Perhaps the Iraqi fiasco is the result not of flawed intelligence but of the flawed use of intelligence.

Assume that the publicly revealed intelligence was indeed the basis for initiating the war on Iraq, not just a convenient rationale pre-cooked to excuse the invasion. But, in this scenario, assume the data were selected to support the predetermined intent.

Now it is a given among trained scientists and other investigators that evidence must be allowed to point toward the constellation of plausible conclusions, not the other way around. The plural, 'conclusions' is crucially important: in general a given set of data, no matter how large, is usually consistent with a set of multiple, distinct, different conclusions. The protocol is to work from the data, as large a set as practically possible, to the conclusions, NOT the reverse. Bad science, failed investigations result from fixating on an hypothesis then trying to select data consistent with that fixation.

How can a government, the decisions and actions of which will have incalculable consequences for millions if not billions of people, conscientiously rely on a decision-making process in which the data are selected to support a pre-determined conclusion? Why would it do so?

Perhaps it is that the publicly revealed data were in fact not those used in the decision to invade Iraq. Perhaps the data presented for public consideration were a fraudulent, temporary and ultimately insubstantial rationalization for the action ultimately taken. Perhaps the decision to invade was based on other data and information as yet unexposed.

Alternatively, and to me more plausibly, what if the decision to invade was arrived at not by weighing the full set of evidence, but by a process known well to the legal community, persuasion. A fundamental assumption in our legal process is that truth will out in a no-holds-barred contest of competing, partisan argumentation. But observation reveals the barring of specific holds is in fact the way the legal process works.

Decades ago, as a juror, I sat in dismay as defense and prosecutorial attorneys presented evidence each carefully selected to persuade us of the validity of his own stance. The truth, which could have been had at any moment by the posing to witnesses of some simple blunt questions, became the victim at those proceedings as each arguer skillfully avoided the pitfall of asking those questions that would have resolved the matter. It was clear that no participant in the court room, other than the jury, had the slightest interest in determining the truth. Rather each was concerned not to provoke a definitive determination that might risk an unfavorable outcome in the trail. The legal system became ultimate
theatre more akin to 'reality TV' with standup performances by all players rather than to anything approaching an inquest into what happened. Evidently the only truth guaranteed in a verdict is that the jury is persuaded to deliver it.

In the end, the evidence for my jury was deemed, only after their deliberations, insufficient: the judge ruled that a verdict, a 'true saying', was neither appropriate nor possible. The attorneys, defense and prosecutorial, were more interested in winning their case or protecting their interests than arriving at the truth of the matter.

Decision-making at the national level affects not just one but millions if not billions of lives. If a determination is sought not on the basis of all the available data, but on that selected and manipulated to support a specific, preferred, pre-certified course of action, how likely is it that alternative, divergent, potentially more appropriate scenarios will be seriously considered? Aren't the consequences of actions taken on the basis of selected data likely, if not intended, in fact to live out the fantasy lives of those who wishes drove the data-selection process in the first place? Would the infusion of trained professionals, scientists, forensic investigators in the decision-making process at the level of interpreting the entire body of evidence mitigate the effects of those seeking to support and sustain pre-judgments? How can we assure that the data and evidence, rather than wish-fulfillment and ideology, predominate in our national decision-making and acting?

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