-use facilities whereby necessary civilian infrastructure could be converted to nefarious ends. This meant that so long as Saddam remained intent on having weapons of mass destruction then he would be capable of quickly reconstituting them absent UN controls.

Blair (2011a: 45) told the Iraq Inquiry that he did not understand the very binary distinction between regime change on the one hand and WMD on the other as for him the two were “always linked together”. This is unsurprising given the intent argument and the assessment of intelligence reports that emphasised Iraq’s break-out capability.

During the February 1998 crisis French President Jacques Chirac warned Iraq that it risked military action by its response to inspections. “We have to find a way to reintegrate Iraq into the international community,” Chirac argued, “assuming it plays by the rules”. (Whitney 1998) Chirac also stated his intention to write to Saddam saying that if there was cooperation with inspectors then the “way was open” for economic sanctions to be lifted (Lichfield 1998). This was the context in which the Comprehensive Review was to take place a few months later, that there was a genuine possibility that sanctions could be suspended and finally lifted, but this was the outcome of inspections least desired by the Blair government.

Also in February 1998, a JIC assessment concluded that “UNSCOM and the IAEA have succeeded in destroying or controlling the vast majority of Saddam’s 1991 weapons of mass destruction (WMD) capability.” (Butler Report 2004: 47) That the containment policy was working, and that a significant material change in Iraq’s weapons stockpiles was happening did not impact on the threat Iraq was seen to pose when assessing it through the intent and capabilities framework. This means that even as the material threat was actively decreasing the British government did not want the lifting of sanctions whilst Saddam remained in power.

Whilst Blair highlighted the material threat posed by Iraq during the December 1998 crisis that led to the four-day Desert Fox bombing campaign, there was also an emphasis on the intention of Iraq’s leader to maintain a weapons capability: “Saddam Hussein has no intention of abiding by the agreements that he has made.” (Blair 1998) On UNSCOM’s December report to the UN, Blair charged that it was “a catalogue of obstruction” showing quite clearly “that Saddam had no intention whatever of keeping to his word.” (Blair 1998)

Blair (1998) also described Iraq's non-cooperation as being a result of Saddam's "desire to develop these weapons of mass destruction" and that he "has not for one instant yielded up that malign intent." The result, Blair argued, was that he posed a threat "to the security of the world" and that if he was "not stopped now, the consequences to our future peace are real and fundamental." (Blair 1998)

The material reality that Iraq had destroyed its weapons stocks in 1991 and the weapon inspectors had dismantled, destroyed or were actively monitoring what remained of the infrastructure to produce (or potentially produce) weapons had not impacted on the threat calculus Blair, and others, were using. The reasoning behind this was that it would always be possible for Iraq to reconstitute its weapons programmes and capabilities in a relatively short period of time. This being true, the fact that no stockpiles existed and very little infrastructure remained in the country did not matter as this would not prevent Iraq from acquiring them again in the future if a decision to reconstitute them was made. The intellectual capability to produce weapons of mass destruction and Saddam's intent to do so because the focus of British action, rather than necessarily the material threat posed by existing stockpiles. In this conception of the threat, not only is the removal of Saddam the only way to resolve the issue but evidence of compliance or a lack of stockpiles does not meaningfully alter the risk.

Therefore, even as the material reality that Iraq was unlikely to retain any functioning weapons stocks became increasingly apparent as time went on, the threat calculation remained the same so long as Saddam remained in power.

One example of this from the 2002-3 crisis is the case of the nine alleged weapons and missile production sites that are mentioned in the September White Paper, including the Falluja II site (also referred to as the Tariq state establishment). The dossier described how "Plants formerly associated with the chemical warfare programme have been rebuilt" and then outlines that this "include[s] the chlorine and phenol plant at Falluja 2." (British Government 2002: 20)

This location was also referenced by Colin Powell during his 5th February 2003 speech to the UN, having described how "Iraq has embedded key portions of its illicit chemical weapons infrastructure within its legitimate civilian industry" Powell then turned to Falluja II specifically and claimed:

"Iraq has rebuilt key portions of the Tariq state establishment. Tariq includes facilities designed specifically for Iraq's chemical weapons programme and employs key

figures from past programmes. That's the production end of Saddam's chemical weapons business.” (Powell 2003)

In October 2002 the CIA also claimed that Falluja II was a specifically important part of Iraq's chemical weapons production capabilities: “**Baghdad continues to rebuild and expand dual-use infrastructure that it could divert quickly to CW production.** The best examples are the chlorine and phenol plants at Falluja 2.” The assessment continues by stressing that “Falluja 2 was one of Iraq's principal CW production facilities” and that Iraq “is trying to hide the activities of the Falluja plant.” (CIA 2002: 10-11, original emphasis)

Despite all of these claims, having sent an inspection team to the site in December, inspection spokesperson Hiro Ueki outlined on the 9th December that the chlorine plant at the Falluja II site was “currently inoperative” and that all dual-use equipment was tagged and accounted for (UN News Centre 2002). Following inspection, there were no suggestions that chemical weapons production facilities had been hidden within the plant.

Falluja II was not the only site mentioned in the September dossier that was inspected in December 2002. Hans Blix reported to the Security Council on the 19th December 2002 that “several sites, which have been the subject of public discussions, have been inspected and questions as to their use may have been answered.” (Friel and Falk 2004: 101) Again, following inspections there was no suggestion that these civilian facilities had been converted in any way to produce proscribed materials. Despite this revelation about the material condition of Iraq's weapons programme, it had no impact on Blair's threat calculation which remained stable.

Neither did the revelation that the British allegation about uranium being sought from Niger tubes, which found its way into President Bush's State of the Union address and Powell's 5th February UN presentation, was based on forged documentation (Eisen and Royce 2007) have any impact despite being revealed prior to military action and being part of the IAEA report to the Security Council on the 7th March 2003 (CNN 2003).

In his forward to the September White Paper, Blair (2002d) wrote that he believed the intelligence had “established beyond doubt” that Iraq had continued to produce chemical and biological weapons. When asked about this at the Iraq Inquiry Blair (2010b: 80) responded, “I did believe it, frankly, beyond doubt” that Iraq had weapons of mass destruction. Given that in March 2002 Blair was informed that no material change had occurred in Iraq's material capabilities in the last few years (since UN inspectors were last there), it is certainly difficult to understand in a material sense how Blair could come to such a conclusion about

the existence of stockpiles of active weapons. However, an understanding of the intent and capabilities arguments, and the prominence they played in the Prime Minister's thinking, can allow for an understanding of the threat posed by Iraq's weapons of mass destruction, even if there was not an active programme in March 2003.

7.3: Humanitarian Impact of Sanctions

The reasons for how the regime change doctrine was transformed to help inform the flawed post-war assumptions about Iraqi political institutions were partly due to the British government's constant denial of the humanitarian consequences of the sanctions regime. This denial instead placed blame on Saddam alone for the humanitarian crisis. Establishing Saddam as the sole author of the unfolding human catastrophe in Iraq helped obscure a more nuanced understanding of the crisis and the impact it had on governance structures in Iraq. Denying the effects of sanctions also had the impact of reiterating the notion that Saddam was the source of Iraq's problems and that his removal would provide a simple solution.

Blair (2003z: Column 21), for example, told the Commons in February 2003 that the imposition of sanctions, "because of the way in which Saddam has applied it, has caused wholly unnecessary suffering for the Iraqi people." Then foreign secretary Robin Cook (1998: Column 1119) also told the Commons in December 1998 that, "It is because of Saddam, not sanctions, that people in Iraq are short of food and their hospitals are short of medicine." The humanitarian argument became, in effect, that as soon as Saddam is gone then so too will the human plight unfolding in Iraq.

Despite numerous examples of evidence to the contrary from credible sources such as the United Nations, the British government repeatedly blamed Saddam's administering of sanctions entirely for the humanitarian crisis in Iraq, dismissing the role of sanctions and the Gulf War. For instance, an expert panel set up by the United Nation Security Council returned a damning indictment in 1999 of the sanctions regime in Iraq and questioned the appropriateness of the oil-for-food programme, the United Nations' primary humanitarian programme in the country at the time. The humanitarian panel reports that, "The gravity of the humanitarian situation is indisputable and cannot be overstated" and stressed that "the magnitude of the humanitarian needs is such that they cannot be met within the context of the parameters" of the oil-for-food programme. This means that the provisions in place to prevent a humanitarian crisis were insufficient to achieve that aim, which in turn signifies that the

humanitarian crisis cannot simply be the sole responsibility of Iraq's leadership, rather, the issues were complicated and necessitated a rigorous, long-term reconstruction response.

The United Nation's Humanitarian Panel (1999) reported that without a sustained revival of the Iraqi economy, the humanitarian crisis in Iraq would "continue to be a dire one", but also noted that reviving the economy could not be achieved "solely through remedial humanitarian efforts", such as the oil-for-food programme. Equally, the United Nations humanitarian panel understood that sanctions themselves had a role to play in the humanitarian crisis in Iraq.

"Even if not all suffering in Iraq can be imputed to external factors, especially sanctions, the Iraqi people would not be undergoing such deprivations in the absence of the prolonged measures imposed by the Security Council and the effects of war."
(United Nation's Humanitarian Panel 1999)

In London, despite evidence of this kind that contested this view, the human suffering and the economic, social and infrastructural breakdown in Iraq were seen as being the direct results of the corrupt machinations of the Iraqi government's administration of sanctions rather than being at least in part caused by those same sanctions (Cockburn 2006: 86). For instance, in February 2003 Blair told the Commons that the sanctions regime "has caused wholly unnecessary suffering for the Iraqi people", not because of an inherent problem within the sanctions policy but "because of the way in which Saddam has applied it." (Blair 2003z: Column 21) "It is because of Saddam, not sanctions," Cook told the Commons, "that people in Iraq are short of food and their hospitals are short of medicine." (Cook 1998: Column 1119) A common refrain within the Blair government was that the suffering was Saddam's fault alone because the sanctions did not prohibit the importation of food and medicines (Blair 1998: Column 175; Blair 2000: Column 3000; Straw 2002z: Column 450; Hoon 2001: Column 627)

Carne Ross (2007a: 51-2), a diplomat who worked on Iraq policy between 1998-2003, notes that it was the concerted policy of the Blair government to actively downplay the suffering in Iraq as being the result of sanctions and to instead blame Saddam for failing to administer the policy correctly. Whenever sanctions were argued to be detrimental to Iraqi civilians the response remained the same, "it was all the fault of the government of Iraq, not of sanctions, if people were suffering" for "failing to comply with its disarmament obligations and for failing to implement properly the Oil-for-Food programme" (Ross 2007:

52 and 51). This response was also supported by what Ross (2007: 51) has termed “counter-facts”.

This line of argument about the sanctions that Ross highlights at its essence held the view that once Saddam was removed then so too would the cause of the humanitarian crisis in Iraq be removed. Rather than seeing a society on the brink of collapse, this interpretation of the humanitarian crisis in Iraq saw a country whose potential was being squandered by a corrupt leader, the removal of whom would see the end to the country’s humanitarian crisis. Indeed, Cockburn (2006: 25, 86) argues that this understanding of sanctions meant that upon arrival in Iraq the coalition unwittingly “found themselves presiding over a society in a state of collapse” rather than occupying a country with a functioning state bureaucracy (Cockburn 2006: 25, 86). The collective denial amongst western policymakers about the impact of sanctions on Iraqi society meant they were largely blinded to the wider issue of the hollowing out of the state. This has led to the contention that “the continuities of Iraqi political society and the complex interaction between features of that society and the regime of Saddam have often become obscured” by the constant focus on the demonisation of the regime (Tripp 2002a).

Sanctions denial in the face of an overwhelming humanitarian crisis in Iraq possibly also had another effect; it helped separate Iraq and its leadership from Iraqis in British policy thinking. Prolonging the maintenance of sanctions in the face of public criticism for the humanitarian effects they were imposing on Iraqis meant that on numerous occasions, Members of Parliament reacted by attempting to distance themselves from these consequences. This manifested itself in numerous examples whereby parliamentarians would state that British actions, be they sanctions or airstrikes, were not aimed at the Iraqi people, but the regime (Hague 1998a: Column 1102; Blair 1998b: Column 1103; Straw 2002y: Column 63). It could be argued, that this helped reinforce British policy-makers’ views that there was an easy distinction and separation between Saddam and the people of Iraq. The decapitation thesis (see Chapter 3) was built on the assumption that Saddam and his immediate leadership could easily be separated from Iraq, to be surgically removed without serious consequences on the governance capabilities and structures in Iraq.

7.4: Chapter Summary

The test that Jacobs puts forward for analysing the ideational content of policymaking

requires examining stability relative to material change over an extended timeline. In the case at hand there is almost thirteen years to analyse (August 1990 to March 2003) which somewhat limits as comprehensive an analysis as those investigate by Jacobs that occurred over longer time lines. Whilst this does reduce the scope of what can be extrapolated from ideational stability, nevertheless, it is still possible to see incidences of stability relative to material change over a reasonable time period that helps circumstantially strengthen a key part of the hypothesis. In both the British and American cases a significant junctures are the respective elections of Tony Blair and Bill Clinton as they represent a partisan shift but where the Iraq policy effectively stayed the same. This and the cross party support gain for policy actions such as the Desert Fox bombing campaign and the Iraq Liberation Act suggests that the regime change doctrine was fully enshrine in elite foreign policy circles in both countries by at least 1998.

This is not to argue that there were not those who did not accept the premise that removing Saddam from power would solve Iraq's ills in of itself. Rather, the chapter sets out to illustrate how the regime change doctrine took time to engrain itself into institutional thinking and how it combined with an understanding of the humanitarian crisis in Iraq and the sanctions regime to produce a simplified view of the Iraqi state. When left unchallenged in any detailed or sustained fashion, as Chapter 6 suggests occurred in early 2003, this simplified view provided a powerful, but inaccurate, understanding of Iraq that coincided with actor's ideological worldviews and the structural pressures in which policy was being constructed.

Chapter 8

Conclusion

This research presents a cognitive-temporal approach to understanding and explaining the initial post-war planning failures undertaken by the British government in 2002 and 2003 prior to the invasion of Iraq. It does so by analysing the task environment in which Iraq policy was constructed and by combining key aspects of the path dependence and bounded rationality literatures to explain and assess the structural pressures Iraq policymakers were placed under and the likely responses to these pressures. In doing so, this research project establishes a procedural understanding of the British post-war planning failures that can explain why key information was not sufficiently incorporated into the initial post-war policy and why instead inaccurate, untested assumptions formed the basis of policy.

The analytical puzzle the research has unpacked is how these faulty assumptions were able to embed themselves as a foundational element of post-war policy when available information existed to contest these assumptions. Building on Herbert Simon's emphasis on the procedural dimension of rational decision-making this research adds path dependence as an explanatory framework for better understanding how the salience of information is assessed in bounded, complex decision-making environments. This temporal dimension of path dependence reflects that time-primed information often appears more salient to actors when adopting weak heuristic procedural mechanics of decision-making. It has been established here that path dependence provides a useful and pre-existing framework for explaining these processes and that intersecting these two literatures helps add explanatory power to the processes of policy failures by assessing how complex decisions are made and too often made badly. This suggests that future analysis of policy failure would benefit from a focus on the time-primed procedural mechanics that boundedly rational actors adopt in task environments of complexity.

In terms of structure, the thesis establishes six key premises of the hypothesis:

1. That the 'hold' assumptions articulated by key Bush Administration official were also the basis of the initial British post-war policy. This is achieved in Chapter 3 and is based on a combination for data sources including government documents, government inquiries and public statements from key actors.

2. That the post-war planning assumptions about the perceived viability of Iraq's governance structures to 'hold' and be available following regime change to be used to govern the country were not simply the product of a lack of relevant information. This is set out in Chapter 3 by referencing the literature on the historical transformation of the Iraq state, the impact of the shadow state in Iraq, and the impact economic sanctions and the Gulf War had on further transforming, and hollowing out, the Iraqi state.
3. Chapter 4 establishes that an offer of support was made in April 2002 that subsequently bound future government actions and policy choices. It does so by referencing the documentary record, public statements and making a deductive argument about the threat calculus that the Prime Minister was using in relation to Iraq.
4. Chapter 5 analyses the need to gain political legitimacy for future courses of actions following the 'Crawford Moment'. This chapter uses the primary documentary record to assess the likely impact the need to gain legal legitimacy for potential military action and undertake the information campaign had on attentional resources and the task environment in which Iraq policy was being constructed. In doing so, the chapter establishes that the task environment was one characterised by significant complexity that is usefully explained by bounded rationality.
5. Chapter 6 then established how a combination of the 'Crawford Moment' (Chapter 4) and the nature of the task environment (Chapter 5) negatively impacted on post-war planning and created a condition whereby sustained, detailed analysis was restricted. Under these circumstances, the Chapter argues, simplified understandings of Iraq disproportionately influenced planning choices.
6. Lastly, the role of ideation is outlined in Chapter 7 in terms of how the prevailing regime change doctrine provided a easily accessible understanding of Iraq and the issue at hand that then worked as a weak heuristic for boundedly rational actors in a complex task environment.

8.1.1: The Cognitive-Temporal Explanation of Post-war Planning Failure

This research establishes that the planning assumptions about Iraq's political infrastructure that underpinned post-war held a particular, simplified view of the Iraqi state. It also establishes that this view is linked to the rise of the regime change doctrine that had been primed over time. Understandings of Iraq became increasingly institutionally ingrained over time and helped create this simplified view of Iraq that saw Saddam Hussein as being the 'problem', the solution to which was simply his removal from power. In addition to which, this research outlines how British government officials considered the humanitarian crisis in Iraq was not caused by economic but rather by Saddam's administration of them. Viewing the humanitarian crisis in Iraq in this manner, that it was a product of Saddam's governance rather than being an result of the combined effects of the Gulf War and economic sanctions, then all that is required to alleviate the crisis is to remove Saddam as the humanitarian impediment.

Under subsequent conditions of complexity, limited attentional resources and limited cognitive capacity, this research argues that actors adopted time-primed weak heuristics that were influenced by the simplified understanding of Iraq inherent in the regime change doctrine.

The so-called 'Crawford Moment' provides the research's second aspect of path dependence. The offer of support provided by Blair constrained the scope of future British government decision-making and added complexity to the task environment that likely resulted in increasing the role of weak heuristics in the planning for the post-war period. This commitment to stand shoulder-to-shoulder with the President in dealing with the Iraq subsequently necessitated a sustained legitimacy campaign to gain political cover for potential future actions, including military induced regime change. When this offer was made no legal route existed to the lawful use of force against Iraq and no legal authority could be gained for a policy objective of regime change. In addition to which, public and parliamentary support for a military course of action was limited. There are then two path dependent effects of the 'Crawford Moment'. Firstly, this commitment helped amplify the complexity of the task environment in which policymakers were constructing Iraq policy by further pressurising the need to gain legitimacy for any course of action. Secondly, it bounded the scope of future policy action by rendering potential post-war difficulties as simply being hurdles to be overcome rather than obstacles that could alter which course of actions was undertaken.

Following Crawford, the prime attentional focus of the British government became domestic politics and the need to political legitimacy for potential military action against Iraq. The post-war period certainly was a concern of policymakers that garnered attention, however, this attention was relatively low on a hierarchy of immediate tasks compared to the needs of the legitimacy campaign and the focus of attention that was aimed towards post-war planning was inappropriately placed. With attentional resources diverted to more immediately prioritised tasks there was a cognitive cost to post-war planning. This research established that the consequence of this lack of sufficient cognitive and attentional resources meant that key planning assumptions were left untested and that sustained, detailed searches for disconfirming information were not undertaken. Under these circumstances, the structural pressures placed on policy-makers likely resulted in them adopting weak heuristic methods to help navigate the complexity of the task environment. This research argues that the prevalence of the regime change doctrine, and the denial of the humanitarian impact of sanctions, meant that a simplified understanding of Iraq was readily available to these time-poor, cognitively limited actors dealing with immense complexity. This inaccurate, but pre-existing and institutionalised, understanding of Iraq disproportionately influenced the assessment of the salience of different pieces of information.

8.2: A Liberal Explanation of Failure: An Ideational Approach

This research has established that the cognitive-temporal approach has explanatory power but this does not necessarily mean that it offers the most compelling explanation of the initial planning failure for post-war Iraq. An alternative approach exists that has significant explanatory power regarding the same aspect of post-war planning, viewing this failure through a neoliberal paradigm. It has been argued that the flawed post-war assumptions that saw Saddam Hussein as separate from Iraqi society and thus easily removed from power in a manner that would leave the pre-existing state bureaucracy behind applied a broadly liberal understanding of dictatorship:

“Utilising a broadly liberal understanding of dictatorship, this argued that Saddam Hussein’s government was extremely vulnerable and unstable. The ruling regime, it was argued, had no ideological or institutional roots within Iraqi society but instead depended on a small number of people for its hold on power and organisational

coherence. Under this rubric a limited military strike aimed at the leadership would force the government to collapse, leaving the institutions of the state in place for US forces to utilise.” (Dodge 2005: 711)

Under such an understanding of Ba’athist rule in Iraq the need for a large coercive force to administer a long-term occupation of the country was not necessarily. Similarly, the need for detailed planning based on a nuanced historical understanding of the transformation of the Iraqi states was also considered unnecessary. Under this rubric, the few coalition troops that would be sent to theatre for majority combat operations would also be rapidly withdrawing as it would be possible to hand over political authority to an interim Iraqi body who would be able to use the pre-existing infrastructure to administer the country (Dodge 2006: 188; Dodge 2005: 711).

The application of a neoliberal framework has the benefit of also being able to explain the otherwise puzzling early decisions of the Coalition Provisional Authority. In the face of state collapse, the much-maligned decisions Bremer made regarding de-Ba’athification and the formal disbanding of the Iraqi army reduced what little state capacity remained and removed institutional memory (Dodge 2009: 268). Such decisions appear counterintuitive unless seen as an extension of neoliberal thought. Viewed through a liberal ideational lens these contested decisions in post-war Iraq take on an “unmistakable logical coherence” of faithful application to neoliberal ideology (Klein 2007: 344). Both these acts reduced the size and power of the state and can be seen as Bremer operating within the dominant ideology of neoliberalism which, in Iraq, meant that “the negative influences of the old Iraqi state had to be purged” even if it came at the expense of the operation capacity of the Iraqi state (Dodge 2009: 269).

In this sense, Dodge (2009: 257) is arguing that to understand the Iraq failure requires moving beyond simply describing the unfolding of events and documenting in-field implementation errors and recognising that that all agency, collective or individual, is socially mediated. Consequently, actors do not simply respond to neutral, objective situations, their choices are shaped by an assessment of possibilities based upon understandings of the environment which they are in; “the consciousness of individuals within society is not given but constructed by the dominant ideological system the individual exists within.” In this conception, Iraq policy was then constructed within, and thus shaped by, the dominant ideological system of the period, neoliberalism (Dodge 2009: 258). The impact of this

ideological structured vision of Iraq helped obscure the empirical reality about its governance structures and the transformation the state had undergone.

It is possible to view the neoliberal paradigm approach and the cognitive-temporal approach as a somewhat mutually reinforcing companion pieces to understanding the post-war planning failure in Iraq, as being able to run in parallel to one another without necessarily contradicting each other. This is particularly so given that both arguments have at their core an understanding of the social construction of policy that see policy choice as not being a neutral process and that consequently an analysis of the environment in which policy is constructed is required. A limitation of this research is that it does not directly address this question and thus fails to fully establish where the two approaches may intersect and where they may be more divergent from one another. That said, it is hypothesised that one area where the two would mutually help reinforce one another is how both viewed Saddam helped shape the notion that regime change was the only viable option to guarantee the disarmament of Iraq. Perhaps more importantly, another area where the two approaches align is that both argue that a dominant, overarching paradigm shaped how Iraq was viewed during the planning phase and during the occupation. Whilst the cognitive-temporal approach is not an ideational argument in of itself, it is build on a premise that pervasive mental constructs are one incarnation of weak heuristics.

8.2: Research Limitations

There are a number of limitations to this research but perhaps the most important ones are methodological, of which three are addressed here. A key methodological limitation arises from the fact that the empirical test applied to the hypothesis can, at best, only provide a circumstantial strengthening of the ideation argument rather than a more substantive ‘proof’ of its validity. A further methodological limitation is that there is only a single cases being analysed. That there is an N number of one means the research is limited to the case at hand only and therefore the research is unable to offer any generalisable theory or explanatory framework.

One key methodological problem this research faces is that the processes it is analysing occur within the black box of unobservability and that accordingly the methods adopted to attempt to analyse what has occurred are only going to be able to provide a circumstantial strengthening of any hypothesis. This certainly limits what can be empirically

verified but alternatively the approaches used herein can be seen to help provide access, limited though it may be, to otherwise obscure elements that contributed to the post-war failure in Iraq. This research adopts that latter position, that whilst limitations exist, the methodological approach still has explanatory power and a contribution to make. The limitation is substantial, but in a relative sense given the access issue a circumstantially strengthened argument through is likely to be at the higher end of what is obtainable and has explanatory value.

Outside of methodological issues, although the research analyses the impact of Blair's offer of support at Crawford, it does not directly detailed the origins of why Blair offered this level of support at this time. In contrast, the thesis outlines the rise of the regime change doctrine and where the simplified understandings of Iraq originated. A number of possible explanations do exist for why Blair made the Crawford commitment such as the value Blair placed on the special relationship and the importance he saw in being the most reliable ally to the world's only superpower (Riddle 2003). A further explanation could be that Blair believed by offering such a significant level of support to the President he thought that he would be able to influence Bush in how he dealt with Iraq and related issues such as the Middle East Peace Process. This avenue of inquiry is particularly interesting because there is a tension between the primary record and Blair's own accounts of his actions regarding influencing the President, and that this opens up questions about post-hoc justifications and the reliability of actor's pronouncements.

Another possible explanation could be that Blair made the commitment at Crawford having already pledged to support the Bush administration deal with Iraq in December 2001 after the terrorist attacks in September. Blair (2011a: 37) told the Iraq Inquiry that following the terrorists attacks in September 2001 he had offered to support the Bush administration pursue regime change in Iraq if it "became the only way of dealing with this issue". The consequence of this offer in late 2001 to stand shoulder-to-shoulder with President Bush in dealing with Iraq, Ambassador Meyer believes, meant that the Prime Minister felt he had to continue down this path of support. "Tony Blair put himself in his own box" Meyer contents (Rawnsley 2010: 38), meaning that having set the standard at such a high level of support, when the moment came in April 2002 to discuss dealing with Iraq Blair felt he had to rise to the same level of support. Whilst this can explain Crawford, it does not explain the decision in December 2001.

This limitation of the project provides an opportunity to not only to analyse this question in greater detail but to also undertake a more sustained analysis of the differences

between Blair and Bush's understandings of the threat and those of actors who did not believe military action was necessarily required to resolve the Iraq crisis in early 2003. Analysing events within the French government would

As mentioned above (see Chapter 8.2), another limitation that offers interesting and important future research questions is to what degree to the neoliberal explanatory framework Dodge articulates and the cognitive-temporal approach outline here conflict or reinforce one another.

8.3: Ameliorative Actions to a Procedural Approach

In the Iraq case, this research suggests that a procedural understanding of policy failure has explanatory power that is absent from a substantive only approach. Compared to addressing substantive outcomes, however, a more procedural focused approach has implications for possible ameliorative actions to prevent or lessen future policy failures. In looking to understand the procedural mechanics of failure in the post-war planning for the 2003 Iraq War this research, as a secondary element, has also looked at how these procedural elements of policy fail might have been mitigate. Applied broadly, a number of possible ameliorative actions to the procedural problems outline here have been identified.

A cognitive-temporal interplay approach does not necessarily suggest that particularly complex policy arenas are irrevocably doomed to failure but given the dynamics at hand, addressing the procedural aspects of policy failure is likely to be difficult to achieve. Tackling substantive issues such as implantation failures and infield errors are certainly difficult but they are easier by comparison than confronting the inherent limits of human cognition and the complexity of the political decision-making environment. That said, however, by understanding the dynamics at play scholars are still better placed to provide suitable ameliorative actions.

Crucial to Simon's conception of bounded rationality is the joint aspects of the limits of human cognition and the complexity of the task environment. Human cognition is a relatively fixed data point and the complexity of the task environment when dealing with political policy-making is unlikely to diminish any time soon. By partially locating failure within the human condition the ability to simply select decision-makers that will perform better under periods of complexity is problematic. Some degrees of variation exist to the limits of human cognition but they are not sufficiently broad enough for an actor's cognition

to be increased to the point where it does not come up against limits given the complexity of the decision-making task. Equally, it is hard to see how the decision-making environment itself can be altered to reduce its complexity when the types of policies deliberated upon contain so much uncertainty. In contrast, dealing with substantive outcomes do not necessarily test the bounds of human cognition, for instance, better understanding the dynamics of effective state-building is something that can be refined through learning and experience and can also be implemented by institutions that have the necessary resources and intellectual capacity to undertake such actions more successfully. Such institutions themselves can be built using best practices and experiences of previous attempts at state-building.

Using the work of Kahneman (2011) about different deliberative processes might be one useful way of to ameliorate the negative consequences of a more procedurally focused approach by attempting to slow down the processes by which policy is constructed. In the parlance of Kahneman, engaging in slow thinking processes can open up space that allows for more reflective, deliberative processes. Engaging in more deliberative thinking processes is more likely to produce decisions that have been less influenced by time-primed information than those considered in a fast thinking mode. One avenue to opening up the decision-making process to give space for slow thinking deliberations would be to increase the number of veto players involved who are removed from the institutional processes of government. Such distance would better allow for alternative and critical perspectives to permeate the decision-making process. Time-constraints are a key component adding to levels of decision-making complexity meaning that slowing deliberative processes down might be beneficial cognitively. Finding this additional time for such processes, however, might be problematic for already time-poor actors.

Another ameliorative approach would be to introduce additional veto players to deliberations about complex policy options that are source from outside the institutions in which decisions were being made. Notions of path dependence and historical institutionalism suggest that intuitional thinking is largely stable over time meaning that the scope of ideas addressed in any deliberative process is going to be influenced by the dynamics of the institutions in which actors are operating. As such, having additional actors' with veto powers who are a number of steps removed from the political institutions in which complex decisions are being made could better allow for alternative and critical perspectives to permeate the decision-making process, opening them up to critical engagement and challenge. Despite potential benefits, some problems are likely to still persist.

Given the pervasiveness of some common-sense notions cases may exist whereby veto players picked from outside of political institutions still exhibit similar biases and working assumptions as those within the institutions. In such cases, the impact of outside perspectives would likely be considerably smaller than they might otherwise be. Another veto player approach limitation is perhaps illustrated in the Iraq case itself whereby academics were invited to meet Prime Minister Blair but the impact of their expertise was, reportedly, somewhat limited by the parameters of the discussion placed upon them by Downing Street (Moreton 2015). Ideally, the scope of discussion about the war's aftermath would have been sufficiently broad enough to, if necessary, potentially rule the invasion unviable as a policy option. This latter point suggests that veto players also need to have sufficient authority to influence the topics of debate, something that is likely to be difficult to achieve to the degrees required.

Having additional veto players is not without its limitations or problems as an action to help overcome some of the issues addressed here, indeed, adding external veto players into government decision-making is unlikely to be an easy task. It does, however, still have the potential to help mitigate some of the negative consequences of the procedural dynamics of complex decision-making in certain cases. By the very nature of bringing critical and alternative voices to the policy-making table, external veto players would also help, almost inherently, to slow the deliberative processes down and thus help avoid some of the cognitive traps that can occur as a result of task environment complexity.

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