

MAKING THE CASE FOR WAR: COLIN POWELL AT THE UNITED NATIONS

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The most fully articulated case for war in Iraq was presented in Secretary of State Colin Powell's February 5, 2003, speech to the United Nations Security Council. After establishing the context for the speech, this essay examines the strength of that case, focusing especially on structure, reasoning, and evidence. The structure was appropriate to the purpose, if somewhat unusual. Although the speech relied on argument from ignorance, this inference was reasonable in context. The fatal flaw in the speech was the unreliability of key evidence. More critical questioning of evidence at the time could have brought this problem to light and perhaps have avoided some of the consequences that followed.

In the months leading up to March 2003, those who favored U.S. military action in Iraq did so for one or more of three basic rationales. For some, the principal concern was the tyrannical character of the regime of Saddam Hussein. He was a dictator and violated the rights of his people, the argument went; therefore he should be overthrown. Among advocates of this position were many who believed that the first President Bush had erred in bringing the Persian Gulf War of 1991 to a close with Saddam Hussein still in power. This was the opportunity to finish the job. What made this a kairotic moment, creating the opportunity to mobilize public opinion in support of the goal, was the same factor that gave urgency to the other two rationales: the psychological effect of September 11, 2001.

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Others found this first rationale insufficient—not because they disagreed with the assessment of Saddam Hussein or with deep-seated antipathy for dictatorships, but because they believed that these deplorable circumstances did not justify intervention by an outside power. They may have upheld this belief as a general principle, or have thought that waging aggressive war was not in keeping with the American tradition, or have recognized that acting consistently on the principle would threaten other totalitarian rulers of nations that were U.S. allies. For any or all of these reasons, they were not committed a priori to the goal of regime change in Iraq. Their goal was instead to eliminate the danger articulated in either of the other two justifications for war.

The second rationale was the possibility that Saddam Hussein was actively colluding with al Qaeda, which President George W. Bush had described to Congress in 2001 as “a collection of loosely affiliated terrorist organizations.”¹ There were rumors that Abu Musab al-Zarqawi, alleged to be the leader of a terrorist network in Iraq, was doing the bidding of Osama bin Laden and was in contact with Saddam Hussein. Those who accepted the rumors found in them evidence of a clear and present danger of Iraqi sponsorship of terrorist attacks against the West. Perhaps because the evidence of this nexus was far from conclusive, depending mostly on the assertions of Iraqi defectors and refugees, it seldom carried the full burden of making the case for war. Without asserting directly what could not be proved, President Bush and—even more so—Vice President Cheney implied that there was a link between Saddam Hussein and al Qaeda. Polls suggested that significant numbers of Americans believed that there was a link, with substantial numbers believing that Saddam Hussein actually had orchestrated the attacks of September 11, a claim for which there was no evidence at all.

The most substantial of the justifications for war was not the direct connection to al Qaeda but the claim that Iraq either was rapidly developing or already had weapons of mass destruction, in violation of sanctions imposed after the 1991 Persian Gulf War. The danger lay not just in the destructiveness of the weapons but in the widely shared assumption that a rogue state such as Iraq would freely make them available to terrorist organizations who would not hesitate to use them against Western powers. This was the sense in which Bush administration officials argued that September 11 had brought to the threat a new sense of urgency.

Whichever of these rationales for war one adopted, an additional question was who ought to be the agent to contain the Iraqi danger. Some believed that the United States, having identified the threat, should act alone, preempting the possibility of further terrorism against the West. The *National Security*

Strategy of the United States, published in 2002, justified preemptive action as a strategy made necessary by the lethal potential of future terrorist attacks.² A variation of this argument was that the United States should not act alone but should lead a coalition of other like-minded nations—a “coalition of the willing.” This approach would share the human and financial burdens of the war and reap the additional benefits of multilateralism without subjecting American judgments or control to the approval of others. When criticized later for the seeming unilateralism of the war, President Bush denied the premise, identifying a list of other nations that had contributed money or troops.

On the other hand, there were strong reasons to insist upon, or at least to seek, the support and perhaps the leadership of the United Nations. This was especially the case for those whose goal was to contain the threat posed by weapons of mass destruction. The resolutions that Saddam Hussein was accused of violating were imposed by the United Nations; the weapons inspectors who had been expelled from Iraq worked under the authority of the United Nations; and the UN Security Council had the authority under the UN Charter to authorize member states to use force in order to repel threats to the peace. Reportedly, there were intense discussions within the Bush administration about whether to seek the legitimation of the UN, with Secretary of State Colin Powell emerging as the principal advocate for such a course. He prevailed, at least in part. He persuaded President Bush to make an appeal to the United Nations, but not to make U.S. actions contingent on approval by the international body.

CONTEXT

Not long after Vice President Cheney raised consciousness of the Iraqi threat in a speech to the Veterans of Foreign Wars on August 26, 2002, in which he essentially said that weapons inspection would be futile so war would be necessary, President Bush addressed the United Nations General Assembly at the opening of its fall session. He challenged the UN to take action against the threat lest the world body confess its irrelevance. The speech was alternately solicitous and defiant, but on the whole it seemed to indicate that Powell’s position had won out within the administration over that of Cheney and Secretary of Defense Donald Rumsfeld. The United States would go the route of multilateralism.³

But the adoption of a Security Council resolution authorizing force against Iraq hardly was a foregone conclusion. Several members, including U.S. allies,

were skeptical about the imminence of the threat or about the appropriateness of military action rather than an expanded program of sanctions. In the event, it would take eight weeks for the Security Council to agree on the language of Resolution 1441, which passed unanimously on November 8. In an attempt to convince the Security Council of the seriousness of the U.S. commitment, the administration sought and received congressional passage of a resolution authorizing the president to use force in Iraq. In the midst of a heated midterm election campaign, the resolution received significant bipartisan support, whether out of genuine conviction or fear of political repercussions. Touted at the time as a way to send a signal to the United Nations, this resolution would be used later as independent authorization for the United States to employ force in Iraq regardless of the action of the UN. Disaffected Democrats who maintained that they were only giving authority to the president, not agreeing that the authority ought to be used, found themselves drawing a very tenuous distinction.

Resolution 1441, like most Security Council resolutions, was ambiguous. As passed, it called for a new round of stringent weapons inspections, required an Iraqi declaration of its weapons of mass destruction and its efforts to eliminate them, and warned Iraq that a material breach of the resolution (consisting of a false declaration and a general failure to cooperate)⁴ would subject Iraq to “serious consequences.” The phrase “serious consequences” was used instead of an authorization for member states to use “all necessary means” (understood as war) to force compliance. Left unstated, then, was whether a violation of Resolution 1441 would automatically authorize war, or whether a second resolution would be required to confirm the finding of material breach and authorize the use of military force. Pressing for clarity on this matter would shatter the unanimity with which the Security Council approved Resolution 1441. The United States insisted that 1441 gave all the authorization that was needed; France and other Security Council members thought not.

Actions in the ensuing months bolstered no one’s confidence that Saddam Hussein was prepared to comply with the resolution. The Iraq government submitted an 11,000-page declaration in early December, right before the 30-day deadline. Its length seemed more to obfuscate than to clarify; the data were incomplete and often obsolete. In late January, the leaders of the UN inspection team, Hans Blix and Mohamed El-Baradei, reported cases of Iraqi non-cooperation and concluded that Iraq had not yet moved toward compliance. To some, this evidence meant that the weapons inspections should be given more time and power to achieve success; to others, that the time for patience had expired and the United States should now move to war.

Although the United States did not think that a second resolution was necessary,⁵ it certainly would welcome one, as that would finesse the issue. Secretary of State Powell did not explicitly call for a second resolution, but it was in this context that he was scheduled to speak to the Security Council. President Bush announced in his State of the Union speech on January 28 that on February 5 Powell “will present information and intelligence about . . . Iraq’s illegal weapons programs, its attempts to hide those weapons from inspectors, and its links to terrorist groups.” But the president made clear that American action would not depend on what action the Security Council might take. “We will consult,” he said, and then added, “But let there be no misunderstanding. If Saddam Hussein does not fully disarm, for the safety of our people and for the peace of the world, we will lead a coalition to disarm him.”⁶

Selecting the United Nations as the venue and Powell as the advocate were both rhetorical choices. The Security Council is the appropriate place to follow up on Blix’s report of Iraqi noncompliance with Security Council resolutions and to call attention to Saddam Hussein’s contempt for the international organization, And, of course, if one interpreted Resolution 1441 as calling for a second debate and vote in the face of Iraqi noncompliance, then a presentation to the Security Council would set that process in motion.⁷ Finally, of course, the Security Council is what one writer termed an unrivaled “backdrop for political theater.”⁸ It permits the U.S. representative to stage “dramatic diplomatic confrontations” with American adversaries for the benefit of a worldwide audience while at the same time being overheard by a domestic audience and using the opportunity to solidify American opinion. Sending an American envoy to present the case at the UN signaled the desirability of gaining as much international support as possible for whatever action the president might take.⁹

The choice of Powell rather than the UN ambassador or another diplomatic official symbolically highlighted the importance of the issue. In response, 13 of the 15 Security Council members sent their foreign ministers to the meeting as well.¹⁰ Powell commanded the respect of the nation and the world; he was known to examine evidence carefully and to develop a persuasive presentation. More than that, his reputation as a skeptic on Iraq, if not an outright “dove” within the administration, enhanced his credibility. This would be no hack presenting the party line; his remarks would be akin to reluctant testimony. He had his doubts about the war in the first place and had been the leading advocate of a diplomatic rather than a military solution. If he now acknowledged that Resolution 1441 had failed to bring about compliance,

his words would carry extra weight.¹¹ There also was speculation that his presence at the UN would “keep Washington hard-liners at bay”¹² by conveying their message that the United States was prepared to act with or without a second Security Council resolution. This message, in turn, might convince the members of the Security Council to take the whole matter of Iraq more seriously. The speech then could also serve as a test of the likelihood of gaining a second resolution. Of course, despite all these symbolic benefits, the decision to send Powell as the U.S. advocate carried risks. He was such a visible symbol that if he were to fail to change attitudes in the administration’s direction, the results could be embarrassing for the United States and for Powell personally.

The symbolism of the speaker and venue was further enhanced by an oft-mentioned historical analogue: the presentation almost exactly 40 years earlier in which UN Ambassador Adlai E. Stevenson confronted the Soviet delegate and presented to the world evidence of the construction of offensive missile sites in Cuba. Asking Valerian Zorin whether he denied that such construction was under way, Stevenson received an evasive response: he should continue with his statement and would receive an answer in due course. Stevenson, angry, replied that he would wait for his answer “until hell freezes over” and that he was prepared to present the evidence. With that, he referred to easels on which were placed poster-sized blowups of photos taken by reconnaissance flights. Stevenson interpreted the photos, pointing to evidence of continuing construction at the missile sites. It was a key moment in fixing responsibility for the Cuban missile crisis and convincing delegates that a military response was called for.

In the days leading up to Powell’s speech, allusions to Stevenson’s presentation were frequent. On January 28, Senate Minority Leader Tom Daschle had challenged the president: “If we have proof of nuclear and biological weapons, why don’t we show that proof to the world, as President Kennedy did 40 years ago when he sent Adlai Stevenson to the United Nations to show the world U.S. photographs of offensive missiles in Cuba?”¹³ In a sense, Daschle was calling the administration’s bluff, but he also was identifying a way for the Bush administration to win over skeptics and swing support to its position. Daschle’s evocation of the 1962 experience resonated in media commentary leading up to Powell’s speech, with repeated statements anticipating an “Adlai Stevenson moment.” Inevitably, noted the *Seattle Times*, “Powell’s appearance will invite comparison with one of the most dramatic televised moments of the Cold War.”¹⁴ Janine Zacharia of the *Jerusalem Post* portrayed the decision to send Powell to the UN as a choice by the Bush administration “to repeat the Adlai Stevenson performance of the Cuban missile crisis.”¹⁵ And Bruce

Berkowitz forecast that “with enough effort, we will have what people are calling an ‘Adlai Stevenson moment.’”¹⁶ This was a common theme in the commentary before the speech.

Of course, the circumstances were not altogether analogous to those of 1962. Unlike Stevenson, Powell was not trying to prove the presence of some activity; he was trying to prove the *absence* of efforts by Iraq to disarm. Necessarily, then, his visual evidence would be circumstantial rather than direct. Accordingly, he and others tried to deflate expectations aroused by the comparison to the “Adlai Stevenson moment.” As he was developing the speech, Powell reportedly “has conceded that whatever he comes up with is unlikely to have the stunning impact of the photos of Soviet missiles in Cuba.”¹⁷ Another administration official, reflecting the belief that “new, convincing evidence is hard to come by . . . warned against expecting the kind of vivid pictures” that Stevenson presented in 1962.¹⁸ Even so, those involved in the preparations of the speech were convinced that Powell’s evidence be clear, sufficient, and convincing.

Powell himself was actively engaged in preparation for the speech. Senior administration officials said that he wanted “a few select, vivid items of solid evidence,” not ambiguous material that could be discounted by critics.¹⁹ The weekend before the speech, he spent time at the Central Intelligence Agency reviewing intercepts and other evidence and rejecting anything that did not seem credible.²⁰ Vice President Cheney reportedly urged Powell to consider evidence in a report that had been prepared by his chief of staff, Lewis Libby, but Powell was skeptical. He thought that the report presented as certainties statements that were dubious.²¹ CIA officials looked through information to determine what might safely be included. Meanwhile, Powell engaged in extensive rehearsal for the speech, rearranging the furniture in one room so that it would more closely resemble the Security Council chamber. He insisted on continued fact-checking and refused to insert details requested by hard-liners but which did not have the necessary support.²² He took CIA Director George Tenet with him to the Security Council in order to convey the message that intelligence officials backed up his judgments. On the whole, the preparation for the speech was commensurate with its importance.

That it would be an important occasion, there was little doubt. Asking, “How important will Powell’s presentation on Wednesday be to the United Nations about the Bush administration’s evidence about Iraq’s weapons of mass destruction?” a *USA Today/CNN/Gallup* poll found that 60 percent replied “very important” and another 27 percent replied “somewhat important.” Only 12 percent said “not too important” or “not important at all.” In the

same poll, majorities of 75 percent or more responded that the United States would be justified in taking military action against Iraq if the evidence demonstrated that Iraq had ties to al Qaeda, or if Iraq had biological or chemical weapons, or if Iraq had nuclear weapons, or if Iraq was obstructing the weapons inspectors. The only circumstance in which a smaller majority would support military action was if Iraq were shown to have facilities to create weapons of mass destruction but did not actually have such weapons. Even then, 60 percent of the poll respondents would find military action justified if Secretary Powell's speech provided convincing evidence.²³

STRUCTURE

The first choice reflected in the text of Secretary Powell's speech relates to argument selection. Interestingly, all three of the major grounds for war are reflected in the speech, but two of them—Saddam Hussein's alleged links to terrorist organizations and his tyrannical violation of human rights—are treated in cursory fashion and relegated to the last several minutes of the speech. The allegation of a connection to al Qaeda was thought to be intriguing and a winning argument if true, but the link was judged tenuous and the fear was that emphasizing it would weaken the credibility of the overall presentation.²⁴ Following intensive intra-administration discussions, it was decided to mention the possibility of this link but to acknowledge that the evidence was speculative, and to deemphasize this argument by placing it at the end of the speech and giving it little time. That way, anyone in the Security Council audience or among the American people whose threshold of evidence it would meet would be likely to be persuaded, while others could dismiss the argument without feeling compelled to dismiss the entire case.

The argument about Saddam Hussein's tyrannical rule and his violation of human rights carried even less weight, for the simple reason that few United Nations members would find it dispositive. Some regarded a nation's policies in this respect as a purely internal affair, and some of the member states of the UN were not themselves the most respectful of human rights. Accordingly, this argument also was mentioned, but briefly and only at the very end of the speech.

It was clear, then, that the dominant focus of the speech was on weapons of mass destruction and on the alleged obstruction of the work of UN inspectors trying to monitor these weapons programs. Figure 1 is a diagram of the structure of this part of the argument. It is not a chronological account but a reconstruction showing the structure of the argument and the relationships among the different argumentative moves.

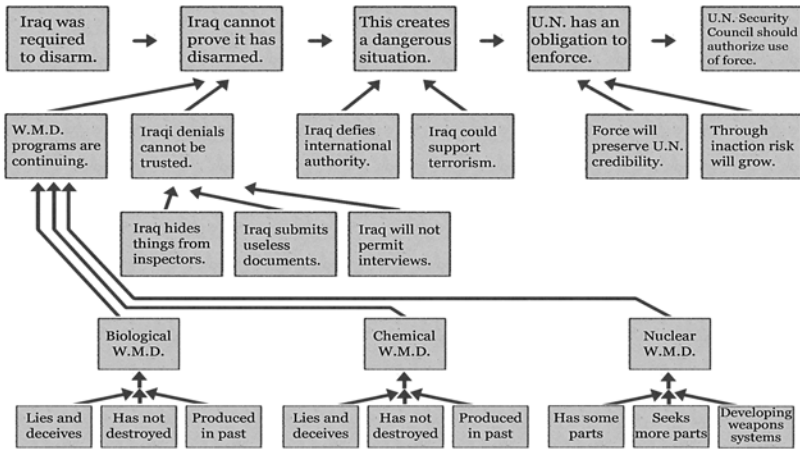


Figure 1. Diagram of Colin Powell's Speech to the United Nations. © The Teaching Company, Chantilly, Virginia, 2005. Reprinted by Permission.

“The most significant aspect of Powell’s address,” Jed Babbin observes, “was what it did not contain. Powell never asked the U.N. to do anything. He asked for no Security Council determination that Iraq was in ‘material breach’ of U.N. resolutions. He simply declared it to be the case. He asked for no resolution authorizing military action. He asked for—nothing.”²⁵

The anomaly of presenting a case for a policy without identifying the policy was the result not of Powell’s passivity but of the rhetorical situation. Powell would be happy to get a second Security Council resolution, although he did not think it necessary. But if he were to ask for one and be rejected, that would undercut his claim that he did not need it in the first place. The speech was structured so that, based on the reaction it received, Powell could go either way. His case could be used to support a second resolution but, failing that, the very same arguments could call for military action by participants in a coalition outside the structure of the Security Council.

Since Powell does not explicitly call for any particular action, it is only by implication that one can discern what claim the speech is attempting to advance. A reasonable inference from knowledge of the context and inspection of the text is that Powell is arguing for a claim such as “the U.N. Security Council should authorize the use of force.” (This is the upper right box in Figure 1.) Everything else in the speech ultimately works to support that claim. The boxes and arrows across the top row constitute the “main proof line” of

the speech, the first level of arguments that support the principal claim. These would be equivalent to the Roman numerals in an outline.

The relationships among these first-order arguments are interesting. As the arrows indicate, each step is dependent on the preceding steps. If, for example, enforcement was shown not to be the concern of the United Nations, then the case for the Security Council's authorizing the use of force would be weak, even though the previous steps in the argument might be true. Similarly, if Iraqi possession of weapons of mass destruction were not dangerous, there would not be a compelling argument that the UN has an obligation to endorse its resolutions, even if Iraq was required to disarm and could not prove that it had done so. The same analysis applies to each of the boxes on the main proof line.

In their typology of argument structures, Frans H. van Eemeren, Rob Grootendorst, and A. Francisca Snoeck Henkemans characterize this structure as subordinative.²⁶ Each step in the argument depends on the preceding steps, and every step must be established in order to sustain the ultimate claim (the conclusion). Douglas Ehninger and Wayne Brockriede refer to it as a "series structure" because the steps in the argument are linked like the bulbs in a chain of Christmas lights with old-fashioned series circuit wiring: if any one bulb goes out, the entire chain of lights will go out.²⁷ For this reason, theorists and strategists of argumentation often advise against the use of this structure, preferring a structure in which separate steps independently contribute toward the claim at issue. One might ask, therefore, why Powell would select the subordinative structure for his Security Council presentation, seemingly increasing the proof responsibilities that he must meet. The answer relates to another feature of the subordinative argument pattern. Once a step in the argument has been established, it creates a sense of momentum toward the next step. Given the nature of weapons of mass destruction, if Powell can establish that Iraq cannot prove that it has disarmed, it will be easier to establish that the situation is dangerous. Similarly, if it is established that the situation is dangerous, that creates momentum toward accepting that the United Nations has an obligation to enforce its resolutions. So the subordinative structure does not necessarily put the advocate at a disadvantage, and it appears not to have done so in this case.

Moreover, the structure of the supporting arguments helped Powell to establish each of the major steps toward his ultimate claim. As the second line of Figure 1 illustrates, three of the four steps to the main claim had supporting arguments. (The statement that Iraq was required to disarm did not require any substructure of argument, but merely references to the relevant UN resolutions

that established this requirement.) In each case, unlike the main proof line, the supporting arguments are independent of each other. So, for example, if Iraq's WMD programs are continuing *or* if Iraqi denials cannot be trusted, then Iraq cannot prove that it has disarmed. Either one of the supporting arguments, by itself, would establish that the statement in the main proof line is true. Similarly, if Iraq defies international authority *or* if it could support terrorism, then the situation is dangerous. This structure of argument is referred to by van Eemeren, Grootendorst, and Snoeck Henkemans as multiple, presumably because there are multiple independent paths to the goal. Continuing their electrical metaphor, Ehninger and Brockriede refer to it as a parallel circuit.²⁸ This structure gives Powell different ways in which to establish each of the steps in his main proof line. The resulting flexibility, coupled with the momentum generated along the main proof line, makes Powell's proof responsibilities much less onerous than the subordinative structure of the main proof line might suggest.

When using a multiple argument structure, the advocate who prevails on any *one* of the multiple arguments, even though losing the others, will establish the point at issue. Logically, prevailing on more of the multiple arguments, or even on all of them, does not add anything to the accomplishment. Establishing the same point repeatedly is a redundant exercise. But rhetorically the situation is different. Instead of the binary—a claim either is established or it is not—there are degrees of strength. A claim can be regarded as merely possible, highly likely, or anywhere in between. From this point of view, carrying each of the multiple arguments will strengthen the confidence with which the listener accepts the claim that the multiple arguments support. Certainly in this speech Powell does not introduce supporting arguments in order to jettison them later. In offering reasonable grounds for them all, he thereby adds to the sense of momentum along the main proof line.

As Figure 1 indicates, two of the supporting arguments—that WMD programs are continuing and that Iraqi denials cannot be trusted—are further developed with an additional level of supporting arguments—support for the support, in effect. (The third and fourth lines of Figure 1 are functionally equivalent, since they both have arrows going directly to the second line. They are divided in Figure 1 just for ease of the visual presentation.) In each case, these arguments are also related in a multiple structure. If biological *or* chemical *or* nuclear programs are continuing, then Powell has established that Iraqi WMD programs are continuing. By establishing that all three types of WMD programs are continuing, Powell adds nothing logically, but rhetorically the cumulation strengthens the force of the claim, which in turn makes the main-

line claim (“Iraq cannot prove that it has disarmed”) more compelling and adds to the sense of the momentum carrying the main proof line to the conclusion that the UN Security Council should authorize the use of force.

Finally, the claims made for the continuation of each type of WMD program are elaborated further. So, for example, to establish that biological weapons programs are continuing, Powell mentions that Iraq has been known to produce such weapons in the past, and that Iraq has not proved that these weapons have been destroyed, and that Iraqi reports to the weapons inspectors have contained lies and deceptions. The same elements appear in the substructure of the argument about chemical WMD programs. With respect to nuclear weapons, the substructure of the supporting elements is the same but the contents are different. What Powell establishes is that Iraq already has some of the parts needed to make nuclear weapons, that it actively is trying to get the missing parts, and that it is developing the systems to deliver the weapons.

These supporting arguments are placed in what van Eemeren, Grootendorst, and Snoeck Henkemans refer to as a coordinative structure; it is sometimes referred to as a convergent structure.²⁹ It mixes features of the other two structures. Like the multiple structure, each of the arguments is independent of the others; like the subordinative structure, the arguments all work together to establish the claim. (Whether all are *necessary* for the claim depends on the specific situation. For instance, all three parts seem to be necessary to establish that nuclear WMD programs are continuing. But biological or chemical WMD programs could be shown to be continuing if these weapons were produced in the past and have not been destroyed. That the Iraqi statements contain lies and deceptions strengthens the claim but is probably not necessary to establish it.)

Figure 1 makes clear that the emphasis of the speech is on weapons of mass destruction. Not only does that section of the speech take far more time than the links to al Qaeda or the denials of human rights, but within that section the arguments about continuing WMD programs are far more elaborated, with two further levels of substructure, than are the other arguments. The relationships between and among supporting arguments correspond to generally recognized patterns. In appropriate ways, the structure gives Powell flexibility as to what he must prove, and gives him the opportunity to strengthen his claims by validating them repeatedly in independent ways. While his responsibilities along the main proof line are rigorous, establishing each of the steps along that line will give him momentum toward establishing the ultimate claim. All told, the structure of Powell’s argument is reasonable and is well suited to his purposes in the speech.

REASONING

When Adlai Stevenson spoke in 1962, his task was to prove the *existence* of offensive missile sites, a task that could be accomplished through the presentation of positive evidence. The photographs he showed to the Security Council, requiring only modest interpretation, served that purpose. Colin Powell's task was more difficult, because he sought to prove that Iraq had *not* abandoned its programs to develop weapons of mass destruction. Logically, one cannot prove a negative; empirically, it is not much easier. To be sure, Powell could prove that Iraq had not disarmed if he could produce photographic evidence of the weapons. That was what Senator Daschle had challenged him to do on January 28. The senator's challenge probably was carefully formulated, because it was an extremely high standard of proof. After all, Iraq was allegedly developing its weapons in secret, embedding military activities in civilian facilities. Reconnaissance flights would not detect them and inspectors might not find them. Especially if, as Powell asserted, Iraq was uncooperative and even deceptive, then there was unlikely to be compelling evidence of the existence of these deadly weapons. As commentators noted both before and after the speech, the evidence was circumstantial. In the parlance of Watergate, there was no "smoking gun."

How, then, to tie this evidence together so that it would support the claim that the UN should act? The principal logic connecting evidence to claim was the argument from ignorance. This is an inferential pattern grounded in the lack of definite knowledge about a condition; it reasons from that circumstance to a conclusion about what we should do. The two basic patterns of the argument are "We cannot know that *A* is true; therefore it is false," and "We cannot know that *A* is false; therefore it is true."³⁰ In the case of Powell's speech, the inferences were (1) since we could not know that Iraq had eliminated biological weapons, Iraq still possessed them, (2) since we could not know that Iraq had eliminated chemical weapons, Iraq still possessed them, and (3) since we could not know that Iraq had renounced the development of nuclear weapons, Iraq was continuing to develop them.

Ordinarily the argument from ignorance is regarded as a fallacy in reasoning. It was first given the name *argumentum ad ignorantiam* by John Locke, and is one of a group of "*ad*-fallacies" that appeal to irrelevant considerations in order to warrant an inference. It is regarded as a fallacy because the absence of evidence is not evidence of absence. The fact that we do not know *A* to be true is no more reason to conclude that it is false than to regard it as true. The fallacy converts existential doubt into a conclusive assertion of either truth or

falsity. Stephen John Hartnett and Laura Ann Stengrim, for instance, criticize Powell and others in the Bush administration for “making false assertions, because the logic of *argumentum ad ignorantiam* enabled it to base conclusions not on evidence but on the absence of evidence.”³¹

No scholar has more thoroughly studied the category of *ad*-fallacies than Douglas Walton. Subjecting the standard treatment to searching analysis, he has concluded that these patterns of inference are not ipso facto fallacious. They may be strong, valid but weak, or fallacious, depending on context, circumstances, and the arguers’ purposes. In the case of *argumentum ad ignorantiam*, he observes that this pattern is often used, outside the field of logic, in ways that are generally regarded as reasonable. An obvious example is the presumption of innocence in law. Because we do not know that the accused is guilty, we assume that he or she is innocent. Another example is the use of default reasoning in computer science. If we do not know that something is other than *X*, we assume that it is *X*. Yet another example is what Walton calls negative proof, a kind of argument by residues that, since we have failed to find something after a thorough and systematic search that covered all reasonable candidate locations for it, it does not exist.³²

Recognizing that the argument is often regarded as reasonable, Walton inquires why this is so. His answer relates *argumentum ad ignorantiam* to presumption and burden of proof. What the argument is doing is voicing a presumption about what we should believe or do in the absence of convincing evidence one way or the other.³³ The function of the argument, then, is to assign the burden of proof. If, by the time the argument terminates, the proposition at issue has not been disproved, we may consider it proved. This *argumentum ad ignorantiam* says in effect that the burden of proof is on the party who would deny the proposition. Alternatively, if at the termination of the argument it has not been proved, we can conclude that it is disproved. This is equivalent to saying that the burden of proof is on the advocate of the proposition.

Walton suggests that the *argumentum ad ignorantiam* contains an implicit conditional of the form, “If *X* were there, I would have found it.” Then the statement of ignorance—“We have no knowledge of *X*”—becomes the denial of the consequent, a valid move leading to the conclusion “*X* isn’t there.” This resembles the valid deductive form *modus tollens*. But, of course, the conditional statement itself is contextually dependent. “If there were evidence to exculpate Smith of the charge that he is a Communist, we would find it” did not carry much weight at the height of the Joseph McCarthy era, when fear of subversion inspired efforts to ferret out Communists, not zeal for the defense of civil liberties.

We cannot say, then, that the argument from ignorance is necessarily either valid or fallacious. In general, it is considered acceptable if it is the outcome of critical discussion in which the proposition is tested and reasonable efforts are made to prove or disprove the matter at issue. It is considered fallacious when it prematurely closes dialogue, when it is a substitute for critical discussion. This occurs when superficial or perfunctory deliberation is treated as if it were thorough and systematic. One is far less justified in claiming that what is not found does not exist when one has not looked very hard. Or the dialogue is closed when the conclusion is universalized, treated not as a presumption but as an unvarying truth. In that case it is a substitute for, not the outcome of, careful deliberation.

The *argumentum ad ignorantiam* features prominently in public discussion about terrorism. By its nature, terrorism is planned and carried out in stealth. Preventing and responding to terrorism are fraught with unknowns. To demand conclusive proof of incipient terrorist acts prior to taking preventive measures is to cede all initiatives to the terrorists, but to use the specter of terrorism in order to sanction whatever actions one wishes to take is to make a mockery of public argument and to lose all sense of proportion. Much of the public dispute has been about where the burden of proof should be assigned in the face of ignorance. Specifically, Iraq was known to desire weapons of mass destruction and also to loathe the United States. The American vulnerability was that Iraq might develop weapons of mass destruction and make them available to terrorists. No one knew whether this vulnerability would be exploited. Where should one place the burden of proof in the face of this ignorance?

In addition to President Bush's Cincinnati speech in the fall of 2002, senior administration officials spoke in an attempt to raise consciousness of the Iraqi threat. Perhaps the most succinct statement came from National Security Adviser Condoleezza Rice. In an interview on Cable News Network, she said that while "there will always be some uncertainty about how quickly" Saddam Hussein could acquire nuclear weapons, "we don't want the smoking gun to be a mushroom cloud."³⁴ Rice was arguing that the United States should act against Iraq even in the face of ignorance, because the consequences of inaction could be catastrophe.

Rice should not be faulted for the use of *argumentum ad ignorantiam* per se. The flaw in her argument is the absence of specific context in which to evaluate it. If the significance of a threat is the probability of its occurrence multiplied by the magnitude of the harm, then even an infinitesimal probability could justify action to ward off a catastrophic harm.³⁵ But this is to make Rice's claim into an all-purpose argument, available for indiscriminate use to justify even farfetched or contradictory actions without any gradations of probative

force. The very universality of the appeal renders it of little practical value in any particular case. If the risk of nuclear war is based on blustering statements of intent and desire, it is less credible than if there is verified evidence of weapons development. If Iraq's nuclear capability is years away, the risk is less credible than if it is imminent. If the links between Saddam Hussein and terrorist organizations are tenuous, the risk is less credible than if they are strong and well established. If the specter of the mushroom cloud is used to justify regime change only in Iraq, it is less credible than if the principle is applied consistently to other potential nuclear states similarly situated.

In contrast to this unreflective use of the *argumentum ad ignorantiam*, Powell's presentation to the United Nations Security Council was more sophisticated. With regard to biological and chemical weapons, he strengthened his claim to presumption by presenting evidence that at one time the weapons actually had existed. In the absence of evidence that they had been destroyed, then, it would be reasonable to presume that they were still there. Powell uses data from the Iran-Iraq war of the 1980s, as well as intelligence from the 1991 Persian Gulf War, to establish the existence of weapons or weapons programs. Concerning biological weapons, he says, "The Iraqis have never accounted for all of the biological agents they admitted they had and we know they had. They have never accounted for all the organic material used to make them. They have not accounted for many of the weapons filled with these agents."³⁶ Concerning nuclear weapons, Powell says, "We have evidence that these weapons existed. What we do not have is evidence from Iraq that they have been destroyed or where they are."³⁷ And after citing evidence of earlier Iraqi efforts to develop nuclear weapons, he says, "We have no indication that Saddam Hussein has ever abandoned his nuclear-weapons programme."³⁸ In each of these cases, Powell makes an argument from ignorance. But in each case he establishes a basis for his argument. His reasoning is akin to what Walton has described as "negative proof," the failure to find something after making a thorough and systematic search.

To be sure, Powell's argument is only presumptive, not conclusive. It implicitly assumes that if Saddam Hussein had disarmed, he would have every incentive to publicize that fact. It does not acknowledge that, even though Iraq had weapons programs at one time, it might have been in her interest to dismantle them *without* acknowledging that this step was taking place. Disarmament without public acknowledgment could keep both domestic opponents and international adversaries of the regime in the dark about Iraq's military capability, and uncertainty could be of great strategic value in discouraging efforts to overthrow the regime. In retrospect, some scenario such as this appears to

describe what probably happened. But this does not by itself undercut the reasonableness of Powell's argument from ignorance in establishing presumption in his favor. If there was an error, it was in not scrutinizing the argument enough, asking whether ignorance was more likely to mean that Iraq still had the weapons or that Iraq had eliminated them surreptitiously. Even if Powell had done so, however, it is likely that his reasoning would have prevailed, since concealing the *destruction* of weapons of mass destruction would not be in Saddam Hussein's self-interest right at the moment, whereas concealing the *existence* of those weapons seemingly would have been.

Finally, Powell's use of presumptive reasoning rescues him from what Ron Suskind has characterized as "the one percent doctrine": the belief that *any* possibility that Iraq is harboring weapons of mass destruction would justify military action since the use of these weapons would have catastrophic results.³⁹ To be sure, Powell describes the possible harms, most vividly when he displayed a vial of white powder to illustrate how little anthrax would be needed to cause significant death and destruction. But he did not argue that the risk *by itself* was grounds for action; rather, the significance of the risk was augmented by the knowledge that Saddam Hussein had possessed and used biological and chemical weapons in the past. This combination of standpoints made for a reasonable *argumentum ad ignorantiam*.

Richard W. Leeman has described Powell's oratory as focused on problem solving.⁴⁰ The style is simple and straightforward, without notable figures, turns of phrase, or eloquent passages. There is one notable stylistic device in this speech, however: the use of rhetorical questions. After arguing that Iraqi officials are not cooperating with weapons inspectors, Powell asks, "Are the inspectors to search the house of every government official, every Ba'ath party member and every scientist in the country to find the truth and to get the information they need to satisfy the demands of our Council?"⁴¹ When noting that the hard drives of some computers had been replaced, he asks, "Who took the hard drives? Where did they go? What is being hidden? Why?"⁴² Observing that equipment had been moved at weapons sites, he asks, "Why would Iraq suddenly move equipment of this nature before inspections if it was anxious to demonstrate what it had or did not have? . . . Where did Iraq take all of this equipment? Why was it not presented to the inspectors?"⁴³ Referring to alleged mobile biological weapons laboratories, he asks, "How long do you think it will take the inspectors to find even one of these 18 trucks . . . ?"⁴⁴ There are other examples as well.

Rhetorical questions fit comfortably within the logic of the argument from ignorance. The advocate is not seeking answers; indeed, the questions are presumed to be unanswerable. What the advocate is implying is that because the

question cannot be answered in a certain way, one should presume that the answer is the opposite. Because one cannot give a reason that Saddam Hussein would be moving equipment for legitimate purposes, one concludes that he is doing so for illegitimate purposes. The rhetorical question functions as an argument with the implicit promise “If there were a good reason for this action, we would know it.” But since the imagined interlocutor cannot supply a good reason, we conclude that there isn’t one—following exactly the pattern of the *argumentum ad ignorantiam*.

Once Secretary Powell concludes that Iraq presumably still maintains weapons of mass destruction, he easily can define that situation as a material breach of Resolution 1441 justifying the “serious consequences” called for. Either by themselves or together with the possible link between Saddam Hussein and al Qaeda, these presumptions raise the question “Should we take the risk that he will not someday use these weapons at a time and a place and in a manner of his choosing?” Powell answers for the United States, “Leaving Saddam Hussein in possession of weapons of mass destruction for a few more months or years is not an option—not in a post September 11th world.”⁴⁵ As presented, the *argumentum ad ignorantiam* offers reasonable if not certain grounds for the coercive disarmament of Iraq.

EVIDENCE

We now know that the largest flaw in Powell’s speech was the unreliability of much of his evidence,⁴⁶ coming from sources who had motives to mislead the United States, from pictures that may have been misinterpreted, or from intercepted communications that were translated from Arabic possibly without capturing every nuance in the original. This possibility was acknowledged at the time. As David E. Sanger wrote, “The evidence—built as it is on telephone intercepts of discussions among Iraqi officials and the accounts of defectors and detainees—is never entirely reliable, which adds another layer of uncertainty.” And Peter Slevin reports the belief of “outside analysts” that “the credibility of Powell’s case requires faith in U.S. interpretation of satellite photographs and intercepted conversations between Iraqi officials, as well as significant trust in the unidentified informants cited frequently by the secretary.”⁴⁷ Rather than drawing back from his evidence, however, Powell compensated for its limitations in two ways: by offering a wide variety of evidence and by assuring his audience of its probative force.

Whereas Adlai Stevenson limited himself to showing a few photographs, Powell offered a multimedia presentation at the United Nations. He began by

playing a videotape, of which an English translation was projected on a screen and which he proceeded to interpret. He cited examples and quoted or alluded to the testimony of unnamed human sources. He projected photographic images on screen. Acknowledging that they were “sometimes hard for the average person to interpret,” he promised to “explain what they mean, what they indicate to our imagery specialists.”⁴⁸ He cited Iraqi documents submitted as part of the declaration required by Resolution 1441. He played additional audiotape and videotape recordings. He referred to chemical warheads recently found by UN inspectors. He explained how ricin works as a poison. He cited historical evidence. The speech is especially notable for the variety and range of evidence it contains.⁴⁹ The variety of types of evidence makes clear that Powell is not relying on a single source. Unless all or most of the evidence were somehow tainted, the accumulation of evidence strengthens the credibility of the presentation. Even if one piece of evidence were somehow unreliable, the remaining evidence still establishes the claim. Even though the evidence does not speak for itself and requires interpretation—“You’re going to have to use your mind as well as your eyes and ears to take in the complete picture,” according to a White House official⁵⁰—still, it all points in the same direction.

Moreover, at several points in the speech Powell draws on his own credibility to vouch for the quality of his evidence, reassuring his listeners that it is reliable. For example, early in the speech he says, “My colleagues, every statement I make today is backed up by sources. Solid sources. These are not assertions. What we are giving you are facts and conclusions based on solid intelligence.”⁵¹ At another point he says, “These are not assertions. These are facts, corroborated by many sources.”⁵² And at another, “This is evidence, not conjecture. This is true. This is all well documented.”⁵³ These may be, as Hartnett and Stengrim suggest, cases of protesting too much, brought about by the realization that much of the world regarded U.S. policy toward Iraq as based on fiction rather than fact.⁵⁴ Or they may be efforts to reassure the audience based on Powell’s weekend study of intelligence data at the Central Intelligence Agency.⁵⁵ In either case, they directly enlist his ethos to back up the external evidence he has provided. Should that evidence turn out not to be reliable, this finding would reflect negatively on Powell’s credibility as well.

Following the speech, various writers have examined specific items of evidence and have found them wanting. Hartnett and Stengrim explore how the Zarqawi connection was tenuous; “there was no evidence linking him to either al Qaeda or Hussein’s regime.”⁵⁶ They also note that photographs allegedly

showing the hasty cleanup of chemical weapons facilities were dubious, since the pictures were taken weeks apart and might well have shown routine activity.⁵⁷ As Dana Priest noted, citing former CIA case officer Robert Baer, the credibility of some of the human sources was doubtful and could not be judged from the information provided in Powell's presentation.⁵⁸ Kessler reported later that all four of the sources for Powell's claim that Iraq had mobile biological weapons were suspect, especially one who had been nicknamed "Curve Ball" who was the brother of a top aide to Ahmad Chalabi, leader of the Iraqi National Congress and a strong advocate for American involvement.⁵⁹ The British intelligence report that Powell pronounced a "fine paper" describing Iraqi deceptions "in exquisite detail"⁶⁰ was found to be "a series of plagiarisms from old articles from *Jane's* and a paper on Iraqi politics written by a student . . . a politically inspired document, spliced together by a Shiite student, published by an Israeli think tank hot for war, swiped off the web by [Prime Minister Tony] Blair's harried minions and given to Powell as a masterpiece of British intelligence collection from MI6."⁶¹ A *Los Angeles Times* investigation in 2003 found that "not only were the defectors few in number (three), their 'intelligence' on weapons of mass destruction was found to be either fraudulent or impossible to corroborate (and has not, as yet, panned out)."⁶² In addition, of course, Powell interpreted the intercepted conversations as if the English translation, complete with its cultural connotations, was exactly what the Iraqis had said.

When the prewar intelligence assessments of the CIA were first questioned, Powell strongly denied that they had been "politicized to bolster the administration's call to arms," insisting that they were "'solid information' based on multiple sources presented to him by unbiased analysts."⁶³ Yet, while denying that the desire for certain results had influenced his interpretation, he acknowledged that he had extrapolated from the "We have evacuated everything" excerpt, which might have meant either that Iraq had complied or had not complied with UN resolutions. His extrapolation cast this excerpt in a very negative light. He did so, he told intelligence officials, because "he had learned in the Army that meaning had to be explained in clear English."⁶⁴ Reflecting on findings such as these, Hartnett and Stengrim conclude that "many of President Bush's and Secretary Powell's arguments for going to war were based on exaggerations, outright lies, or dubious interpretations of contested evidence."⁶⁵ These flaws in evidence, many of which were known at the time, did not figure prominently in the initial round of reaction and commentary about the speech.

OUTCOMES

One of the likely goals of Powell's speech was to shore up support for military action among his American audience. In that goal he was largely successful. A *Newsweek* poll found that 70 percent of its sample supported military action against Saddam Hussein, up by 10 percent from two weeks before the speech. And as many as 85 percent of the *Newsweek* sample would support war if the United States had the full support of the UN Security Council. On the various themes developed in the speech, 69 percent thought the presentation was very or somewhat convincing in its argument that Iraq had been hiding banned weapons from the UN inspectors; 60 percent, in the argument that Iraq was actively supporting al Qaeda terrorists; and 62 percent, that Saddam Hussein posed "an immediate danger to the world."⁶⁶ A *USA Today*/CNN/Gallup poll reported similar results, with 63 percent of its respondents favoring an American invasion with ground troops, up by 5 percent from the period before the speech and 11 percent from the period before Bush's State of the Union address.⁶⁷

Clifford D. May, president of a think tank on terrorism, judged that Powell "served up the fruits of human intelligence, signal intelligence, and photo reconnaissance for the world to digest. The case he made was no less compelling or persuasive than the 1962 speech by Adlai Stevenson."⁶⁸ Several commentators specifically cited the Stevenson speech and maintained that Powell had measured up to it; he had achieved an "Adlai Stevenson moment."⁶⁹ He also was thought to have established that Iraq was deceiving the UN inspectors. "Only the willfully blind," claimed London's Rupert Cornwall, "will maintain after Colin Powell's presentation yesterday that Baghdad is sincerely co-operating with the United Nations weapons inspectors."⁷⁰

For many, what made the speech persuasive was the speaker's own credibility and his reputation as a reluctant warrior within the Bush administration. Fred Barnes of the *Weekly Standard* reported that it was not the content of Powell's presentation that made it possible; "it was that Powell, a revered figure around the world, was saying it. . . . he is regarded as the chief dove in a Bush administration dominated by hawks such as Vice President Cheney and Defense Secretary Donald Rumsfeld."⁷¹ Yet in this speech he emerged as hawkish as they. If the evidence had moved him to change his position so dramatically, then, people reasoned, the argument he advanced was probably right. The following day, when Powell testified before the Senate Foreign Relations Committee, he received high praise for his speech at the UN.⁷²

Not all Americans were convinced, however. Before Powell spoke, former president Jimmy Carter insisted that President Bush had not made the case for preemptive war. Even if Powell proved that Iraq possessed weapons of mass destruction—and what he actually proved would be short of that—Carter believed that “this will not indicate any real or proximate threat by Iraq to the United States or to our allies,” and hence would not justify war.⁷³ CIA Director George Tenet would back away from intelligence data on which Powell had based his presentation, although he did not do so until several months later, providing the first hint to Powell that the claims in his speech might have been wrong.⁷⁴ And many American critics remained unconvinced of Powell’s case. For example, Juan Andrade noted in an op-ed column that Powell had proved to the UN that Saddam Hussein was a threat, a proposition that required no proof. But, Andrade went on, he failed to prove that military action was worth its long-term consequences: “Though Powell was brilliant and his performance was nothing short of grand, his evidence did not measure up.”⁷⁵

Skepticism was the far more common reaction of American allies and other members of the Security Council. Powell did not call in the speech for any specific action, it will be recalled. Therefore, the arguments and evidence he presented could be taken just as easily to support giving more time and encouragement to the UN inspectors, and that was the dominant view. Powell had established that Saddam Hussein was potentially a serious threat, and that conclusion justified wariness, continued surveillance, and support for the inspectors. Reasoning in this way, nations need not dispute *all* of Powell’s argument in order to disagree with the conclusion that military action was needed in order to enforce compliance with Resolution 1441.

France, Russia, and China were the three veto-bearing members of the Security Council that Powell needed to convince if there were to be any chance of a second resolution. None was swayed by the speech. Russia and China mentioned that Powell’s argument justified giving the inspectors more time; France, that it justified tripling their number.⁷⁶ As for the possible link to al Qaeda, British and European security services were skeptical.⁷⁷ Although there was widespread television coverage of Powell’s speech in Europe, it appears that few opinions were changed. Those who supported the United States found it convincing; the skeptics remained skeptical. In France, *Le Monde* gave voice to this sentiment: “We were waiting for the ‘day of evidence,’ but it ended up being the ‘day of reiterated suspicions.’ . . . Mr. Powell expressed possibilities, not factual reality. We remain in doubt. Are suspicions enough to go to war? To that question, a majority of the council answered ‘no.’”⁷⁸

Though the United States did not think it necessary, Powell undoubtedly would have been pleased by a second Security Council resolution. Yet he would not have wanted to call for one and then be turned down. His speech could be interpreted as a “trial balloon” to test whether there was sentiment for a second resolution.⁷⁹ When it became clear that the speech had not changed others’ minds, the United States switched from seeking the approval of the UN to organizing a separate “coalition of the willing.”

Having initially emphasized the nuclear threat, the U.S. administration deemphasized that part of the argument, as UN nuclear inspector Mohamed El-Baradei reported that he had found “no evidence that Iraq has revived its nuclear weapons program.”⁸⁰ Greater emphasis was given instead to the threat posed by biological and chemical weapons. Faced with a nonresponsive Saddam Hussein, the United States did organize a coalition and launched a preemptive invasion of Iraq on March 19, 2003. In the end, no weapons of mass destruction were found. As Bruce B. Auster, Mark Mazzetti, and Edward T. Pound stated, “Seven weeks after the end of the war [*sic*], no hard evidence has been turned up on the ground to support the charge that Iraq posed an imminent threat to U.S. national security—no chemical weapons in the field, no Scud missiles in the western desert, no biological agents. At least not yet.”⁸¹ Thus began a controversy, continuing to this day, about the inadequacies of prewar intelligence. Was Colin Powell himself misled by faulty intelligence? Was he a willing participant in politicizing the evidence so that it supported predetermined policy choices? Or did he understand that the evidence was weak but “fall on his sword” in order to honor the preferences of his president? These questions will require more distance from the events, more memoirs and reminiscences, and the opening of more archives.

A year later, report Bill Nichols and Barbara Slavin, only one of Powell’s charges about Iraqi weapons capability turned out to be true: that there were Iraqi missiles that could fly more than the 93-mile limit the United Nations had imposed. Arms control experts said that Powell was harming his credibility and reputation.⁸² Like others in the Bush administration, however, Powell refused to acknowledge error explicitly. Only gradually did his position change. On May 16, 2004, he appeared on *Meet the Press* and suggested that the Central Intelligence Agency had been misled by its sources and that, in trusting the CIA, he was misled too. He specifically regretted citing evidence that Iraq had mobile biological laboratories, a key part of the Security Council presentation.⁸³ Finally, in September 2005, after having left office, Powell acknowledged that his Security Council speech would be a “blot” on his record. It was “painful” for him, he told ABC News anchor Barbara Walters;

“I’m the one who presented it on behalf of the United States to the world,” and the presentation “will always be part of my record.” He did not believe that CIA Director George Tenet had misled him but, rather, that both he and Tenet had been misled by “some people in the intelligence community who knew at that time that some of these sources were not good, and shouldn’t be relied upon, and they didn’t speak up.”⁸⁴

In his brief rhetorical biography, Leeman observes that this speech, “since discredited and apologized for by Powell himself,” exhibited his oratorical strength—his businesslike manner, his orientation to problem-solving discourse, his focus on evidence, his mixing of psychological and legal arguments. The tragedy is not that its structure or reasoning was flawed but that it was built on unsound evidence. Leeman is correct in his observation that the Security Council address will be “the apex—or nadir—of Powell’s oratory,” eclipsing the memory of his calls for inclusion and his appeal to community in speeches at the 1996 and 2000 meetings of the Republican National Convention.⁸⁵

CONCLUSION

In his keynote address to the 2005 Alta conference on argumentation, James F. Klumpp examined Powell’s speech and concluded that argumentation scholars had undertheorized the concept of evidence.⁸⁶ Study of this text yields some unsettling conclusions. Audiences do not probe evidence very deeply. The appearance of evidence often counts as evidence. The credibility of the source will outweigh internal deficiencies in the evidence. Sorting weak from strong evidence is not easily done. The distinction between eager and reluctant evidence is often not made, and the need for the distinction is often not acknowledged.

And yet the solution is not to invent hard-and-fast rules for evidence as one might find in the law, for instance. Rhetoric is not that neat and tidy, and it always emerges within highly specific situational constraints. At the very least, this study adds emphasis to the dangers of politicized evidence and the necessity for critical questioning. The recently published “Downing Street report”⁸⁷ asserts that the Bush administration made an early decision to remove Saddam Hussein and then shaped its (and the public’s) understanding of events with that goal in mind. One need not assume a conspiratorial plot—the psychology of “groupthink” would explain matters just as well—to conclude that the public deliberation leading to the war in Iraq was a sham. Despite the reasonableness of his structure and the appropriateness of his reasoning, Colin

Powell relied on evidence that was fatally flawed. Contrary to the predominant view of the press and the American public at the time, he did not present a sound case for war when he addressed the United Nations Security Council on February 5, 2003. The administration, the Congress, the press, and the public must be more committed to critical questioning of evidence in order to avoid recurrence of this problem and to rehabilitate the art of public deliberation.

NOTES

1. The text of this speech, delivered on September 20, 2001, to a joint session of Congress and the American people, is widely available. An online copy can be found at <http://www.presidentialrhetoric.com> (accessed November 10, 2006). For a hard copy, see David Zarefsky, *Public Speaking: Strategies for Success*, 4th ed. (Boston: Allyn and Bacon, 2005), 488–93. The quotation is from page 489.
2. *National Security Strategy of the United States* (Washington: White House, 2002).
3. Events in this and the following paragraph are taken from generally available news reports. A convenient summary of the events leading to war can be found in Bob Woodward, *Plan of Attack* (New York: Simon and Schuster, 2004).
4. Woodward, *Plan of Attack*, 223.
5. Richard W. Stevenson, “Loss of the Shuttle: The President; Powell Set to Appear at U.N. This Week as Scheduled,” *New York Times*, February 3, 2003, sec. A1.
6. State of the Union Address, January 28, 2003, <http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html> (accessed November 10, 2006).
7. Greg Hitt, “State of the Union: The Day After: U.S. Stand on Iraq Is Entering ‘Final Phase’—With Time Running Out, White House to Meet Allies on Need for Military Action,” *Wall Street Journal*, January 30, 2003, A10.
8. Michael Dobbs, “At Council, Political Theater,” *Washington Post*, February 6, 2003, A1.
9. Glenn Kessler and Karen DeYoung, “Powell to Tell U.N. Council of Arms Evidence,” *Washington Post*, January 29, 2003, A1.
10. Martha T. Moore, “Disorder Takes Over for a Day at Usually Staid U.N. Building,” *USA Today*, February 6, 2003, 10A.
11. Richard Wolffe and Michael Hirsh et al., “War and Consequences,” *Newsweek*, February 3, 2003; Dobbs, “At Council, Political Theater,” A1; Barbara Slavin and John Diamond, “Case Is Stronger When ‘Biggest Dove’ Makes It,” *USA Today*, February 6, 2003, 10A.
12. Karen DeYoung, *Soldier: The Life of Colin Powell* (New York: Knopf, 2006), 413.
13. Julia Preston, “Threats and Responses: Report to Council; U.S. Inspector Says Iraq Falls Short on Cooperation,” *New York Times*, January 28, 2003, A1.
14. “Powell to Lay Out Evidence at U.N.” *Seattle Times*, February 6, 2002, A2.
15. Janine Zacharia, “Reading Bush’s Mind,” *Jerusalem Post*, January 31, 2003, 3B.
16. Bruce Berkowitz, “The Big Difference Between Intelligence and Evidence,” *Washington Post*, February 22, 2002, B1.
17. Rupert Cornwell, “Iraq the Threat of War: Powell to Present ‘Proof’ of Saddam’s Banned Weapons,” *The Independent* (London), January 30, 2003, 2.

18. David E. Sanger, "Threats and Responses: Intelligence; Bush Officials Debate Release of Iraq Secrets," *New York Times*, January 30, 2003, A1.
19. Sanger, "Threats and Responses," A1.
20. Glenn Kessler and Colum Lynch, "Powell Lays Out Case Against Iraq; Evidence Shows Hussein Foiled Inspections, Secretary Tells U.N.," *Washington Post*, February 6, 2003, A1; Bruce B. Auster, Mark Mazzetti, and Edward T. Pound, "Truth and Consequences," *U.S. News and World Report*, June 9, 2003, 14.
21. Woodward, *Plan of Attack*, 292.
22. Michael Elliott and Mitch Frank, "Countdown to War," *Time*, February 17, 2003, 24.
23. "USA Today/CNN/Gallup Poll," *USA Today*, February 4, 2003, 9A.
24. Carla Anne Robbins and David S. Cloud, "As the U.S. Pressures Iraq, a Flurry of Initiatives— Officials Say Belief of Link to al Qaeda Appears Hard to Prove," *Wall Street Journal*, January 31, 2003, A8; Glenn Kessler, "Powell: Case 'Compelling' without 'Smoking Gun,'" *Washington Post*, February 4, 2003, A18.
25. Jed Babbin, "Gunsmoke," *National Review Online*, February 6, 2003.
26. Frans H. van Eemeren, Rob Grootendorst, and A. Francisca Snoeck Henkemans, *Argumentation: Analysis, Evaluation, Presentation* (Mahwah, NJ: Lawrence Erlbaum, 2002), 65, 71.
27. Douglas Ehninger and Wayne Brockriede, *Decision by Debate* (New York: Dodd, Mead, 1963), 234–36.
28. Van Eemeren, Grootendorst, and Snoeck Henkemans, *Argumentation*, 64–65, 69; Ehninger and Brockriede, *Decision by Debate*, 234–36.
29. Van Eemeren, Grootendorst, and Snoeck Henkemans, *Argumentation*, 65, 70. Ehninger and Brockriede do not discuss this particular argument form.
30. For a fuller development of this topic, see David Zarefsky, "Terrorism and the Argument from Ignorance," in *Engaging Argument: Selected Papers from the 2005 NCA/AFA Summer Conference on Argumentation*, ed. Patricia Riley (Washington, D.C.: National Communication Association, 2006), 29–35.
31. Stephen John Hartnett and Laura Ann Stengrim, *Globalization and Empire: The U.S. Invasion of Iraq, Free Markets, and the Twilight of Democracy* (Tuscaloosa: University of Alabama Press, 2006), 56, 65.
32. Douglas Walton, *Arguments from Ignorance* (University Park: Pennsylvania State University Press, 1996), 48, 20, 16.
33. Walton, *Arguments from Ignorance*, 86.
34. Todd S. Purdum, "Threats and Responses: The Administration, Bush Officials Say the Time Has Come for Action on Iraq," *New York Times*, September 9, 2002, A1, A8.
35. This is the line of reasoning described in Ron Suskind, *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11* (New York: Simon and Schuster, 2006).
36. United Nations Security Council, 4701st meeting, February 5, 2003, 8.
37. United Nations Security Council, 10.
38. United Nations Security Council, 12.
39. Suskind, *The One Percent Doctrine*.
40. Richard W. Leeman, "Colin Luther Powell," *American Voices: An Encyclopedia of Contemporary Oratory*, ed. Bernard K. Duffy and Richard W. Leeman (Westport, CT: Greenwood, 2005), 368.

41. United Nations Security Council, 5.
42. United Nations Security Council, 5.
43. United Nations Security Council, 6.
44. United Nations Security Council, 9.
45. United Nations Security Council, 17.
46. In contrast, an early analysis of this speech maintained that its weakness was not the evidence but the inferential links between evidence and claim. See Bjorn Stillion Southard, "Heightened Alert: The Altered Role of 'Evidence' in the 'Case' for War," in *Critical Problems in Argumentation: Selected Papers from the 13th Biennial Conference on Argumentation*, ed. Charles Arthur Willard (Washington, D.C.: National Communication Association, 2005), 733-39.
47. Sanger, "Threats and Responses," A1; Peter Slevin, "Data on Efforts to Hide Arms Called 'Strong Suit' of Speech," *Washington Post*, February 6, 2003, A28.
48. United Nations Security Council, 6.
49. Leeman, "Colin Luther Powell," in *American Voices*, 375.
50. Julia Preston with Steven R. Weisman, "Threats and Responses: Diplomacy; Powell to Charge Iraq Is Shifting Its Illegal Arms to Foil Inspectors," *New York Times*, February 5, 2003, A1.
51. United Nations Security Council, 5.
52. United Nations Security Council, 7.
53. United Nations Security Council, 8.
54. Hartnett and Stengrim, *Globalization and Empire*, 61-62.
55. James Dao and Thom Shanker, "After the War: Evidence; Powell Defends Information He Used to Justify Iraq War," *New York Times*, May 31, 2003, A6.
56. Hartnett and Stengrim, *Globalization and Empire*, 61-62. See also Katrina van den Heuvel, "Powell Fails to Make Case," *USA Today*, February 6, 2003, 12A (op-ed column).
57. Hartnett and Stengrim, *Globalization and Empire*, 62. See also David S. Cloud and Marc Champion, "Powell Uses Spy Photos, Tapes to Argue Iraq Is Deceiving U.N.," *Wall Street Journal*, February 6, 2003, A1.
58. Dana Priest, "Telling Secrets: Not Just What, But How; Speech Is Revealing on Gathering Intelligence," *Washington Post*, February 6, 2003, A23.
59. Glenn Kessler, "Analyst Questioned Sources' Reliability; Warning Came Before Powell Report to U.N.," *Washington Post*, July 10, 2004, A9. See also Michael Isikoff with Tamara Lipper, "'The Dots Never Existed,'" *Newsweek*, July 19, 2004, 36.
60. United Nations Security Council, 6.
61. Alexander Cockburn, "The Great 'Intelligence' Fraud," *The Nation*, March 3, 2003, 8.
62. Cited in Jason Vest, "The Wrong Target," *The American Prospect*, April 2004, 29.
63. Dao and Shanker, "After the War," A6.
64. Woodward, *Plan of Attack*, 310.
65. Hartnett and Stengrim, *Globalization and Empire*, 66.
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