Understanding Tony Blair’s failure to legitimize the Iraq War: A deliberative approach

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Abstract

Tony Blair often gets the blame for the legitimacy deficit surrounding Britain’s war in Iraq. This article uses a conceptual framework derived from the social theory of Jürgen Habermas to gauge how far Blair deserves the criticism he gets. It considers how truthfully he made his case for war, how open he was to the widest possible public debate and whether he showed flexibility in the face of opposition. It follows Blair in treating legitimacy as an intersubjective sociological phenomenon rather than an abstract normative principle, but uses Habermasian thought to bridge the gap between the two. It finds Blair centrally culpable for the failure of his legitimization efforts. He tried too hard to be persuasive, and as a result presented his case for war in the wrong way. The way he tried to legitimize his war ensured it was illegitimate. It also made his arguments less persuasive in turn. This article both demonstrates exactly how and why Blair failed, and shows the value of a Habermasian approach.
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Introduction

Opening the section of his autobiography on the 2003 invasion of Iraq, former British Prime Minister Tony Blair made an unusual confession. “I have often reflected”, he wrote, “as to whether I was wrong” (Blair 2010b, 374). It was a startling admission for a man not known for self-doubt, or indeed for self-reflection. It was also the least his readers expected him to do. A significant proportion of Blair’s countrymen doubted he was right to invade Iraq. He faced down hostile opinion polls, critical media commentary, parliamentary rebellions and mass street protests to take Britain to war. An enduring legitimacy deficit resulted, as large numbers of people continued to believe Blair overstepped the mark, abusing his authority and misusing the powers granted to him by Britain’s unwritten constitution. One YouGov poll, held around the invasion’s tenth anniversary, found just 27% of respondents agreed Blair was right to help the Bush administration to overthrow Saddam Hussein, while 53% disagreed (YouGov 2013).

Much of this dissatisfaction stems from a sense that Blair did something wrong as he tried to persuade reluctant MPs, journalists and ordinary people that Britain really did need to join the ‘coalition of the willing’. Internal Labour Party surveys conducted at the time of the 2005 general election found over 60% of respondents thought “that the people and the Parliament were lied to about the reasons for going to war” in Iraq (Penn, Schoen & Berland 2005). Most blamed Blair for being dishonest. But the distrust his apparent misdeeds elicited
lasted beyond his departure from Downing street in 2007. When parliament vetoed David Cameron’s proposed military action in Syria in 2013, memories of Iraq dominated proceedings. “I cannot”, one Conservative back-bench MP told the Prime Minister during the debate, “sit here and be duped again” (Hansard 2013, Col. 1510). She had learned from Iraq never to trust a government trying to order military action.

This article investigates how far Blair deserves the blame for the legitimacy deficit surrounding his war in Iraq. It presents an empirical evaluation of his legitimization efforts in the months before the invasion. It employs a conceptual approach developed from the social theory of Jürgen Habermas to show how well Blair’s public communication efforts met recognized criteria for generating legitimacy in times of conflict. Along the way it considers how persuasive his arguments were, at least in terms of their internal coherence and consistency. As a secondary goal, it comments on the value of a Habermasian approach for advancing our empirical understanding, especially where foreign policy legitimization is concerned.

The article comprises four main sections. The first section sets out the article’s conceptual approach, which is based on how Tony Blair sought legitimacy for the invasion. Blair saw legitimacy as a social construct, a slightly problematic stance from a theoretical perspective. He pursued a legitimization strategy based on public communication. By using a set of criteria derived ultimately from Jürgen Habermas’ “theory of communicative action” (Habermas 1981), the article proposes to take Blair’s understanding of legitimacy seriously while also evaluating it against a robust set of external criteria. Those criteria shape the remainder of the piece. The second section considers Blair’s truthfulness, or how far he gave “truthful”, “accurate” and “complete” reasons for wanting to go to war (Bjola 2009, 76, 139). It pays particular attention to his statements on Iraq’s alleged development of Weapons of Mass Destruction (WMD) and on the legal case for war without a ‘second’ UN Security Council resolution. The third section assesses how open Blair was to the widest possible
public debate. It looks at how readily he engaged with critics and how far he tried to facilitate discussions among different actors and in different fora. It also considers how far Blair relied solely on reason and evidence to make his case, and specifically whether he drew on different actors’ formal authority to bolster arguments that did not stand up on their own. This section focuses particularly on Blair’s claims about the timing of certain key decisions on the path to war. The fourth section, finally, gauges how flexible Blair was in the face of criticism. It asks how willing he was not only to persuade his opponents to agree with him, but also to take their opposition on board. It engages especially with Blair’s moral case for war. A short conclusion sums up the article’s empirical findings, and comments on the wider utility of a Habermasian approach.

Conceptual framework

Defining legitimacy

Legitimacy is a difficult concept to work with. Though legal scholars might disagree, it is not simply a synonym for legality. The Independent International Commission on Kosovo famously described NATO’s intervention there in 1999 as “illegal but legitimate” (Independent International Commission on Kosovo 1999, 4). Sir Jeremy Greenstock, former British ambassador to the UN, similarly told the Chilcot Inquiry into the Iraq War that the 2003 invasion was “legal, but of questionable legitimacy” (Greenstock 2009, 38). Most scholarly definitions of legitimacy treat morality and authority as important elements alongside legality (Clark 2005, 4, Reus-Smit 2007, 160). When military action is concerned, questions of necessity matter, too. It is much easier to legitimize a war of self-defense than it is a discretionary action (Finnemore 2003, 2, Hansen 2006, 34-35).
In the face of this complexity, it seems logical for this article to begin by defining legitimacy in terms Tony Blair would have understood. Blair tried to argue his way to war in Iraq. During the year or so before the invasion he made a number of distinct public statements about the necessity, legality and morality of joining the ‘coalition of the willing’. One contemporary biographer accurately predicted it would be “impossible, even for the toughest-minded historian, to ignore entirely what Tony Blair has said during these weeks”, not least because “on many days he has done virtually nothing else but speak” (Stothard 2003, 173). He made public speeches, held press conferences, took questions from committees of MPs and hostile television studio audiences, released information ‘dossiers’ and summaries of legal advice, and held at least five set-piece House of Commons debates all on the subject of Iraq. He saw legitimacy as something a government gains by making the case for what it wants to do through engaging in public debate.

Blair’s approach has a set of solid conceptual bases. To begin with, he saw legitimacy as an intersubjective sociological phenomenon, socially constructed, contingent on the unique characteristics of a particular case and constantly under revision. Like legality itself (Onuf 1989, 77), or the related concept of national interest (Weldes 1996, 276, 303, Finnemore 1996, 2, Adler 1997, 337), there is an established current in the literature on international conflict that treats legitimacy as a social construct (Clark 2003, 79). Indeed, this ‘sociological’ tradition traces its roots to no less a figure than Max Weber (Spencer 1970, 123–124, Hollis and Smith 1990, 74). It is not the only way to think about legitimacy. Many authors prefer to see it as an abstract normative principle, objectively realizable, consistent between cases and unchanging over time. They prefer the “first order” question of what legitimacy is to the “second order” question of where it comes from and what it does (Bjola 2009, 2).

That was not Blair’s position, however, and so it is not the one this article adopts. We will follow Blair by defining legitimacy in sociological terms. We will focus more on
understanding legitimization than on unpicking legitimacy as a result (Franck 1988, 706, Hurd 1999, 381, Clark 2005, 18).

The sociological approach’s main difficulty arises from its major strength. Because it redefines what counts as legitimacy depending on what attracts consensus support in each particular context, it offers a useful level of empirical flexibility. In a sociological analysis there is never a gap between what the actors involved in a given policy debate consider legitimate and what an outside observer might think. At the same time, however, the sociological approach has fairly been criticized on the grounds that its empirical flexibility “distorts the essential meaning of legitimacy” (Grafstein 1981, 456). Arguably it actually goes even further, by denying legitimacy has an ‘essential’ meaning. If this article simply accepts Blair’s belief that legitimacy consists in whatever society believes is right at any given time, it will struggle to evaluate his legitimization efforts against robust external criteria. This, however, is where the work of Jürgen Habermas comes in.

**Communicative legitimation**

Habermas described legitimacy as a product of reasoned debate amongst free citizens participating in the “public sphere” (Habermas 1989, 25, 54-55, 57). He considered legitimacy a social construct generated through public deliberations, as did Blair. But crucially he argued that true legitimacy derived not just from social consensus, but from social consensus achieved in the right way (Steffek 2003, 251, Hurrell 2005, 16). It was not enough for a government to generate agreement around its proposed policies. It had to do it through an open public debate based on reason and evidence (Habermas 1981, 285-286). Habermas still offered a sociological definition, because his legitimacy varied from case to case depending on which ideas achieved a social consensus. But he reintroduced a set of external normative
criteria to judge whether a particular consensus came about in the right way. In this way he sought to bridge the gap between the two conceptual traditions.

This article adopts a framework underpinned by Habermasian thought for three main reasons. Firstly, it allows us to evaluate Blair’s communicative efforts to legitimate his war in Iraq against a set of external criteria while accommodating his belief that legitimacy derives from social consensus. Secondly, it enables us to build upon a set of insightful earlier efforts to apply Habermasian reading to the study of international conflict (Risse 2000, Muller 2004, Bjola 2005, Kornprobst 2014). Finally, it maintains our focus on public communication, Blair’s chosen legitimization method. The article draws particularly on the notion of “deliberative legitimacy” put forward by Corneliu Bjola in the most developed account of how to operationalize Habermasian thinking for the purposes of empirical research (Bjola 2005, 2008, 2009). Bjola proposed three key criteria that this article will use to gauge the effectiveness of Blair’s legitimization approach.

Firstly, we will consider how far Blair put forward a “truthful”, “accurate” and “complete” case for war in Iraq (Bjola 2009, 76, 139). It makes logical sense to expect ‘truthfulness’ from policymakers. If legitimacy derives from the use of reason and evidence in public deliberations, dishonesty must be ruled out. It also directly builds on Habermas’ notion of “truth claims”, itself derived from the theory of “speech acts”, verbal communications with concrete social and political consequences (Onuf 1989, 82, Kratochwil 1993, 76, Searle 1995, 34). For Habermas, every statement an actor makes contains a set of implicit promises that together constitute the speaker’s right to be listened to and believed (Habermas 1981, 276-279). From this perspective, when Blair argued that Britain should join the invasion of Iraq, he implicitly also asserted that his statements were honest and correct. His claim to legitimacy depends on how reasonable those assertions were.

Secondly, we will ask to what extent Blair tried to ensure “all affected parties...[were] allowed to participate” in the Iraq debate (Bjola 2009, 76). Again, ‘openness’ is a logical
requirement in Habermasian terms. A public deliberation is only truly ‘public’ if every interested actor has the opportunity to participate. As one early study of the link between legitimacy and public debate put it, “a legitimate decision does not represent the will of all, but is one that results from the deliberation of all” (Manin, Stein and Mansbridge 1987, 351-352). This criterion also again builds directly on Habermas’ underlying concerns. He directly contradicted Rousseau, who warned that public discussion could only corrupt the general will by exposing ordinary citizens to the arguments of individuals whose rhetorical gifts might outweigh the quality of their ideas (Rousseau 1949, 116). Instead, he placed greater faith in the power of individual reason. He also, crucially, linked the idea of widespread participation to the other dimensions of his framework, reducing the scope for charismatic (or dishonest) individuals to carry the day for reasons other than the strength of the arguments they make. Blair’s claim to legitimacy thus depends on how far he facilitated, or tried to suppress, an open public debate over his policies.

Finally, we will assess whether Blair showed a “genuine interest in using argumentative reasoning” (Bjola 2009, 76), or more directly whether his positions proved flexible in the face of opposition critique. There is a double logic to this criterion. Firstly, an actor cannot possibly achieve a consensus based on reason and evidence if they are unwilling to change their view in the face of superior arguments. Secondly, it is by definition impossible to achieve consensus if no-one enters a debate ready to be persuaded. As Risse put it, “if everybody in a communicative situation engages in rhetoric – the speaker, the target, and the audience – they can argue strategically until they are all blue in the face and still not change anyone’s mind” (Risse 2000, 8). Habermas distinguished quite clearly between true “communicative action”, oriented towards reaching an informed consensus, and mere “strategic” communications designed to get a particular point across (Habermas 1981, 295). He thought the former more fundamental than the latter because it relied only on
reason and excluded affectual appeals. Blair’s claim to legitimacy, then, depends on whether he showed an interest in changing his mind in response to opposition arguments.

Scope and limitations

This article’s communicative framework naturally excludes a number of possible ways of understanding the legitimacy deficit surrounding Britain’s war in Iraq. This seems reasonable given the space available, and the scope within the Habermasian approach for appreciating Blair’s legitimization efforts on their own terms. At the same time, it is worth pausing briefly before we commence our empirical investigations to consider some key alternative views.

To begin with, we might junk the communicative dimension of our analysis entirely, and focus our account purely on material developments on the ground. The invasion of Iraq, after all, turned out badly. Saddam Hussein’s regime crumbled quickly, but it did so in part because it did not possess WMD after all. As one account put it, “once it was clear that this particular emperor had had no clothes, not even old ones, perceptions of the legitimacy of the action against Iraq, already imbued with significant amounts of scepticism, became critically damaging” (Michalski and Gow 2007, 145). There is a clear link, furthermore, between how domestic audiences perceive the legitimacy of a conflict and whether or not they consider it a success. Quick victories tend to dispel earlier doubts (Mueller 2005, 109), while drawn-out and costly conflicts have the opposite effect (Clark 2003, 75). In Britain’s case, the conjunction of missing WMD and rising casualties reinforced underlying public doubts about the legitimacy of the invasion, as even Blair himself admits (Blair 2010b, 374).

Having said that, it is in fact quite difficult to disaggregate entirely the material and communicative factors at work. For WMD did not become the central point in the British
case for war by accident. Tony Blair put them there. Blair chose to argue the invasion was necessary and legal to disarm Saddam Hussein. President Bush took a broader approach in the United States. He talked about WMD, to be sure. But he also talked about Iraq’s alleged support for international terrorism, its destabilizing influence on the Israeli-Palestinian conflict and the threat to global order posed by so-called ‘rogue states’ refusing to accept great power management. He was not bound inextricably to WMD, as Blair was. He was nowhere near as badly damaged by their absence as a result (Kaufmann 2004, 32, Levy 2008, 16). This article does not ignore the material dimension, in other words, but it does argue that the arguments Blair made before the invasion made certain post-invasion criticisms possible and left the government unable to adopt alternative lines of defense. It offers a “how possible” rather than a “why” account (Doty 1993).

We should meanwhile definitely consider how realistic Habermas’ insistence on the fundamental place of reason in public discourse actually is. Janice Bially Mattern thought about it quite differently. She argued quite reasonably that even the most apparently collaborative communicative exchanges always involve an element of coercion, that competition is inherent in any rhetorical interaction where issues of power and authority are at stake (Bially Mattern 2005, 586). Jeffrey Checkel put forward a similar argument. He suggested that “the real heavy lifting” in a Habermasian account “is done by persuasion” rather than reason (Checkel 2004, 240). These are important criticisms. To a degree they point back to underlying issues with Weber’s definition of legitimacy, and to the difference between how Rousseau and Habermas conceive of public debate. At a conceptual level we can quite easily set them aside by emphasizing the ideal-typical nature of the Habermasian framework. This is unsatisfactory for an empirical account. Instead, this article will follow Markus Kornprobst’s work on “public justification”. Kornprobst suggests that the requirements Habermas sets out for actors interested in communicative legitimization also work quite well as criteria for public persuasion. He effectively argues that what really
influences audiences is not the tone or timing of an argument, but the reasons it advances and the evidence it contains (Kornprobst 2014, 195). This article will pay attention to persuasion, then. But it will particularly consider whether and in what ways Blair’s compliance or otherwise with Habermasian criteria affected the coherence, consistency and credibility of his overall case for war.

We will also need to address the Habermasian requirement that all participants in a public deliberation must hold equal social and political rank. From an empirical perspective this is plainly unrealistic (Kaufmann 2004, 8, Checkel 2004, 240). We cannot study Tony Blair’s interactions only with others of equivalent status. He was the only Prime Minister participating in the British public debate. Yet conceptually it makes perfect sense. Any distinction between actors that might encourage others to accept their arguments will weaken their prospects of achieving true communicative action, since true communicative action, the prerequisite for legitimacy in a Habermasian account, derives from reason and evidence alone. Fortunately Thomas Risse suggests a viable qualification that reconciles Habermas’ insistence on the primacy of reason to the political realities. He argues that what matters is not the definitional question of whether participants in a debate hold different ranks, but the behavioral one of whether they refer to rank to reinforce their claims (Risse 2000, 18). This distinction is a subtle one, but it should work. It does weaken Habermas’ insistence on the absolute primacy of reason, but not to an unacceptable degree. This article will therefore consider whether Blair emphasized his own position as Prime Minister, or the positions held by other key actors, in seeking to make his case.

Finally, we should recognize the limitations of studying Tony Blair specifically, rather than trying to encompass the totality of public debate. By looking only at what Blair said, we will be able only to assess the internal question of how he presented his arguments, not the external question of whether and why they worked. As Ted Hopf perceptively put it,
“authors do not control the meaning of their own words once they are uttered in public” (Hopf 2002, 20). Blair’s claims about Iraq provoked a range of reactions amongst his different domestic and international audiences. Those reactions shaped the meaning ultimately attached to what he said. We would need to look at MPs, journalists, activists and ordinary citizens to understand fully the patterns of public debate (Milliken 1999, 233, Hansen 2006, 55, 60, Kornprobst 2014, 195). Such an undertaking would require far more space than this article can lay claim to. But it would also be a wider piece of work than we really need to do to answer our core question of how far Blair personally was to blame for the legitimacy deficit surrounding Iraq. Blair was not responsible for what happened to his arguments once he made them. He was responsible only for what he personally said. To understand his individual role in the legitimization process we ideally should exclude all other actors and focus on the internal dimension. We should also recognize that the internal dimension logically precedes the external. We cannot understand how different actors responded to Blair’s arguments, and what their responses meant, without understanding first of all what exactly he said.

This article, in sum, defines legitimacy as a social construct loosely comprised of intersubjective ideas about legality, morality, authority and necessity surround the prospect of a given exercise of political power, in this case the Blair government’s decision to join the invasion of Iraq. Having accepted Tony Blair’s sociological understanding of legitimacy, it focuses specifically on his role in the legitimization process, and so on how his pre-invasion communication efforts might have contributed to the legitimacy deficit surrounding his war. It adopts a conceptual framework informed by Jürgen Habermas to generate a set of normative criteria to use to evaluate Blair’s approach, comprising ‘truthfulness’, ‘openness’ and ‘flexibility’. The following empirical sections consider each criterion in turn.
Truthfulness

Blair’s critics often accuse him of lying to take his country to war in Iraq. The reality is somewhat more complicated, though not significantly less damaging to his claim to legitimacy from a Habermasian perspective. Blair did occasionally lie. But most of the time his public statements accurately reflected his private beliefs. Bigger problems arose from the fact several of those beliefs were themselves inaccurate, especially around the crucial topic of Iraqi WMD. Blair’s failure to disclose known weaknesses in his arguments, in terms both of the intelligence evidence available to him and the Attorney-General’s nuanced legal advice, then served to exacerbate his situation further.

Honesty

It is difficult to say with absolute certainty where Blair told the truth in his case for war in Iraq and where he did not. But thanks to the volume of evidence released into the public domain in the course of the long-running Chilcot Inquiry, we can point with a significant degree of confidence to areas where he clearly did lie, and just as importantly to those where he probably did not. Blair lied about whether Britain needed a ‘second’ UN Security Council Resolution between the passage of SCR 1441 in November 2002 and early March 2003. He repeatedly insisted SCR 1441 provided ample legal backing for an invasion despite knowing the Attorney-General, who makes such judgments on behalf of the British government, disagreed. Lord Goldsmith wrote repeatedly to Blair during the period emphasizing his view that a further Council decision would be required to give Britain legal grounds to act (Goldsmith 2002a, 2002b, 2003a). In one memo he said quite clearly that UNSCR 1441 “does not authorise the use of military force without a further determination by
the Security Council”. Blair underlined the point and commented “I just don’t understand this” in the margins (Goldsmith 2003b). Questioned on why he lied at the Chilcot Inquiry, Blair offered a disingenuous response. He did not lie about the legal position, he insisted. He did not make a “legal declaration” at all, but rather a “political point” (Blair 2011, 73-74). In other words, when he said Britain did not legally need a ‘second’ resolution, he meant only that politically it did not need one. Legally it did. A more common-sense interpretation of Blair’s statements on the subject is that he did not tell the truth.

Blair also lied when he blamed France for preventing the passage of a ‘second’ resolution. Despite his own belief that no further vote was necessary, Blair pursued a further UN vote to help shore up Labour Party support for war (Campbell and Stott 2007, 658, Blair 2010b, 412). In the process he also blocked Russia and France from introducing an anti-war motion the Council might have passed (Greenstock 2009, 13, Straw 2010a, 82). The negotiations did not go well. But on 9 March 2003 President Chirac announced on French television that “whatever the circumstances, France will vote no” to any further resolution (Chirac 2003). Chirac’s intervention, and a follow-up statement by Foreign Minister Dominique de Villepin at the UN, allowed Blair “to go to an aggressive position re French intransigence” (Campbell and Stott 2007, 677). He painted France as wreckers of the UN process and argued an agreement could have been reached but for French intransigence. This was, as former Development Secretary Clare Short put it, “one of the big deceits” of the entire pre-war period (Short 2010, 104). Blair knew Britain never secured enough votes to pass a second resolution whether France cast its veto or not (Greenstock 2009, 72). He also knew Chirac’s statement had not been as hardline as it sounded. The French Ambassador to London sent a message that Chirac did not mean he would veto any resolution (Rycroft 2003). De Villepin told British Foreign Secretary Jack Straw that Chirac “had not meant that, whatever happened, France would vote no” (Straw 2003a). British Ambassador to Paris Sir
John Holmes commented revealingly that “our position can hardly surprise the French, nor the fact that we are using Chirac’s words against him when the stakes are so high”. After all, he went on, “he did say them, even if he may not have meant to express quite what we have chosen to interpret” (Holmes 2003, emphasis added). Blair knew exactly what he was doing when he blamed France for undermining the UN process. He was being dishonest, and he was doing it on purpose.

Most of the rest of Blair’s main public statements on Iraq generally reflected his private beliefs. An especially controversial claim appeared in the government’s ‘dossier’ on Iraq’s WMD developments towards the end of September 2002. “I believe”, he wrote in a foreword to the main document, “the assessed evidence has established beyond doubt” that Iraq was developing WMD (British Government 2002, 3). Blair, ever the former barrister, chose his words here carefully. Clearly the evidence had not established anything beyond doubt, because it subsequently proved to be wrong. But Blair’s qualification, his use of the phrase “I believe”, offered him a get-out clause. He insisted at the Chilcot Inquiry that the statement was neither dishonest nor inaccurate; “I did believe it, frankly, beyond doubt” (Blair 2010a, 80). Though his critics may dispute this, there are actually good grounds for accepting this argument. Blair would hardly have based his case for war so heavily on WMD if he believed that Iraq had already disarmed. It would have been obvious (as indeed it was) soon after the invasion (Blair 2010b, 407). He worried about the threat from Iraqi WMD long before the 11 September attacks, remarking on the day itself that “the big fear” was “terrorists capable of this getting in league with rogue states” willing to arm them (Campbell and Stott 2007, 560, Blair 2010b, 357, 386). His arguments about WMD did not simply spring up when he needed to justify military action. It was something he genuinely, if erroneously, believed.
Blair probably did honestly believe Iraq was developing WMD, but that does not get him off the hook in Habermasian terms. He repeatedly, and inaccurately, described Iraq’s WMD program as “active, detailed and growing” (Hansard 2002, Col. 3). An inaccurate argument cannot by definition be based on reason and evidence. Blair claims critics of his WMD stance are using “ex post facto reasoning” against him (Blair 2010b, 406). He claims no-one outside of Iraq could have known that Iraq disarmed secretly after the Gulf War in 1991. Senior members of the regime apparently did not know (Iraq Survey Group 2004). Western intelligence agencies repeatedly underestimated Iraq’s capabilities in the 1990s. They were primed by their own past failures to treat any sign of further WMD development as the tip of a much larger iceberg (Butler 2004, 110-112). Britain’s most senior soldier and chief diplomat both absolutely believed Iraq had WMD (Seldon, Snowden and Collings 2007, 138). So did chief UN weapons inspector Hans Blix and his team (Blix 2004, 146-147, Blix 2010, 29-30). The government’s dossier actually downplayed claims from the International Institute for Strategic Studies about Iraq’s nuclear program (Campbell 2010a, 102, Straw 2011, 57). It contained so little surprising or novel information most observers dismissed it as “cautious, even dull” (Butler 2004, 76).

Unfortunately for Blair, none of this helps his claim to legitimacy from a Habermasian perspective. It does not matter why his statements were inaccurate. It does not matter that he had some quite good reasons for misjudging Iraq’s WMD capabilities. It only matters that he relied heavily on a set of arguments defining Iraq as a threat to international and British national security that later turned out to be wrong.
Completeness

Being wrong was bad enough. But Blair exacerbated the damage to his communicative legitimization efforts by downplaying or suppressing information about weaknesses in key components of his case for war. He though the British public had no patience for subtlety, and he (correctly, as it turned out) concluded the media would use any hint of nuance to tear his arguments apart. He did not reflect on the risk of weak evidence emerging later to damage him. Nor did he acknowledge that an argument that falls apart as soon as the information underpinning it emerges in public really cannot be that strong.

One recent account quite reasonably accused the Blair government of “deliberate deception through omission” in the production of its WMD dossier (Herring and Robinson 2014, 552). The document accurately reflected the thrust of the intelligence evidence available. As Jack Straw told the Chilcot Inquiry, “all the little bits of information, however patchy and sporadic, all pointed in one direction and not one I ever saw pointed in the opposite direction” (Straw 2010a, 67). It did not reflect the fact, as Straw implied, that the overall intelligence picture was indeed “sporadic and patchy” and “limited”, in the Joint Intelligence Committee’s words (Joint Intelligence Committee 2002a, 2002b). Blair told MPs the evidence underpinning the dossier was “extensive, detailed and authoritative” (Hansard 2002, Col. 3). That was not entirely accurate, nor indeed was it what the dossier itself said. But the dossier also did not discuss the real problem with the British government’s picture of WMD developments in Iraq, that it did not really know what was going on. Uncertainty and reasonable suspicion drove intelligence assessments that Iraq was developing WMD. No-one knew for sure. Blair played this down.

Blair also deliberately suppressed nuances in the Attorney-General’s final legal advice on the war. After much cajoling from Blair, Straw and others in the Cabinet, Goldsmith
finally concluded the US and UK negotiating teams could not possibly have agreed to let the Security Council decide if Iraq had taken the “final opportunity” to co-operate afforded it by SCR 1441. It was the one point they had explicit orders not to concede (Goldsmith 2010, 127). He remained cautious, however, telling Blair only that a “reasonable” case could be made for military action without further Council approval. It would be better to get a second resolution. He could not guarantee, he concluded, a court would accept his view (Goldsmith 2003c). Though the much shorter summary of Goldsmith’s advice released to parliament and the public accurately reported his conclusion that the invasion had sufficient legal grounds, it did not include his caveats. Blair thought any hint of uncertainty would be dangerous politically. Straw, on Blair’s behalf, warned Goldsmith not to share his full advice even with the Cabinet, owing to “the problem of leaks” (Straw 2003b). Some of the ministers who bore collective responsibility for the decision to go to war did not see the full advice until it was in fact leaked during the 2005 election campaign.

Truthfulness and legitimacy

Blair was dishonest about some smaller points in making his case for war in Iraq. It did not really matter who caused the Security Council failure to agree a ‘second’ resolution, while Goldsmith changed his legal advice before the start of the invasion to match Blair’s public claims. He was wrong about the much bigger issue of Iraqi WMD, something that undermined his claim that the invasion was necessary. He also failed to offer a complete account of the evidence underpinning his arguments. On balance, then, he was not very truthful in Habermasian terms. Interestingly, his failure to meet our three normative criteria also made his arguments less persuasive in the long term. He largely got away with blaming France for scuppering the ‘second’ resolution. But the missing WMD damaged him, and the
war’s legitimacy, quite badly, while the revelation of Goldsmith’s full legal advice rocked the 2005 election campaign. Around 4% of all voters switched from Labour to the Liberal Democrats as a result of the Goldsmith disclosure (Penn, Schoen & Berland 2005, 2). Blair’s experience under the ‘truthfulness’ criterion supports Kornprobst’s suggestion that failing to meet Habermasian requirements makes an actor’s arguments less persuasive.

**Openness**

On one level, Blair showed considerable openness to public debate over Iraq. He gave an increased number of media interviews, including a dedicated Newsnight discussion in mid-May 2002. From June onwards he held regular monthly press conferences, several of which became dominated by Iraq. He was the first Prime Minister to open up to journalists in this manner. In another innovative move, in July he began to appear periodically for questioning by the Liaison Committee, comprised of House of Commons Select Committee Chairs. In early 2003 he launched what Downing Street Communications Director Alastair Campbell called a “masochism strategy”. Blair deliberately subjected himself to questions from television audiences selected for their hostility to war (Campbell 2010b, 39). He repeatedly let parliament debate the prospect of invading Iraq, and permitted MPs their first formal vote on military action since the Korean War (Strong 2014, 5).

This apparent openness, however, disguised how little Blair actually did to meet Bjola’s second criterion. He delayed the Iraq debate for as long as he felt politically able. He insisted ‘no decisions have been taken’ about the prospect of war, even after making some decisions that made an invasion highly likely if not quite certain. He drew, furthermore, on both his own and other actors’ institutional authority to bolster arguments he could not make stand up on their own. He was not terribly open at all, in Habermasian terms.
Leaders interested in securing deliberative legitimacy for their policies are not supposed to dismiss reasonable requests to discuss a relevant topic (Bjola 2009, 76). Blair did. When critics began to call for a public debate on Iraq in the aftermath of the invasion of Afghanistan, Blair tried his best to close the issue down. He insisted repeatedly that “no decision has been taken”, meaning there was nothing to debate (Blair and Cheney 2002). This was problematic on a number of levels. At a conceptual level, it weakened his claim to legitimacy by demonstrating a lack of openness. It also failed to persuade his critics, and in many cases only convinced them further that he was plotting an invasion behind closed doors. The result was months of media speculation that Britain was about to be rushed into a precipitate war. Critically, however, from March 2002 onwards the claim that ‘no decision has been taken’ was demonstrably untrue.

President Bush indicated that the US would shift its focus towards Iraq in his January 2002 State of the Union address, listing it (alongside Iran and North Korea) as part of an “axis of evil” between terrorists and rogue states (Bush 2002). Blair visited Bush at the latter’s ranch in Crawford, Texas at the start of April, in part to find out Bush’s plans for Iraq. Former British Ambassador to Washington Christopher Meyer probably exaggerated when he speculated at the Chilcot Inquiry about Blair and Bush having “signed in blood” a pact to go to war during this meeting (Meyer 2009, 29). For one thing, as former Downing Street Chief of Staff Jonathan Powell pointed out, “Meyer was not at Crawford” (Powell 2010b, 24). But Blair did decide in advance that he would support a renewed US effort to confront Saddam Hussein. He wrote to Powell in mid-March noting that “from a centre-left perspective, the case [for regime change in Iraq] should be obvious.....a political philosophy that does care about other nations – eg Kosovo, Afghanistan, Sierra Leone – and is prepared to change regimes on the merits, should be gung-ho on Saddam” (Blair 2002a). His mind was
already largely made up. He echoed these private statements publicly, telling an audience at
President Bush senior’s presidential library that “we must be prepared to act where terrorism
or Weapons of Mass Destruction threaten us” and that “if necessary the action should be
military and again, if necessary, it should involve regime change” (Blair 2002b). Meyer may
have exaggerated about what Bush and Blair agreed. But he rightly noted “this was the first
time that Tony Blair had said in public ‘regime change’” (Meyer 2009, 29). Discussions
between the US and UK over the course of the following summer took place on the
“assumption that the UK would take part in any military action” against Iraq (Rycroft
2002a). Apparently some decisions had been taken, after all.

Blair’s delaying tactics worked until August 2002, by which point the debate over
Iraq in the US spilled over into the British press. Stirred up by media speculation and having
failed to organize a parliamentary recall, a group of MPs put together an ‘unofficial’ House of
Commons sitting to discuss the supposedly imminent invasion. A former parliamentary
Speaker agreed to chair the session, and the BBC offered to broadcast the event for free. The
prospect of MPs debating Iraq without government involvement prompted Blair to action At
his 3 September press conference he took a decisive step. “Originally”, he told the assembled
journalists, “I had the intention that we wouldn’t get round to publishing the dossier until
we had actually taken the key decisions. I think probably it is a better idea to bring that
forward” (Blair 2002d). Downing Street officials had been hinting that the government
would publish evidence showing Iraq was developing WMD from before the Crawford visit.
Blair now fired the starting gun. He promised to reveal details of the government’s
intelligence picture, and to allow a proper parliamentary debate, though he still maintained
no substantive decisions had been taken on military action. Interestingly, Blair seems to have
made this announcement without consulting his officials. Both Alastair Campbell and Joint
Intelligence Committee Chairman John Scarlett, the two men tasked with producing the
dossier, told the Chilcot Inquiry Blair’s press conference marked the start of the drafting
process (Scarlett 2009, 56, Campbell 2010a, 66). Blair's briefing papers for the occasion suggested the formulaic response that “when the time is right we shall publish a dossier” (Rycroft 2002b). The decision to go ahead in September 2002 was not a carefully considered part of a broader effort to engage in public deliberations. It was a knee-jerk reaction to criticism, a response to public pressure rather than a truly open step.

Habermas distinguished rigorously between communicative and strategic action. But the difference between the two is less one of kind than one of degree. As Risse pointed out, even the most avowedly strategic actor will adapt to their audiences in order to make their arguments more persuasive. They will, in the process, move towards the Habermasian deliberative ideal (Risse 2000, 9). Blair opened up over the course of his legitimization campaign. But he did it for the wrong reasons, to try to persuade his critics rather than to facilitate public debate.

*Rank and authority*

The effect should not be exaggerated, but Blair did on occasion compound his lack of openness by grounding specific legitimacy claims in the authority derived from his own and other actors' formal ranks. He repeatedly highlighted his track record as Prime Minister when appealing to audiences to trust his judgment (Blair 2002c). He drew on the formal authority of the Attorney-General and of Britain’s intelligence agencies when making arguments about the legality and necessity of military action. To some degree these references made Blair's argument more persuasive, even as they weakened his claim to legitimacy in Habermasian terms. They also, however, underlined the fact the public did not trust him.
Part of the problem Blair faced was that much of the evidence underpinning his claims could not be released to the public. Jonathan Powell later reflected that “in hindsight, you’d have been better to just have published the JIC reports” instead of producing the dossier (Powell 2010b, 65). Former intelligence officials vehemently rejected the idea (Omand 2010, 33). It is immensely difficult to pursue a communicative approach to legitimacy successfully when your best arguments depend on evidence people outside of the core decision-making elite simply cannot safely see (Hurrell 2005, 22). Blair could have released Goldsmith’s legal advice without facing similar levels of official resistance, though doing so would have changed an established and really quite useful political convention that governments do not publish legal guidance. Instead he preferred another hybrid step, presenting a document blessed by the Attorney-General’s imprimatur but shorn of the caveats he privately expressed. Habermas does not allow for actors to withhold relevant evidence from public deliberation, whatever the reason. As Blair’s experience showed, leaders face great challenges when other concerns prevent them complying with that rule.

Openness and legitimacy

Blair only partially met the ‘openness’ criterion for deliberative legitimacy. He delayed the Iraq debate for as long as he felt able and based certain crucial claims on the formal authority of different actors rather than on actual evidence. This again not only weakened his legitimization efforts. It also made his arguments less persuasive. His statement that ‘no decision has been taken’ on military action proved particularly damaging. It was technically true, but still disingenuous given the decisions Blair had in fact made. Far from reassuring his critics, it aggravated them. For one thing, it did not look true, not in light of Bush administration rhetoric. For another, it implied that Blair planned to make the key decisions
without consulting anyone, and only then to seek outside views. This was hardly likely to reassure those anxious about the prospect of further military action. So indeed it proved.

**Flexibility**

At a surface level, Blair seemed at least somewhat willing to alter his positions on the prospect of war with Iraq in response to other actors’ counter-arguments. He initially framed Britain’s confrontation with Saddam Hussein as a national security issue, emphasizing the potential threat from WMD. In the face of criticism, he shifted stance to talk more about the United Nations, highlighting the importance of upholding Security Council Resolutions and at least attempting to secure Baghdad’s compliance with a renewed weapons inspection program. As millions of ordinary people protested in the streets in the final weeks before the invasion, he began to highlight the moral virtues of regime change, of freeing the Iraqi people from dictatorial rule. We can see from his private communications, however, that Blair never really changed his attitude at all. He believed from the beginning that overthrowing Saddam was simply the right thing to do. For most of the debate he downplayed that argument, knowing it lacked legal grounds. But when he failed to persuade sufficient of his countrymen, he fell back on his underlying moral concerns.

**The Messiah complex**

Blair held a “cosmopolitan” view of international morality that privileged the supposedly universal rights of individuals over the rights of states (Beitz 1979, 406, Kramer 2003). Prefiguring the notion of a ‘responsibility to protect’, Blair believed states that failed to meet acceptable human rights standards lost their right to sovereignty (Price and Reus-
Smit 1998, 287, Clark 2005, 176). Because the Iraqi regime abused its subjects, he reasoned, its removal from power would be morally good. He further believed states that upheld human rights possessed both a right and a responsibility to intervene against those that did not (Wheeler and Dunne 1998, 849). Britain was one of the ‘good guys’, in this understanding. It could legitimately change the regime in Iraq. This attitude emerged in Blair’s ‘doctrine of international community’ speech during the Kosovo conflict, during which he identified Saddam Hussein and Slobodan Milosevic as the greatest threats to international peace (Blair 1999). Kosovo both reflected and helped to crystallize his views (Daddow 2009).

These attitudes, unfortunately, raised a number of legal difficulties. International law still largely depends on a pluralist conception of global society that emphasizes the rights of states. Cosmopolitans naturally find this unsettling (Hurd 1999, 381, Hurrell 2005, 21, Clark 2005, 208). But it remains the standard legal interpretation. Government lawyers warned Blair repeatedly that while “it could be that another lawful basis for force might lead to regime change...wanting regime change was not of itself a lawful basis for the use of force” (Goldsmith 2010, Grainger 2002). Several Cabinet ministers similarly thought “a foreign policy objective of regime change...improper and self-evidently unlawful” (Straw 2010a, 17, Straw 2010b, 2). Clark highlighted the key problem, quoting Blair: “’a regime can systematically brutalise and oppress its people, and there is nothing anyone can do’. He [Blair] conceded that ‘this may be the law’, but then went on to query whether ‘it should be’” (Clark 2005, 179). Blair’s frustrations with the limited moral aspirations of international law led him to question how far he should feel restricted by it. Instead of showing flexibility in the face of alternative arguments, in other words, he grew more firmly set in his underlying views.

The effect was reinforced by the depth of Blair’s moral certainty. Though at one stage he said he did not “claim to have a monopoly of wisdom in these issues” (Blair 2003b), he acted quite differently. He later admitted “a somewhat weirdly optimistic view of the power
of reason, of the ability to persuade if an argument is persuasive” (Blair 2010b, 157). Powell labeled Blair’s persuasive zeal, and the moral certainty underpinning it, his “messiah complex” (Powell 2010a, 56, Blair 2010b, 117). He noted it could be helpful at times, allowing Blair to believe in impossible causes such as the drive for peace in Northern Ireland, and helping him achieve what few other political leaders could do. From a Habermasian perspective, however, it was a problem. One anonymous Downing Street aide later remarked that Blair “would think that his own judgement was at least as good as that of the Archbishop of Canterbury, of the Cardinal of Westminster, and of the Pope combined” (Seldon, Snowdon and Collings 2007, 153-154). He needed to think that. Archbishop Rowan Williams, Cardinal Cormac Murphy-O’Connor and Pope John Paul II all spoke out against the invasion of Iraq on moral grounds. Blair remained unmoved, even after a private audience with His Holiness at the Vatican.

It was equally apparent that Blair switch between different arguments not because his opponents changed his mind, but because he wanted to change theirs. He could have taken the opportunity of the mass anti-war protests in February 2003 to rethink his entire approach to Iraq. Instead he argued back. “The moral case against war”, he told the Labour Party Spring Conference in Glasgow, “has a moral answer. It is the moral case for removing Saddam” (Blair 2003a). This was not what his critics had asked of him. Nor was it in any way a concession to their views. Instead, Blair was simply saying in public what he had long argued in private, that Britain had a moral duty to help liberate Iraq from dictatorship (Campbell and Stott 2007, 612-613, Blair 2010b, 402). He held back only to avoid raising legal difficulties (Blair 2010b, 400). By early 2003 the risk of saying what he really thought in the hope of winning over critics and undecided observers appeared to be worthwhile.
Flexibility and legitimacy

An actor truly interested in generating legitimacy for his policies through public deliberation should be prepared to change his view in response to criticism (Bjola 2005, 267). Blair categorically failed to meet this criterion. He trusted his own judgment absolutely. He was utterly certain that removing Saddam Hussein from power was the right thing to do, and nothing anyone else might argue could possibly convince him otherwise. This inflexibility greatly undermined his legitimization efforts. It also led him into confusing and contradictory statements that made his case for war less persuasive overall (Williams 2005, 192-193). During the final parliamentary debates on the prospect of war, Blair warned that inaction would mean “for the Iraqi people, whose only true hope lies in the removal of Saddam, the darkness will simply close back over” (Hansard 2003b, 773). At the same time, however, he conceded that Saddam would be left in power if he did in fact disarm (Hansard 2003a, Col. 124). This left his audience wondering whether his real objective was disarmament or regime change, a confusion he created and never really resolved.

Conclusion

Tony Blair is personally responsible to a significant degree for the legitimacy deficit surrounding Britain’s part in the 2003 invasion of Iraq. His legitimization efforts, based on public communication and debate, failed. They failed because he did not meet established normative criteria. They failed also because his arguments proved unpersuasive. Blair did lie during the Iraq debate. But he told the truth, at least as he saw it, about the really central issues. His refusal to engage properly with public debate did much more damage, as did his inflexibility, at least in the short term. After the invasion the inaccurate and partial nature of
his arguments about the legality and necessity of war undermined the whole operation’s legitimacy.

Importantly, Blair’s failures from a Habermasian perspective also helped make his arguments less persuasive. His inaccurate and untruthful claims helped him in the short term. But once it became clear Iraq lacked WMD, and that Blair had deliberately suppressed the weaknesses in his legal grounds, the invasion’s legitimacy suffered. His efforts to delay the debate provoked his opponents, and convinced them he was making major, contentious foreign policy decisions without proper public deliberation, which of course he was. His inflexibility helped refute tabloid accusations that he was a presidential ‘poodle’. But it also militated against Risse’s point that good persuasion slides inevitably into communicative action. An inflexible leader is generally not a persuasive one.

Blair is rightly blamed for the legitimacy deficit surrounding the Iraq War, then, but not necessarily for the right reasons. This article found he offered a set of arguments in favor of invasion that were mostly but not always honest, inaccurate in certain crucial respects and critically incomplete. He did not do his utmost to facilitate a proper public debate, though he did eventually open up quite considerably. He brought rank and authority into public deliberations that, normatively speaking, should have been conducted on the basis of reason and evidence alone. He wanted to persuade Britain to accept his arguments. He showed no interest in listening to opposition voices in turn. The real issues was not that Blair lied. His whole communicative effort was flawed.

This article found, in turn, that a Habermasian conceptual framework reveals interesting things about Blair’s persuasiveness. It remains in theory possible for an actor to fail to meet Bjola’s three criteria yet still generate a consensus around what they want to do. But it is immensely difficult, as Blair’s experience shows. This suggests the Habermasian framework largely does achieve one of its stated goals, of bridging the gap between normative and sociological approaches to legitimacy. Leaders who try to win public support
without doing it in the ‘right’ way, namely though proper communicative action, will also struggle to achieve their goals. Ironically, perhaps, Blair would have been better off trying less hard to win the argument on Iraq, and focusing instead on facilitating the best possible public debate. He might not have gained the same short-term policy goals. But he would not have been lumbered with a legacy of illegitimacy in the longer term.
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