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A conversation with Douglas J. Feith

WHEN IS IT APPROPRIATE TO SCRUB THE CONSENSUS?

By [AcademicElephant](#) Posted in [War](#) — [Comments \(19\)](#) / [Email this page](#) » / [Leave a comment](#) »

Author's note: I would like to welcome Secretary Feith to the blog-o-sphere, and thank him for his willingness to discuss this issue at length and to answer myriad follow-up questions.

On February 9th, the (acting) Pentagon Inspector General Thomas Gimble released a **“Review of the Pre-Iraqi War Activities of the Office of the Undersecretary of Defense for Policy.”** The “review” is only the most recent in a series of investigations that have taken place since 2004 in an effort to manufacture proof positive that deliberately falsified intelligence was used to justify the invasion of Iraq, and spawned what we might call a “conventional wisdom” narrative of what happened with Pentagon pre-war intelligence. Here's my composite version:

After 9/11, the Secretary of Defense and the Deputy Secretary of Defense, who had already, in collusion with the Vice-President, decided to invade Iraq by hook or by crook, directed the Under Secretary of Defense for Policy Douglas J. Feith to formulate a justification for attacking Saddam. What could be better than tarring him with the brush of 9/11? Mr. Feith, in his role as the head of the shadowy Office of Special Plans, dutifully crafted a spurious but on the surface convincing case linking Saddam and al Qaida that was circulated to the highest levels of government (i.e. the office of the Vice President and the National Security Council) as an alternative intelligence product to existing CIA analysis and it became a significant factor—if not the decisive factor—in the decision to invade Iraq. Mr. Feith has been under more or less perpetual congressional investigation ever since, and on Friday the IG report confirmed that something untoward happened.

This assessment of the history of “Iraq and al Qaida: Making the Case” might strike you as a little hyperbolic, and the motivations of the principals can be debated, but doesn't it more or less fit your understanding of what happened? I admit it informed my questions for Mr. Feith when I talked to him Saturday afternoon. Very quickly, however, it became apparent that my understanding of this episode—and so the prevailing “conventional wisdom” narrative—was fundamentally flawed if not utterly untrue, and his explanation of two points has helped me gain a clearer perspective on what actually happened:

- 1) The briefing in question was not an “intelligence product.” It was not produced as such, nor was it understood as such by those who received it.
- 2) The Office of Special Plans was not involved in this episode. It did not even exist when the briefing was prepared.

Are these small points in the face of such an important, larger truth? Or are they the sort of “technicalities” that can undermine such a narrative, even one so persuasive and so well-suited to a certain political agenda?

Decide for yourself.

Read on...

So what was this “draft briefing” on the Iraq–al Qaida relationship—a powerpoint presentation—that was given three times in August–September of 2002? It was the summation of a project that began independently in Secretary Wolfowitz and Secretary Feith’s offices, and when the respective staffers realized they were working on the same thing, they decided to combine forces. They were all conducting critical reviews of the way the CIA was analyzing its intelligence data on al Qaida. The CIA had a strong *a priori* view that it was unlikely that al Qaida would ally with a secular state, notably ba’athist Iraq. You see their logic, as of course al Qaida would prefer an Islamist extremist government as their host. A stronger argument was made that Saddam would prefer not to work with extremists, and again, we can see Saddam being wary of giving religious fanatics too much of a foothold in Iraq. But does it then follow that the terrorist group would never join forces with a secular regime, and that a secular regime would never employ fanatics, if such an alliance meant effectively attacking the United States or our interests? Is that an assumption we really want to make? There were various pieces of intelligence of different degrees of credibility that suggested al Qaida and Iraq might well take such an unusual step—indeed that they might already have taken steps in this direction. But the CIA omitted some of these pieces from their intelligence assessments on the grounds that they were inconsistent with the analysts’ theory about ideological differences precluding Iraq–al Qaida cooperation.

And so the “Iraq and al Qaida: Making the Case” draft briefing was crafted. It was not an effort to make an alternative intelligence case; it was an argument that the case *could* be made, based on the CIA’s own information, and that to exclude this sort of analysis could be potentially disastrous. The members of Mr. Feith’s office objected to the CIA’s exclusion of intelligence data that did not fit the agency’s preconceptions about Iraq and al Qaida, and the Pentagon briefing highlighted the CIA’s own reports that could support an alternative view. Yes, the project was “outside the box” and questioned the consensus opinion of the CIA—that’s why it was interesting and useful. But it was not, in essence, an argument for an alternative conclusion. It was designed as a criticism of the CIA’s *methodology*.

Mr. Feith and Mr. Wolfowitz’s team briefed Secretary Rumsfeld in early August, 2002. According to Mr. Feith, Mr. Rumsfeld responded to the briefing as Mr. Feith did: He said he could not be sure if all the substance was right, but it intelligently raised important questions. It was a valuable methodological exercise that should be shared, and so he directed Mr. Feith to present the briefing to DCI George Tenet. That was done in mid–August. Deputy National Security Advisor Stephen Hadley then asked for the briefing as well, and he, together with Vice President Dick Cheney’s Chief of Staff, Lewis Libby, received the briefing in mid–September, 2002. Some reports have implied, either through ignorance or by design, that the briefing of the Deputy NSA was a briefing of the National Security Council, but there is a big difference between Deputy NSA, who is on the NSC staff, and the NSC itself, which includes the President, Vice President, Secretary of State, Secretary of Defense and other cabinet–level officials.

In the course of the various investigations into this episode, two details have emerged that have been used to suggest something untoward—an intel end game around the CIA by the Pentagon—was going on here. The first is that one of the powerpoint slides shown to Mr. Rumsfeld and then later to Mr. Hadley and Mr. Libby was left out of the Tenet briefing. The second is that Mr. Tenet claims not to have been aware that Mr. Hadley and Mr. Libby had received the briefing until 2004.

Mr. Feith explains the first by saying that the slide in question contained language that was a little too sharply–phrased for a briefing intended to encourage cooperative discussion and possibly improvements in the CIA’s written products. The substance of the dropped slide was amply reflected in the rest of the briefing, so there was no reason to retain the slide and risk damaging the dialogue with Tenet and his CIA colleagues.

As for the second, Mr. Hadley talked openly about his request for the briefing in Deputies Committee meetings attended by Mr. Tenet’s deputy, John McLaughlin. No one was concealing anything from Mr. Tenet here. In any event, it was Mr. Hadley’s prerogative to invite to his briefing anyone he saw fit. If Mr. Tenet did not know about the briefing of Hadley, then it was because Mr. McLaughlin failed to inform him. It is simply wrong to suggest that Mr. Feith or his colleagues at the Pentagon had either the intention or the ability to control who attended a briefing hosted by Mr. Hadley, and Mr. Feith had no reason to refuse Mr. Hadley’s request for this briefing once Mr. Rumsfeld had encouraged his office to share it.

Throughout our conversation, Mr. Feith insisted that this entire IG review was based on a misconception. The IG called the Pentagon briefing on Iraq and al Qaida an “intelligence product.” But none of the staffers (from the policy office) who created or presented the briefing thought of it as anything other than a policy product. And no one who received this briefing understood it as an intelligence product. There were only four top officials who received the briefing: Mssrs. Rumsfeld, Tenet, Hadley and Libby. All four knew Mr. Feith, and knew that the briefers worked for him and for Mr. Wolfowitz. None could mistake the briefing for an intelligence product. Furthermore, everyone who received this briefing met every day with his own personal CIA briefer, who provided full access to the CIA “consensus” intelligence assessment on Iraq and al Qaida. No one in the Pentagon could—or would—prevent a White House official from being exposed to the CIA’s material.

Now for our second misconception. What was the role of the Office of Special Plans in this saga? All kinds of conspiratorial articles connect OSP to this briefing and to all the charges of manipulation of intelligence. But OSP had no involvement in the preparation of the draft briefing—indeed, it did not exist until after the briefing was completed. I find it troubling that such factual imprecision has not only been allowed to develop, but is lazily perpetuated in the IG report (“The term Office of Special Plans has become generic terminology for the activities of the Office of the Under Secretary of Defense for Policy, including the Policy Counter Terrorism Evaluation Group and Policy Support office. The actual Office of Special Plans had no responsibility for and did not perform any of the activities examined in this review.”) Mr. Feith reports that this point is made even more explicitly in the IG’s full, still-classified version. I know the title “Office for Special Plans” has a sort of sinister ring to it—and it sounds somewhat vague to the general public—so it can be used to encompass a multitude of sins, especially since it does not include the word “policy,” which is featured in the titles of the two offices that did participate in “Iraq and al Qaida: Making the Case.” Referring to the Policy Counter Terrorism Evaluation Group or Policy Support office would draw attention to the fact that they were producing policy rather than intelligence products, and so undermine the narrative. The OSP is far more convenient for those demonizing Mr. Feith’s activities, but the fact remains that OSP did not produce the briefing under review here. The distinction matters because this sloppiness—not even being able to properly identify the title and so the function of the office(s) involved in this work—speaks volumes about the disdain for the actual facts on the part of those who have attacked this draft briefing.

And attacked they have. Senator Carl Levin (D-MI) has been on a one-man crusade to make the Pentagon briefing into a sinister plot. The Senator may well be the author of both the misconceptions under discussion in this post, as in March, 2004 (with visions of being John Kerry’s Secretary of Defense dancing in his head? But I digress...) he made **this statement**:

Exacerbating the CIA’s inconsistencies between its public and classified statements was the existence of an intelligence assessment office in the Defense Department outside of the Intelligence Community. According to press reports, that office, called the Office of Special Plans working for Under Secretary of Defense for Policy Doug Feith, found an Iraq – al-Qaeda collaboration where the CIA didn’t. This office had its own direct access into the National Security Council and the Office of the Vice President. Its analysis was reportedly critical of the CIA for not finding collaboration between Iraq and al Qaeda. And that seems to have affected what the CIA was avoiding saying publicly compared to what it was saying in the classified documents.

Senator Levin apparently was unsatisfied by this hearing of the Senate Armed Services committee, just as he was unsatisfied by the conclusions of the **Silberman-Robb commission** and the **SSCI** because they failed to confirm the narrative he outlined. In order to get someone to say what he wanted to hear, he finally heckled then Senate Intelligence Committee chairman Pat Roberts (R-KS) into requesting the Pentagon Inspector General to investigate the matter in September 2005 (and this is the report that was released last Friday). **Senator Roberts issued an unfortunately vague request** that asked the IG to investigate not only “unauthorized [and] unlawful,” but also “inappropriate intelligence activities.” Unauthorized and unlawful are pretty straight forward, but “inappropriate?” What exactly does this mean? Vaguely off-color? Cheeky?

How does it apply to a “draft briefing?”

Mr. Feith reports that, when he met with the IG team in July 2006, the team leader said the IG’s office did not know how to define the term “inappropriate” as there are no legal standards for it. Mr. Feith’s attorneys tried to suggest a sensible way to apply the term to activities that the IG team had already determined to be lawful and authorized (see [here](#) and [here](#)). They proposed that “inappropriate” might apply to an activity that one’s bosses were not aware of but would have objected to if they were aware of it. But in this case, all of the Policy office’s activities were not only known to Mr. Feith’s superiors, but were done at their direction. And that direction was itself lawful, authorized—and appropriate.

Nevertheless, in the end, the IG used the term “inappropriate” but never set out a standard for applying it. Rather, what Mr. Gimble called inappropriate was the fact that Pentagon officials criticized the intelligence community’s “consensus opinion” to White House officials without applying to themselves procedures designed to regulate dissent within the intelligence community. In other words, the IG claimed that the Pentagon officials, because they were criticizing intelligence, were engaged in an “intelligence activity” and therefore should have acted as intelligence officials are supposed to act when they give personal views at odds with the community’s consensus. Mr. Gimble opined that the Pentagon officials should have spelled out that consensus and then explained their variance from it. Their failure to do so was “inappropriate,” he believed.

But the rationale for that procedure is that a recipient of an intelligence briefing might otherwise think that the briefer’s personal views are the community consensus. That is a danger because in such a case, an intelligence official expressing an opinion might be taken as speaking authoritatively for the intelligence community.

It does not follow, however, that this procedure should be imposed on *policy* officials who criticize the *intelligence* community consensus. It made no sense for the IG to declare the Pentagon briefing was “inappropriate” for failing to follow that procedure when he claimed that “The actions were inappropriate because a policy office was producing intelligence products and was not clearly conveying to senior decision-makers the variance with the consensus of the Intelligence Community.” In order to make this assessment, the IG has to believe that Mr. Rumsfeld, Mr. Tenet, Mr. Hadley and/or Mr. Libby were ignorant of where the briefers worked and of the “consensus of the Intelligence Community” on the relationship between al Qaida and Iraq—and so might have been misled by the draft briefing.

I must say the IG’s reasoning strains my credulity, and I do find Mr. Feith’s account as discussed above more persuasive. All these gentlemen knew each other very well, knew that briefers from Mr. Feith’s office were policy not intelligence officials, and that they understood the briefing to be a policy critique of intelligence rather than an intelligence product. Of course, the easiest thing to do would be to ask the recipients of the briefing—Mr. Hadley and Mr. Libby. But as the [IG admitted in last Friday’s hearing Senate Armed Services Committee hearing on pre-war Iraq intel](#), he did not interview either man (pp. 33–34). The IG’s admission was a startling revelation of the incompetence of his investigation. His entire argument hinges on his belief that Mr. Hadley or Mr. Libby might have understood the briefing as an intelligence product. But he never ascertained that they did. Without their testimony, to make his judgment that Mr. Feith’s activities were “inappropriate” was irresponsible in the extreme. If heeded, the IG’s views would make it far harder for policy officials to criticize intelligence.

And so (contrary to what Senator Levin said) the IG’s report was not a substantiated rebuke, much less a “devastating condemnation” of Mr. Feith.

Senator Levin was and is so firmly vested in alleging wrongdoing occurred here that the IG report’s shoddiness and even its plain text are inconsequential to him. As much was demonstrated in the hearing he convened on Friday. [The transcript](#) makes for interesting reading. In his opening statement, Senator Levin excoriates Mr. Feith and his office for their misdeeds, and commends the IG report for exposing them. But while his is the first word, it is hardly the last. Senator James Inhofe (R–OK), in his opening statement, said that he actually had read the IG’s report and come to a dramatically different conclusion than his fellow senator: “I don’t think in any way that his report could be interpreted as a devastating condemnation.” And as Mr. Inhofe pointed out, in the many previous investigations of this episode, not only had no intelligence

manipulation been uncovered, but the exercise had been found to be helpful: "Some intelligence analysts even told the committee that policy-makers' questions had -- and I'm quoting now -- 'questions had forced them to go back and review the intelligence reporting,' and that during this exercise they came across information that they had overlooked in the initial readings. In other words, they actually provided a service by bringing these things up."

Later in the hearing, Senator John Warner (R-VA) expressed "serious reservations" about the "the manner in which this investigation was conducted and the thoroughness of it" (pg. 48-9). It's an important point because the IG report has been embraced by the press as the final word on the matter because it comes from within the Pentagon. Mr. Warner is not the only one with such concerns. The current Under Secretary of Defense for Policy, Eric Edelman, prepared **a 53-page criticism that takes the febleness of both the methodology and the content of the IG report to task in exhaustive detail**; if you want to know the substance of the still-classified version of the report, this is probably the place to start. Mr. Edelman's work gets just a brief acknowledgement in the released report, but provides stark evidence of the disconnect between how Mr. Feith's activities were conceived and conducted, and the way that they have been understood, or willfully misunderstood, by those investigating them.

In addition, I thought it noteworthy that over the course of Senator Warner's questioning of acting IG Gimble, a declassified memo that was not previously in the Committee's records was revealed:

[August] Eighth, 2002. It is a sum-up of -- "Today's Briefing" is the subject -- a memo from Paul Wolfowitz to Tina Shelton, Jim Thomas, Chris Carney, Abe Shulsky (ph), cc: Doug Feith.

"This is an excellent briefing. The secretary was very impressed. He asked us to think about some next possible steps so we can eliminate the differences between us and CIA. The goal is not to produce a consensus product, but to scrub each other's arguments."

It goes on: "One possibility would be to present the briefing to senior CIA people with their Middle East analysts present.

"Another possibility would be for the secretary and DCI to agree on a small group with our people combined with their people to work through these points on which we agree and those points on which disagree, and then have a session in which each side may make the case for their assessment.

"Those are just suggestions. I would very much like to get the ideas back from you when I get together, some time after August 19th."

I think the denouement is worth repeating:

The goal is not to produce a consensus product, but to scrub each other's arguments.

There you have it. That was the directive of the Deputy Secretary of Defense and it is consistent with Mr. Feith's account of Mr. Rumsfeld's spontaneous response to the briefing. A "consensus" would have been counter-productive for this exercise, which was designed to "scrub," or rather strengthen through vigorous debate, existing intelligence products. So faulting Mr. Feith's office for not providing the "consensus" opinion of the Intelligence Community demonstrates a false understanding of what this draft briefing constituted, and so invalidates the grounds on which it was deemed "inappropriate" by the Inspector General. And this was not a partisan hit job as Senator Warner did not know the memo existed before Mr. Gimble read it.

So why all the fuss over this? As Senator Saxby Chambliss (R-GA) wondered on Friday, "Why are we here?" (pg. 20-21) Or, even more simply, as I in some exasperation asked Mr. Feith in the course of our discussion, just "Why?"

As far as I can tell, this case has become grist for Mr. Levin's larger effort to prove, or rather to make the public believe, that Mr. Bush and his administration knowingly "lied" to take the US into Iraq. This report was going to be a "devastating condemnation" of pre-war intelligence practices at the Pentagon. I can only assume that Mr. Levin deliberately preempted the actual report with his **opening statement**, which was released to the **Washington Post** and conveyed to **CNN** in a telephone interview before the actual report became public on Friday. This would explain why the Post based its article on this topic on the Levin release, not the IG's report. They had to retract, but of course the damage was done, and the press has followed the Post's and Mr. Levin's lead (see [here](#), [here](#), [here](#), [here](#) and my personal favorite [here](#) for a quick sampling). Senator Inhofe's response appears as a footnote as his statement was dismissed as a partisan job while apparently we're to accept Mr. Levin as an unbiased authority on this matter. I also find it telling that the memo Senator Warner ferreted out of Mr. Gimble gets so little play—none at all to my knowledge. Yet it is a sort of reverse smoking gun. Is the conventional wisdom narrative now so firmly entrenched that such revelations are inconsequential? I hope not. At some point, it must be incumbent on the consumer to question the *a priori* bias of those who are framing and perpetuating the "conventional wisdom" narrative outlined at the beginning of this post. Mr. Levin's repetition of it does not make it true. While it takes some time to sift through it, the information that informed this post is readily available. Mr. Feith was certainly accessible and forthcoming. I hope that interested readers will take the time to review the linked primary documentation and come to their own conclusions.

Why should you bother to spend your time in this way? Because despite the "through the looking glass" nature of this episode, it has deadly-serious consequences for the way intelligence and policy recommendations are provided to the decision makers in our government. Mr. Rumsfeld and Mr. Wolfowitz were impressed by the draft briefing produced by Mr. Feith's office not so much because of its content but because its authors were able to approach intelligence information with open minds not preconditioned by the assumptions that informed CIA analysis. They considered this sort of thinking valuable in their policy team. To deem such activity "inappropriate"—or to attempt to criminalize it—would be to condemn us to intelligence analysis by "consensus" and deter anyone not directly involved in the intelligence business from criticizing the majority opinion. This may seem a prudent policy—a safe one. But is it? We might consider the "consensus" of the intelligence community on al Qaida's ability to strike the US on September 10, 2001. Or we might, as **Mr. Feith pointed out Wednesday**, reflect on IC "consensus" on Iraqi WMD before the war. Should we deter policy makers from questioning this consensus? For me, this whole issue boils down to a rather simple question: Are our "decision makers"—and so we—better or worse served by having alternative views proposed to "scrub" such consensus intelligence?

Senator Levin has fabricated a loud, self-righteous hue and cry to make various government entities spend their time and energy, not to mention taxpayer dollars, answering his "**ten questions**" about "Iraq and al Qaida: Making the Case." I wonder if he would take the time out of his busy day to answer this one question of mine about his investigation? And if he would have a response that I would find "appropriate" to the gravity of this matter?