

# Legacies of War in Iraq

*A Background Paper*



**American Friends  
Service Committee**

*Quaker values in action*

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## Iraq Policy Background

*The purpose of this paper is to set forth AFSC's understanding of the background to the US led war in Iraq, observations about the consequences for Iraq and its people, and the regional impact. One of the great tragedies of the cycle of war is the perennial failure to commit the resources and attention necessary to build the peace. Some conclusions relevant to policy going forward are set forth, along with recommendations for a US response.*

On September 1, 2010 President Barack Obama declared that the US combat mission in Iraq had come to an end and that the role of the remaining US forces going forward was to “advise and assist” Iraqi security forces until the US troops withdraw from Iraq before the end of 2011. After failing to secure an agreement with the Government of Iraq to allow a sizable US troop beyond 2011 President Obama affirmed in October that all US troops would leave the country and all bases would be turned over to Iraqi officials before the end of the year.

The US will still have the largest diplomatic presence of any embassy in the world with 16,000 personnel, including 8,000 private military contractors.

Over the past 30 years the Iraqi people have endured three wars and for 20 years suffered under some of the most severe and comprehensive economic and political sanctions ever imposed against a nation and its people. We need not imagine the enormous and tragic consequences. They are plain to see: hundreds of thousands dead, millions displaced internally or living as refugees, a material infrastructure on the verge of collapse and a weak and fractious political structure.

The tragedy of Iraq did not need to happen. In March 2003 shortly after the outbreak of the US led invasion of Iraq, AFSC and other Quaker organizations issued a statement which in part read: “This is a choice we know will have enormous and tragic consequences – many as yet unimagined – for the Iraqi people, for our nation and for the world. It is a choice we believe was unnecessary, immoral and unwise...” Today, more than eight years later, we stand by these words.

Ultimately it will be up to the Iraqi people to shape their own future, but the US in particular bears a burden of responsibility toward Iraq having, through the 2003 invasion and its aftermath, pushed the country into years of chaos and destruction.

This paper will present some of the present and upcoming key challenges for Iraqis, the United States and Iraq's Middle East neighbors, provide brief contextual analyses for each and make specific policy recommendations to the US government.<sup>1</sup>

### **Thirty Years of War and Sanctions:**

#### 1. September 1980 – August 1988

In September 1980 Iraq's military forces crossed the Shatt al Arab waterway separating Iraq from Iran and launched the eight-year Iran-Iraq war. This paper will not go into any detail regarding the war, but several salient points are worth noting as they had a significant bearing on the course of events following the cease-fire in August 1988:

- 1) For much of the war the US sided with Iraq as did most Arab countries out of concern for the spreading influence of Iran's Islamic Revolution.
- 2) Iraq introduced the use of chemical weapons against massed Iranian forces and civilians and toward the end of the war would use them against its own populations.
- 3) Despite an international arms embargo, the US secretly sold critical weapons technology to Iran, provoking the Iran-Contra scandal.

*In 1981 the American Friends Service Committee expanded and updated its ground-breaking policy document **Search for Peace in the Middle East** (1970) with the publication of **A Compassionate Peace**. **Compassionate Peace's** central focus, like its predecessor, was the Palestine-Israel conflict but it also devoted a chapter to analyze the impact of the Islamic revolution in Iran with respect to both the region and to US policy and actions in the region. **Compassionate Peace** raised several policy issues that continue to be at the center of AFSC policy and advocacy work including: The far reaching impact of the Islamic Revolution, US involvement in the war in Afghanistan, growing US dependence upon oil imports and nuclear weapons proliferation. In **Compassionate Peace** AFSC raised the latter issue as perhaps the most urgent: "Extraordinary steps must be taken to make the Middle East a nuclear-weapons-free zone." (**Compassionate Peace**, pp 134-135)*

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<sup>1</sup> This paper only deals with half the story. The thousands of American soldiers who have died or have been seriously wounded should be daily reminders of the real cost of this war. The hundreds of billions of dollars spent over the past eight years place a heavy financial burden on the US economy and take away from much needed investments in rebuilding our own civilian infrastructure, institutions and support to those in need – including Iraq war veterans.

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Following the wars' indecisive conclusion Iraq under Saddam Hussein took steps to regain internal control and regional influence. Internal dissension especially among the Kurdish populations was brutally repressed. Reconstruction of the civilian infrastructure, so badly damaged during the "war of the cities" phase of the conflict, took a back-seat to the re-equipping of Iraq's military.<sup>2</sup>

*The 1989 update of **Compassionate Peace** was published shortly after the August 1988 cease-fire between Iraq and Iran and contained the prescient cautionary note: "Iraq has emerged from the war with renewed confidence and a battle-hardened military force: it is arguably the strongest force in the Arab world. The need to create the appropriate international climate for curbing the use of that military force is important. Iraq can become a significant factor in an emerging peace in the region or slip into the role of a threat to that peace." **Compassionate Peace** (1989), p. 189*

### 2. August 1990 – January 1991

Large oil fields reach across the Iraq and Kuwait border. During the Iraq-Iran war, Kuwait provided assistance to Iraq by "reflagging" Iraqi oil tankers in the Persian Gulf that could then come under the protection of US war ships patrolling neutral waters. At the war's completion, Iraq protested that Kuwait had extracted more than its share from the border oil fields and was with others conspiring to drive down the price of oil. The United States government at the time took the position that the dispute between Iraq and Kuwait was an affair between the two states and it was not a matter of US interest.<sup>3</sup> When negotiations between the two countries over the shared resource failed, the stage was set for the next military confrontation. On August 2, 1990, just short of 10 years since Iraq launched the disastrous invasion of Iran, Iraqi forces moved against Kuwait and in short order seized not only the border oil fields but Kuwait City and the rest of the country. Making good on a long-standing claim, Iraq annexed Kuwait as a governorate of Iraq. The invasion of Kuwait triggered one of the first concerted actions taken by the United Nations since the end of the cold war. Three comprehensive UN Security Council resolutions were passed in short order. SR 660 condemning Iraq for its invasion and calling for it to immediately withdraw its forces from Kuwait, SR 661 imposing comprehensive economic sanctions against Iraq and SR 665 establishing a military blockade against Iraq to enforce the sanctions regime.

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<sup>2</sup> By some estimates more than one million Iraqis and Iranians were killed and another two million wounded. Most of the casualties were civilians. More than 2.7 million Iraqis and Iranians were displaced by the war.

<sup>3</sup> New York Times International Edition, September 23, 1990 citing a transcript of US Ambassador April Glaspie meeting with Saddam Hussein.

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Regional actors worked to find a diplomatic solution to the crisis; the Soviet Union in particular worked hard behind the scenes to find a diplomatic solution. At the same time, the US began to build up its forces in Saudi Arabia and lined up regional allies including Egypt.

Having failed to achieve a peaceful withdrawal of Iraqi forces from Kuwait, the UN Security Council approved the use of force as did the US Congress. Launched on January 17, 1991

*Following Iraq's invasion of Kuwait AFSC issued a statement calling for a negotiated withdrawal from Kuwait. AFSC staff in cities across the country worked with the public and media in an effort to prevent US forces from going to war. AFSC conditionally supported the UN-imposed economic sanctions if they would lead to negotiations. However, AFSC was mindful that the brunt of the sanctions would likely be faced by the civilian population and not the Iraqi political and military elites.*

“Operation Desert Storm” lasted less than two months. The Iraqi military was pushed out of Kuwait and coalition forces pressed into southern Iraq. President George H.W. Bush declared a cease fire on February 28, and troops began to withdraw from southern Iraq. The government in Baghdad launched punitive attacks against the civilian

population in the south that the US had encouraged to rise up against Saddam. This set in motion a significant internal displacement primarily of Shiite Iraqis and led to the creation of an autonomous Kurdish enclave in the north of Iraq protected by a “no-fly zone”. This displacement and de facto division of Iraq would later have a significant impact on the political environment following the 2003 US-led invasion of Iraq and overthrow of the Iraqi government under Saddam Hussein.<sup>4</sup>

Immediately after the February 1991 cease fire, AFSC called for the lifting of economic sanctions to allow Iraq to begin rebuilding its civilian infrastructure. AFSC, in close collaboration with British Friends, sent assessment teams to Iraq (north, central and south) and Kuwait. An AFSC representative was placed in Baghdad to monitor and report on social and political conditions in Iraq and to carry out humanitarian assistance projects that reached into the center, south and north of the country. . The representative remained in Iraq for a year and for the next several years AFSC program staff continued to visit Iraq frequently from Amman, Jordan and reported

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<sup>4</sup> The use of internationally or unilaterally imposed economic sanctions has become a long-term matter of deep concern for AFSC with respect to Iraq and for other conflicts where sanctions have been applied. In December 2010, the United Nations Security Council lifted nearly all the remaining economic and military sanctions against Iraq. This is a welcome step. Bilateral issues regarding claims by Kuwait and claims by individuals are still unresolved.

on conditions there – especially with respect to the impact of sanctions on the daily lives of the civilian populations.

*Six months after the end of Operation Desert Storm the AFSC representative in Iraq wrote about the slow pace of reconstruction and the debilitating effect of sanctions: "... Basrah and the rest of Iraq are being denied a normal aftermath of war. There is no real relief program commensurate with the country's needs, let alone reconstruction in most vital civilian sectors." J. Fine, Correspondence from Iraq, August 26, 1991*

Over the next 12 years, the sanctions regime, with certain important modifications, remained in place. Iraq was isolated politically and weakened economically. Following the September 11, 2001 attacks US policy with respect to Iraq dramatically changed from one of containment to regime change.<sup>5</sup> The George W. Bush administration attempted to link Saddam Hussein and Iraq to the September 11 attackers and hyped ambiguous and patently false evidence of Iraqi plans for acquiring weapons of mass destruction as a justification for war to remove the "threat that Saddam Hussein" posed to regional and world security.<sup>6</sup>

Unlike the first war, the US was unable to persuade most of its traditional allies, with the exception of the United Kingdom, to join it and did not receive explicit U.N. sanction. However with the cloak of "the coalition of the willing" and congressional backing, the US launched an air and land invasion of Iraq on March 20, 2003. In short order the government of Saddam Hussein was toppled and Iraq was thrown into chaos – a state from which it has only recently begun to emerge.

This brief journey through the past thirty years since the start of the Iran-Iraq war shows that the issues of displacement, sanctions, civilian vulnerability and militarization reach back beyond the war and occupation that began in 2003. Iraq has lost more than a generation to war and international isolation. Over the years Iraqis have shown incredible perseverance and resilience but they will continue to be pressed and their future is uncertain. Rebuilding will take time and will be uneven.

### **Factors sustaining the conflict and challenges for reconstruction**

- 1. Violence directed against civilian populations while lower than past years, remains unacceptably high.**

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<sup>5</sup> The modern precedent of regime change through the use of force was applied by the Clinton administration in its bombing campaigns against Serbia and Montenegro in 1999

<sup>6</sup> Charles Lewis and Mark Reading-Smith, *The War Card* <http://projects.publicintegrity.org/WarCard/>

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According to the UN Assistance Mission in Iraq (UNAMI) more than 950 Iraqis died from political violence in the first quarter of 2011.<sup>7</sup> This represents a significant drop in the overall levels of violence from its peak in 2005 – 2006.<sup>8</sup> Road side bombs, attacks against police and assassinations continue. Recent polls (see National Republican Institute) of Iraqis suggest growing levels of support for the Iraqi government's efforts with respect to protecting civilians but so far the drop in violence has been insufficient to encourage many displaced and refugee Iraqis to return to their homes.<sup>9</sup>

With the removal of US forces the responsibility for civilian security falls directly to the Iraqi government. A recent International Crisis Group report documents the challenges ahead<sup>10</sup> as multiple, often competing, security entities significantly reduce the overall effectiveness of the Iraqi security sector and weakens its accountability. Evidence of secret prison facilities, arbitrary or politically motivated arrests and the use of torture by units of Iraq's security apparatus were further documented in a recent WikiLeaks release. According to the WikiLeaks, the US was aware of many of these abuses and yet took no apparent steps to correct them.<sup>11</sup>

- **US accountability for prisoner abuse:** The United States is accountable for the abuses inflicted against Iraqi and other detainees by US personnel. By not investigating and prosecuting those responsible for ordering as well as carrying out the systematic use of torture and other "harsh interrogative methods" the Obama administration has become complicit. The US Senate through its investigative power should call former and present government officials to account through hearings with testimony taken under oath. Under the "Status of Forces Agreement" (SOFA) internal security is fully within the responsibility of the Iraqi government, but the US should make it clear to the government of Iraq that further cooperation within the security sector will be dependent upon the Iraqi government taking meaningful steps to stop the torture and abuse of prisoners and detainees.

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<sup>7</sup>[http://www.uniraq.org/FileLib/misc/SG\\_Report\\_S\\_2011\\_213\\_EN.pdf](http://www.uniraq.org/FileLib/misc/SG_Report_S_2011_213_EN.pdf)

<sup>8</sup> See Iraq body count <http://www.iraqbodycount.org/database/>

<sup>9</sup> See National Republican Institute July 2010 poll:

[www.iri.org/sites/default/files/2010%20September%2016%20Survey%20of%20Iraqi%20Public%20Opinion,%20June%203-July%203,%202010\(3\).pdf](http://www.iri.org/sites/default/files/2010%20September%2016%20Survey%20of%20Iraqi%20Public%20Opinion,%20June%203-July%203,%202010(3).pdf)

<sup>10</sup> International Crisis Group: Loose Ends: Iraq's Security Forces Between US Drawdown and Withdrawal, Middle East Report N°99, 26 Oct 2010

<sup>11</sup> <http://speakhumanrights.org/index.php/blog/item/218-un-rights-chief-urges-us-iraq-to-probe-wikileaks-evidence>

**2. US Lack of accountability for human rights violations by US troops and contractors contributes to insecurity and challenges Iraq's sovereignty**

The US led invasion of Iraq and the post invasion decisions to simultaneously disband the Iraqi army and not provide enough coalition troops or other security personnel to protect key public assets – with the almost singular exception of the Ministry of Oil – set in motion an downward spiral of violence in the country directed against both the civilian population as well as the occupation forces. The decision cost the lives of tens of thousands of Iraqis as well as nearly five thousand US and allied deaths over the past eight years. It also set back by years any meaningful rehabilitation of the basic civilian infrastructure.

Billions of dollars, US and Iraqi, set aside for reconstruction rather than being used to put Iraqis back to work – especially those professionals who were among the first to flee from the growing chaos in the country – were squandered first by the Coalition Provisional Authority and then after 2005 by the first appointed Iraqi government. Outside contractors, with little or no accountability, collected billions in fees for projects never completed and for security services that directly fueled violent opposition to the US occupation.<sup>12</sup>

The US and Iraqi relations in the security, diplomacy and recovery assistance areas are governed by a “Status of Forces Agreement” (SOFA) negotiated between the previous US and Iraq governments in 2008.<sup>13</sup> Under the SOFA there will continue to be a large presence in Iraq of US personnel – civilian and military even after December 2011. This is troubling as their presence will influence Iraqi politics and may have the effect of complicating social reintegration and reconciliation in Iraq as well as Iraq's relations to its neighbors. The SOFA makes no reference to the moral and legal obligation of the US to compensate the people of Iraq for the damages it caused during the war and occupation.<sup>14</sup>

Even with the removal of US troops Baghdad will house the largest US embassy and associated civilian staff in the world. The stated purposes of a huge US civilian and armed contractor presence is to assist in Iraq's reconstruction and to enhance Iraq's ability to provide for its internal and external security over the coming years, questions arise: How will this investment be paid for? With the end of the civilian/military organized Provincial Reconstruction Teams (PRT) how will the US handle the security needs of several thousand civilian personnel? If it turns to contractors for security related services, will they be accountable to the Iraqi

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<sup>12</sup> THE IMPACT OF CPA DECISIONMAKING ON IRAQ RECONSTRUCTION,

<http://house.resource.org/110/org.c-span.196561-1.pdf>

<sup>13</sup> <http://levin.senate.gov/newsroom/release.cfm?id=304418>

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[http://thedonovan.com/Iraq\\_SOFA/SOFA%20FINAL%20AGREED%20TEXT%20\(US\)%2016%20Nov%20030.pdf](http://thedonovan.com/Iraq_SOFA/SOFA%20FINAL%20AGREED%20TEXT%20(US)%2016%20Nov%20030.pdf)

government and people or will they operate with the impunity that often typified their behavior during the years of occupation?

- **Complete the withdrawal of US military forces and reduce the planned number of civilian staff and contractors:** Further, the US should reconsider the planned deployment of thousands of civilian personnel whose security needs are to be met by employing thousands of security contractors. US civilian personnel can give expert assistance to the government of Iraq and help in Iraq's reconstruction provided they are working at the request of the Iraqi government and subject to Iraqi law.

**3. Elections and the protracted formation of a new Iraqi government point to the still fragile state of Iraqi political development and the capacity of the Council and Ministers to govern.**

To succeed the government of Iraq and the Parliament (Council of Representatives) must address the two basic concerns faced by Iraqis - the restoration of services and security. It must also be seen as working in the best interest of all the Iraqi people and not solely for a particular ethnic, regional or religious/sectarian interest or for an outside power. <sup>15</sup>

The protracted negotiations over the formation of the new government in Iraq were an indicator of the waning ability of the US to influence Iraqi politics. Both Al-Alawi's and Maliki's election coalitions appealed to Iraqi nationalist aspirations rather than align along Sunni-Shia sectarian lines. If Iraq is able to form a stable, broad-based government it may be in a better position to assert a more independent nationalist foreign policy with respect to its neighbors and the US

- **US non-interference in Iraqi politics:** The US should be clear that it will not interfere in Iraqi political affairs and that it will strictly abide by the terms laid down in the Status of Forces Agreement. USUSUS

**4. Lack of basic services for ordinary Iraqis**

As the security situation improves, , demand for basic services as a top priority increases. This is reflected in recent polls that show demands for services such as electricity, water and

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<sup>15</sup>The postelection polls confirmed that for the majority of Iraqis the two factors weighing most in their decisions regarding candidates were the candidate's qualifications and performance. The exception was in the Kurdish north, where by a large percentage ethnicity was the driving factor in the selection among candidates.

sanitation (66%) replacing security (24%) as the most significant problem facing Iraq. Demonstrations in the spring called on the government to do a better job of meeting basic human needs.

Income from Iraq's rehabilitated oil infrastructure along with legislation within the Council of Ministers governing the distribution of oil income was to be the main source for funding to rebuild Iraq's infrastructure. However, oil production is barely back to pre-1990 embargo levels and the necessary legislation regarding the sharing of oil wealth remains tied up in the Council.

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- **Oil for reconstruction not armaments:** The benefits of Iraq's oil wealth will need to be directed mostly toward rebuilding the civilian infrastructure. The US and other weapons exporters should refrain from encouraging Iraq to rebuild its armed forces through the purchase of expensive and difficult to maintain weapons systems that will tie up Iraq resources for years to come.

### 5. Displaced Iraqis (refugees and IDPs) and the slow pace of resettlement

First evident during the Iraq-Iran war and in the aftermath of Iraq's occupation of Kuwait has been the uprooting and displacement of millions of civilians. By July 2011 UN agencies reported that nearly 2 million Iraqis continue to live as refugees mostly in the neighboring countries of Syria and Jordan and another 1.5 million are internally displaced in Iraq.<sup>18</sup> According to the UN High Commission for Refugees (UNHCR) less than 20% are registered with the UNHCR as refugees. Lives have been shattered and many remain without homes or employment. AFSC has consistently drawn attention to the plight of displaced and refugee Iraqis through its education and advocacy work in the United States. Much of that advocacy was based on direct experience gained through humanitarian assistance projects in Jordan and Iraq.

In almost all cases over the past eight years Iraqis have fled their homes out of fear for their lives, and to date only a small fraction have chosen to return to Iraq. About 60,000 of the near 208,000 refugees registered with UNHCR have been resettled in third countries in Europe and North America. Between October 1, 2006 and September 30, 2011 the US admitted over 54,200 Iraqi refugees for resettlement.<sup>19</sup>

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<sup>16</sup> <http://www.eia.doe.gov/countries/cab.cfm?fips=IZ>

<sup>17</sup> Iraq's new govt to prioritise oil legislation [http://www.tradearabia.com/news/LAW\\_189666.html](http://www.tradearabia.com/news/LAW_189666.html)

<sup>18</sup> UNHCR 2011 profile for Iraq: <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e486426>

<sup>19</sup> US Department of State. <http://www.state.gov/g/prm/c25771.htm>

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Iraqi refugees in Jordan and Syria are coming under increased pressure to return to Iraq where they face an uncertain future. Neither Syria nor Jordan is prepared to host a large Iraqi refugee population over the long term. Unlike many other refugee situations, most Iraqi refugees live in the urban centers, sharing housing with family members and competing with local populations for affordable housing. Jordan and Syria place severe limits on Iraqi employment and the host governments do not fully recognize their status as refugees. There have been some improvements. For example, Iraqi parents are able to enroll their children in public schools.

Recent sectarian violence, most notably against the Iraqi Christian community, is likely to lead to further displacement and makes it less likely that refugees will voluntarily return to Iraq any time soon.

Experience from other sectarian conflicts, suggests that many displaced and refugee Iraqis will not return to their former homes and reconstitute the ethnically and religiously mixed communities that existed in Iraq prior to the war. For many years to come the Iraqi government will have to deal with an Iraq divided along sectarian lines. While this is a challenge that Iraqis will need to face themselves the international community may be able to help refugees adjust to the new realities as they plan to return to Iraq, if not to their former homes.

- **Increase the number of Iraqi refugees coming to the U.S:** The US bears a great deal of responsibility for this massive displacement. In the short term it should step up its assistance to Iraqi refugees living in neighboring countries, give financial support and assistance to host countries to relieve the significant economic and social burdens resulting from the presence of Iraqi refugees. The US should increase significantly the number of Iraqi refugees being resettled in the US. Funding for supportive services should be made available to host communities and sponsors.

## Conclusion and Policy Recommendations

No war is inevitable. Rather it is the result of a series of deliberate decisions taken, or not taken, by governments and their political leaders over time that creates the illusion of inevitability. No more so is this true than in the case of Iraq. Shortly after George W. Bush took office as President in 2001 the US government took deliberate steps to move away from the previous policy of a sanctions-driven and managed conflict. Instead, the Bush government believed that regime change in Iraq should come about through the sharp exercise of external force to topple the Saddam Hussein-led Ba'ath government. Further it believed that any US invasion of Iraq would be greeted warmly by Iraqis and that a new government could be put in place in relatively short order. The course of "inevitability" had been laid in these early months of 2001 but the events of September 11, 2001 became for many in the Bush administration key for convincing the US public of the inevitability of war with Iraq.

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Over the next year and a half the Bush administration built its case and by the time that the US and the “coalition of the willing” launched its attack in March 2003 it had effectively marginalized the many voices opposed to war within government, the Congress, media and public. All that has happened since March 2003 – the deaths of hundreds of thousands of Iraqis, nearly 5,000 US troops killed, the displacement of millions of Iraqis, political chaos in Iraq and the hundreds of billions of dollars spent over the past seven years – can be laid at the feet of the previous administration. But that in no way absolves the current administration from its responsibility toward the Iraqi people in helping them to recover from the US aggression. Nor does it absolve the US Congress from belatedly taking its oversight responsibilities seriously with respect to the conduct of the war past, present and future.<sup>20</sup>

In conclusion we offer the following recommendations to the US government, Congress and public:

- a. The US should completely withdraw its troops and contractors in a timely fashion**
  - i. The US government should reduce the size of the embassy staff now envisioned to be 16,000 people.
  - ii. The US Congress should exercise meaningful oversight of the withdrawal process including:
    1. Investigating and addressing human rights violations committed by US forces
    2. Ensure that US veterans receive the services they need upon their return
- b. The US should address humanitarian needs created by the invasion and accept its moral and legal obligations to compensate the people of Iraq for the damages it caused or allowed during the war and subsequent occupation.**
  - i. Significantly increase the number of Iraqi refugees it allows into the US and provide more assistance to Iraqi refugees once they are in the US
  - ii. Support refugees in Jordan and Syria, including working with and offering financial assistance governments of host countries.
  - iii. Advocate with and provide material support to the Iraqi government to enable it to do more to resettle refugees and support to internally displaced Iraqis

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<sup>20</sup> Having failed to challenge the government’s assertions and allegations leading to the war and for the first years of the occupation, the US media needs to reassert its traditional role as the “fourth estate” and serve as a check on the excesses of government. All too often the US press acted more as an arm of government (mis)information and contributed to the sense of inevitability among the public and within government. The information provide in the recent distribution of Iraq-related documents from WikiLeaks should have come as no surprise if the established press had done its job.

