

PM: Will They Ever Learn What We Already Knew?

By Polly Mann

When I am confronted with a long article that I believe is so important I would like to share it with others, I often summarize it as carefully as possible. That is the case with legal expert Philippe Sands' 6,000-word review, "A Grand and Disastrous Deceit" (London Review of Books, July 28, 2016), of the 12-volume The Report of the Iraq Inquiry (also known as the Chilcot report after the inquiry's chair, Sir John Chilcot). The UK study reveals how decisions were made and actions taken regarding the United Kingdom's entry into the Iraq War. Its purpose was to identify lessons that could be learned.

Here is my summary of important points that Professor Sands makes in his review of The Report of the Iraq Inquiry (also known as the Chilcot report after Sir John Chilcot):

The UK chose to join the invasion of Iraq before the peaceful options for disarmament had been exhausted. Military action at that time was not a last resort. Despite explicit warnings, the consequences were underestimated. The planning and preparation for Iraq after Saddam Hussein were wholly inadequate. The government failed to achieve its stated objective. On Iraq's weapons of mass destruction capabilities, judgments were made with a certainty that was not justified. The intelligence did not establish "beyond doubt" that Iraq was producing chemical or biological weapons. Iraq did not have the capacity to develop a nuclear weapon and had not deployed long range missiles. UK policy was based on "flawed intelligence and assessments" which should have been challenged, but weren't. There was no clear ministerial oversight of UK planning and preparation, and no proper plan for postwar administration, security, and reconstruction.



The imposing 12-volume Report of the Iraq Inquiry, also known as the Chilcot Report. Released July 6, 2016.

In conclusion, Sands says that the Chilcot report reveals the Iraq War to be a total failure. More than a million Iraqis were displaced. Two hundred British troops were killed and many more were injured. The toll was enormous for Iraqis, though Sands is vague about this, as is the inquiry, and this may be why: Page 170 of the inquiry states: “The Government’s consideration of the issue of Iraqi civilian casualties was driven by its concern to rebut accusations that coalition forces were responsible for the deaths of large numbers of civilians, and to sustain domestic support for operations in Iraq.”

Sands explains that UK Attorney General Lord Goldsmith was concerned about the necessity of having a second Security Council resolution to go to war, but his hesitation was later lost in manipulations. Sands also had this to say about the UK’s prime minister’s relationship to the U.S. president: “Blair was indeed with Bush, ‘whatever’ Bush wanted.” Sands says the Chilcot report offers insight into “how law is made to fit around policy, rather than the other way around.”

Fitting law around policy rather than making certain policy complies with law sounds familiarly like the United States’ decision to go to war on Iraq. An

independent inquiry in the Netherlands, the Davids Commission, released in 2010, came to the same conclusion about Dutch government support for the Iraq invasion, finding the action to have no basis in international law. Sands wondered why it “took six years for the Chilcot report to see the light of day”; the inquiry began to collect information in 2010, but it took until this July for it to be released. Whatever lessons were to be learned from it were lost on the UK and the Netherlands, as they are among the small coalition of nations who have joined the U.S. in bombing Iraq, ostensibly to stop ISIS.

However, there have been a number of other attempts to hold accountable those responsible for the war on Iraq. In November 2011, the Kuala Lumpur War Crimes Tribunal found Bush and Blair in absentia guilty of crimes against the peace and against humanity in the war on Iraq. In April 2014, lawyers, intellectuals, and peace activists from around the world held a conference in Brussels called the Iraq Commission, with the objective of bringing international lawsuits against the highest level government officials responsible for the war of aggression against Iraq. Conference participants had hopes that this would lead to reparations paid to the nation and people of Iraq.

There were expectations that the Chilcot report would provide a basis for lawsuits. Sands finds that the results of the inquiry were scathing and spread “responsibility far and wide, covering politicians, civil servants, the military and lawyers,” but no lawyers or legal counsel were involved in the inquiry and so it claims not to express “a view on whether the military action was legal.” That remains to be found elsewhere.

People have always known the truth about the war on Iraq. Those responsible seem likely not to ever be prosecuted in a court of law, but they have not escaped the court of public opinion.

Polly Mann is a co-founder of Women Against Military Madness (WAMM) and is a regular contributor to the WAMM newsletter.