

US Blunders in Iraq: De-Baathification and Disbanding the Army

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ABSTRACT In May 2003 Paul Bremer issued CPA Orders to exclude from the new Iraq government members of the Baath Party (CPA Order 1) and to disband the Iraqi Army (CPA Order 2). These two orders severely undermined the capacity of the occupying forces to maintain security and continue the ordinary functioning of the Iraq government. The decisions reversed previous National Security Council judgments and were made over the objections of high ranking military and intelligence officers. The article concludes that the most likely decision maker was the Vice President.

Early in the occupation of Iraq two key decisions were made that gravely jeopardized US chances for success in Iraq: (1) the decision to bar from government work Iraqis who ranked in the top four levels of Saddam's Baath Party or who held positions in the top three levels of each ministry; (2) the decision to disband the Iraqi Army and replace it with a new army built from scratch. These two fateful decisions were made against the advice of military and CIA professionals and without consulting important members of the President's staff and cabinet. This article will first examine the de-Baathification order and then take up the even more far reaching decision to disband the Iraqi Army.

Both of these decisions fueled the insurgency by: (1) alienating hundreds of thousands of Iraqis who could not support themselves or their families; (2) by undermining the normal infrastructure necessary for social and economic activity; (3) by ensuring that there was not sufficient security to carry on normal life; and (4) by creating insurgents who were angry at the US, many of whom had weapons and were trained to use them.

These two key decisions, however, were presaged by President Bush's decision in late April 2003 to remove Jay Garner and put Paul Bremer in complete charge of Iraq. Garner had experience in Iraq in the 1991 Gulf War and had been a career Army officer. In his preparations, he had worked closely with military planners. Bremer, who had no experience in Iraq or in

military occupations, worked in the Pentagon for the first nine days of May, and he arrived in Iraq on 12 May 2003.

In early May the plan had been to send to Baghdad both Paul Bremer and Alamy Khalilzad, who was a Suni Muslim, grew up in Afghanistan, and went to the University of Chicago; Bremer would be in charge of US reconstruction efforts, and Khalilzad was to help put a Muslim face on the occupation and facilitate the convening of an Iraqi assembly.¹ This was consistent with making a quick turnover of control of Iraq to the Iraqis. But the Bush administration decided that the US would not turn over Iraq until they found Iraqi leaders who were acceptable.

On May 6 the announcements for both appointments were ready for release, but at a lunch with President Bush, Bremer made the argument that the plan would violate the principle of unity of command and lead to confusion. Bush agreed and decided to send Bremer alone to lead the Coalition Provisional Authority and to give him supreme authority over all US actions in Iraq; Bremer was, in effect, the US Viceroy in Iraq. President Bush's important decision was made without consulting his Secretary of State or National Security Adviser.² According to Colin Powell, 'The plan was for Zal to go back. He was the one guy who knew this place better than anyone. I thought this was part of the deal with Bremer. But with no discussion, no debate, things changed. I was stunned'. Powell observed that President Bush's decision was 'typical'. There were 'no full deliberations. And you suddenly discover, gee, maybe that wasn't so great, we should have thought about it a little longer'.³

Further, these decisions were made in the face of CIA intelligence judgments that in the aftermath of an initial US military victory, that significant ethnic political conflict was likely to occur. The former chief of the CIA Directorate of Intelligence, Richard Kerr, headed a team to analyze the CIA's intelligence performance before the war in Iraq. Kerr concluded that the CIA 'accurately forecast the reactions of the ethnic and tribal factions in Iraq. Indeed, intelligence assessments on post-Saddam issues were particularly insightful. These and many other topics were thoroughly examined in a variety of intelligence products that have proven to be largely accurate'.⁴ Kerr concluded that policy makers, though relying heavily on the inaccurate judgments about WMD, largely ignored the accurate CIA

¹Roger Cohen, 'The MacArthur lunch', *New York Times*, 27 August 2007, <http://select.nytimes.com/2007/08/27/opinion/27cohen.html?_r=1> (accessed 5 February 2010).

²Michael Gordan and Bernard Trainor, *Cobra II* (New York: Vintage 2007) p.475.

³Cohen, 'The MacArthur Lunch'. For an analysis of similar decision making in the Bush White House, see James P. Pfiffner, 'Decision Making in the Bush White House', *Presidential Studies Quarterly* 39/2 (2009) pp.363–84.

⁴Citation: See Richard Kerr, Thomas Wolfe, Rebecca Donegan and Aris Pappas, 'Intelligence Collection and Analysis on Iraq: Issues for the US Intelligence Community' in James P. Pfiffner and Mark Phythian (eds.) *Intelligence and National Security Policy Making on Iraq: British and American Perspectives* (Manchester: Manchester University Press 2008) p.152. See also Richard Betts, *Enemies of Intelligence* (New York: Columbia University Press 2007) pp.14–6.

predictions of the effect of war on post-Saddam Iraq. Had the accurate CIA intelligence judgments about the effects of Saddam's fall been heeded by policy makers, they might have been more hesitant to de-Baathify the government and disband the Army.

Coalition Provisional Authority Order Number 1: De-Baathification

The decision by Bush to put Bremer fully in charge led to the first of the two blunders. In his de-Baathification order (Coalition Provisional Authority Order Number 1 of 16 May 2003), Bremer ordered that all senior party members would be banned from serving in the government and the top three layers of officials of all government ministries were removed, even if they were not senior members of the Baath Party. This included up to 85,000 people who, in Bremer's eyes, were 'true believers' and adherents to Saddam's regime.⁵ While Garner had planned a gradual approach to de-Baathification, Bremer's approach was more far-reaching and draconian.⁶

Bremer argued that the decision to ban Baathists from participating in a new Iraqi government was made by President Bush. In a sense, he was correct. The plans for de-Baathification were presented to Bush at 10 March 2003 NSC meeting by Douglas Feith.⁷ There was broad consensus that top level Saddam allies in the party had to be purged in order to show Iraqis that Saddam's influence was gone. The Office of Special Plans in Douglas Feith's office worked on the plans with Ahmed Chalabi and favored a deep de-Baathification of the Iraq government.⁸

Bremer said that on 9 May Feith showed him a draft of an order for the 'De-Baathification of Iraqi Society,' and later that day he received his 'marching orders' in a final memo from Rumsfeld.⁹ Feith said that the decision had been 'worked and reworked in interagency meetings, and by early May it had interagency clearance'.¹⁰ Once in Iraq, Bremer said that 'The White House, DoD, and State all signed off on this'.¹¹ Despite Feith's assertion that the decision had been cleared in an inter-agency process, the military had a distinctly different understanding of the policy and the CIA was not consulted.

The military interpretation of the purge was that it would apply to the top *two* levels of the Baath party, those who were clearly leaders, which

⁵Paul Bremer, *My Year in Iraq* (New York: Simon and Schuster 2007) p.39; Thomas Ricks, *Fiasco* (New York: Penguin Press 2006) p.160.

⁶Charles Ferguson, *No End in Sight: Iraq's Descent into Chaos* (New York: Public Affairs 2008) pp.147-8.

⁷Douglas Feith, *War and Decision* (New York: Harper 2008) p.427.

⁸Rajiv Chandrasekaran, *Imperial Life in the Emerald City* (New York: Vintage Books 2006) p.79.

⁹Bremer, *My Year in Iraq*, p.39; Ricks, *Fiasco*, p.39.

¹⁰Feith, *War and Decision*, p.427.

¹¹Bremer, *My Year in Iraq*, p.39; Ricks, *Fiasco*, p.40.

amounted to perhaps 6,000 people. But Bremer interpreted the de-Baathification policy to exclude the top *four* levels of the Baath Party as well as the top three levels in each government ministry.¹² This decision effectively eliminated the leadership and top technical capacity for universities, hospitals, transportation, electricity and communications. For instance in the Health Ministry a third of the staff were forced out, and eight of the top twelve officers in the organization were excluded.¹³ Although Bremer said that the order would affect only about 20,000 people, the total amounted to between 85,000 to 100,000 people.¹⁴ This included 'forty thousand schoolteachers, who had joined the Baath Party simply to keep their jobs'.¹⁵

Others in the administration did not believe that there was any consensus or even knowledge of the change in policy. CIA Director George Tenet said, 'In fact, we knew nothing about it until de-Baathification was a fait accompli ... Clearly, this was a critical policy decision, yet there was no NSC Principals meeting to debate the move'.¹⁶ The CIA station chief of Baghdad, when he learned of the decision, warned Bremer that he (Bremer) was about to fire the key technicians who operated the electric, water and transportation infrastructure of the country. He told Bremer, 'By nightfall, you'll have driven 30,000 to 50,000 Baathists underground. And in six months, you'll really regret this'.¹⁷

In disbanding most of the leadership of the Iraqi bureaucracy, Bremer ignored Max Weber's insight from a century ago: 'A rationally ordered system of officials [the bureaucracy] continues to function smoothly after the enemy has occupied the area; he merely needs to change the top officials. This body of officials continues to operate because it is to the vital interest of everyone concerned, including above all the enemy'.¹⁸ In this case, the occupying Americans did not act in their own best interests; Bremer did not understand this, though military leaders did. According to General Sanchez, Jay Garner had not intended to de-Baathify as deeply, and he said that the policy 'was not developed in Iraq by any member of the military. It had to have been brought in by Ambassador Bremer ...'.¹⁹ When asked to roll back the de-Baathification order, Feith said that it would 'undermine the entire moral justification for the war'.²⁰

¹²Ferguson, *No End in Sight*, p.155.

¹³Chandrasekaran, *Imperial Life*, p.82.

¹⁴Bremer, *My Year in Iraq*, p.39; Ricks, *Fiasco*, pp.40, 160; Ricardo S. Sanchez, *Wiser in Battle* (New York: Harper 2008) p.184.

¹⁵George Tenet, *At the Center of the Storm: My Years at the CIA* (New York: HarperCollins 2007) p.427.

¹⁶Tenet, *At the Center of the Storm*, p.426.

¹⁷Ricks, *Fiasco*, p.159.

¹⁸Max Weber, 'Bureaucracy' in H.H. Gerth and C. Wright Mills, *From Max Weber: Essays in Sociology* (New York: Oxford University Press 1946) p.229.

¹⁹Sanchez, *Wiser in Battle*, p.186.

²⁰Tenet, *At the Center of the Storm*, p.428.

In a note to his wife, Bremer said 'There was a sea of bitching and moaning ... [but] the president's guidance is clear: de-Baathification will be carried out even if at a cost to administrative efficiency'.²¹ Bremer also argued that his mass firing was mitigated because he provided for a case-by-case consideration of appeals to allow party members to return to government work. The problem was that he kept all authority for decisions to himself and put Ahmad Chalabi's nephew, Sam, in charge of the 'De-Baathification Council'. According to General Sanchez, the exile Chalabi, who had not been in Iraq for many years, was 'the worst possible choice' because of the exiles' hatred of the Baath Party and desire to play important roles in the new Iraq. Sanchez called the policy decision 'a catastrophic failure'.²²

Coalition Provisional Order Number 2: Disbanding the Iraqi Army

Even more important than the de-Baathification of civilian agencies of the Iraq government was the disbanding of the Iraqi Army. President Bush had agreed with military planners that the Army was essential for the internal and external security of the country. Jay Garner had briefed National Security Adviser Rice on the plans on 19 February, and the President was briefed in a NSC meeting on 12 March; there was a general consensus that the Iraqi army was essential to post-war security.²³ The story of how President Bush's March decision got reversed is a tangled one, with many major participants trying to deflect responsibility from themselves.

Bremer, against the advice of the Army and the professional planners, issued CPA Order Number 2 on 23 May 2003, which dissolved the Iraqi security forces. The security forces included 385,000 in the armed forces, 285,000 in the Interior Ministry (police), and 50,000 in presidential security units.²⁴ Of course those in the police and military units that were Saddam's top enforcers (e.g. the Special Republican Guard) had to be barred from working in the government. But many officers in the Army were professional soldiers, and the rank and file enlisted soldiers constituted a source of stability and order. The disbanding threw hundreds of thousands out of work and immediately created a large pool of unemployed and armed men who felt humiliated and hostile to the US occupiers. According to one US officer in Baghdad, 'When they disbanded the military, and announced we were occupiers – that was it. Every moderate, every person that had leaned toward us, was furious'.²⁵ The prewar plans of the State Department, the Army War College, and the Center for International and Strategic Studies had all recommended against disbanding the army.²⁶

²¹Bremer, *My Year in Iraq*, p.45.

²²Sanchez, *Wiser in Battle*, p.185.

²³Ricks, *Fiasco*, p. 160; Gordon and Trainor, *Cobra II*, p.492.

²⁴Ricks, *Fiasco*, pp.162, 192.

²⁵Ricks, *Fiasco*, p. 164.

²⁶James Fallows, 'Blind into Baghdad', *Atlantic Monthly* (January/February 2004) pp.52–74.

Bremer Justification and Rebuttals

In defense of his decision to disband the security forces in Iraq, Bremer proffered several arguments. He and his aide Walter Slocombe both argued that by the time they arrived in Iraq the Iraqi Army had been defeated and disbanded itself. Douglas Feith argued that '*the facts on the ground had changed*' (italics in original).²⁷ Bremer was right insofar as the Iraqi Army had not remained in their garrisons as units and most of the buildings had been destroyed. But one of the reasons Iraqi soldiers had not stayed to fight the Americans in 2003 was that, beginning in June of 2002, US military psy-ops planes had dropped leaflets over the country that warned the Iraqi army not to fight the US invasion. The leaflets promised that if Iraqis refused to fight for Saddam the soldiers would be accepted back into a post-Saddam Iraq army.²⁸ When Walter Slocombe arrived in Iraq, he considered all Iraqi soldiers to be Saddam loyalists and cowards who refused to fight. But Col. John Agoglia said to him:

Sir, we asked them to do that (not to fight). They did exactly what we asked ... They're waiting to be recalled ... Guys in uniform like me think it's a good idea they didn't stand and shoot and fight ... We think it's time to recall these guys and bring them back on board.²⁹

Bremer and Slocombe also argued that the infrastructure of the Army was destroyed and that there were no units to bring back into service but merely individuals scattered about the country. But according to Colin Powell, 'The troops might have been gone, but the army was not going. There was a structure there. There were units. There was an infrastructure'. The plan was to 'get rid of the officers who were Saddamites, and rebuild it from a structure that existed, not from ground zero all brand new'.³⁰ General Abizaid had approached former generals about returning to duty and received a positive response. He planned to recall the units, to train them, and to get them into the field. Bremer, however, wanted to work from the bottom up, 'exactly the opposite to GEN Abizaid's approach. And it put us in a hell of a bind'.³¹

In fact, progress was already being made in bringing back members of the Iraqi Army. Col. Paul Hughes had been negotiating with Iraqi officers, and by mid-May 2003, 137,000 applicants had registered to come back to their positions.³² A primary motivator for the enlisted men was the \$20 paycheck

²⁷Feith, *War and Decision*, p.432.

²⁸Michael Gordon, 'Fateful choice on Iraq army bypassed debate', *New York Times*, 17 March 2008, p.1 <http://www.nytimes.com/2008/03/17/world/middleeast/17bremer.html?_r=1&pagewanted=print>.

²⁹Quoted in Ferguson, *No End in Sight*, pp.208–9 and pp.213–4.

³⁰Quoted in Gordon, 'Fateful choice'.

³¹Sanchez, *Wiser in Battle*, p.190.

³²Ferguson, *No End in Sight*, pp.175–9.

that represented a large portion of their annual income; without any job or income, they were likely to be resentful of the American occupiers and vulnerable to any insurgent organization willing to pay them.³³ Nevertheless, Bremer issued a memo on 14 May ordering Americans to stop negotiations with the Iraqi military.³⁴ Intelligence estimates indicated that the majority of the army could have been recalled within a two-week period and put to useful work.³⁵ As it turned out, what were perceived by Iraqi officers as broken promises by the Americans, had a predictably negative effect on attitudes toward the United States.³⁶

How the Decision was Made

In a NSC meeting on 12 March 2003 there was a consensus that the US forces would use the Iraqi Army to help provide internal and external security in post-war Iraq.³⁷ Yet on 23 May, CPA head Paul Bremer issued CPA Order Number 2 that ‘dissolved’ the Ministry of Defense, the military services, the national assembly and many other organizations central to Iraq under Saddam. How did this crucial reversal come about?

Paul Bremer and Walt Slocombe planned to disband the security forces and create ‘an entirely new Iraqi army’.³⁸ They worked on the policy when they were working in the Pentagon, and according to Bremer, Rumsfeld approved an outline of the plans on 9 May.³⁹ On 19 May Bremer, in a memo, updated Rumsfeld about the final form of the plan.⁴⁰ The authority for the order seemed to come from the White House; according to Tenet, Bremer told Garner that the decision was made ‘at a level “above Rumsfeld’s pay grade”’.⁴¹

After the draft order was reviewed by Feith on 22 May, Bremer sent President Bush a three page letter which was an update on conditions in Iraq. Near the end of the letter he mentioned that he was going to dissolve ‘Saddam’s military and intelligence structures’.⁴² In the NSC meeting that same day Bremer ‘informed the president of the plan in a video teleconference’.⁴³ President Bush did not formally decide to reverse his decision of 12 March, but Bremer interpreted his lack of questions as

³³ Author’s interview with retired Col. Paul Hughes, 4 March 2009, Washington.

³⁴ Ferguson, *No End in Sight*, p.197.

³⁵ Tenet, *At the Center of the Storm*, p.429.

³⁶ Ferguson, *No End in Sight*, p.190.

³⁷ Gordon, ‘Fateful choice’.

³⁸ Feith, *War and Decision*, p.432.

³⁹ Bremer, *My Year in Iraq*, p.39; Ricks, *Fiasco*, p.54; Feith, *War and Decision*, p.208; Gordon, ‘Fateful choice’.

⁴⁰ Bremer, *My Year in Iraq*, p.39; Ricks, *Fiasco*, p.57; Feith, *War and Decision*, p.432.

⁴¹ Tenet, *At the Center of the Storm*, p.429.

⁴² Edmund Andrews, ‘Envoy’s letter counters Bush on dismantling of Iraq army’, *New York Times*, 4 September 2007, <<http://www.nytimes.com/2007/09/04/washington/04bremer.html>> (accessed 5 February 2010).

⁴³ Bremer, *My Year in Iraq*, p.57.

approval. Bremer later said ‘I don’t remember any particular response from that meeting. If there had been an objection, I would have made note of it then’.⁴⁴ Bremer also recalled: ‘I might add that it was not a controversial decision. The Iraqi Army had disappeared ...’⁴⁵ A White House official said ‘it was fairly clear that the Iraqi Army could not be reconstituted, and the president understood that’.⁴⁶

Bremer’s impression that Bush had approved his order was reinforced in a 23 May letter that Bush wrote to Bremer (the day of the proclamation): ‘Your leadership is apparent. You have quickly made a positive and significant impact. You have my full support and confidence’.⁴⁷ Despite Bremer’s contention that the decision had been fully briefed and vetted by all necessary parties, others did not remember things the same way.

The decision by Bremer, seemingly approved by President Bush at the 22 May NSC meeting, was seen by other participants in policy making on Iraq as having been slipped by President Bush without the necessary vetting by other responsible parties in the government. Franklin C. Miller, a participant in NSC plans for postwar Iraq said,

Anyone who is experienced in the ways of Washington knows the difference between an open, transparent policy process and slamming something through the system ... The most portentous decision of the occupation, disbanding the Iraqi army, was carried out stealthily and without giving the president’s principal advisors an opportunity to consider it and give the president their views.⁴⁸

Importantly, Colin Powell was out of town when the decision was made (as he had been when President Bush initially decided to suspend the Geneva Conventions), and he was not informed about it, much less consulted. One might expect that the Secretary of State, especially one with a distinguished military career, would have the opportunity to comment on such an important policy change, but he was left out entirely. Powell later recalled: ‘I talked to Rice and said, “Condi, what happened?” And her reaction was: “I was surprised too, but it is a decision that has been made and the president is standing behind Jerry’s decision. Jerry is the guy on the ground” And there was no further debate about it’.⁴⁹ The irony is that Powell, aside from being Secretary of State, was the only one of the principals with combat experience. Bremer had not had any experience in the military, occupying countries or the Middle East; this was his first time in Iraq, and he had been ‘on the ground’ for only 11 days when he gave the order. The order greatly upset US military commanders who had not been consulted and who had

⁴⁴Gordon, ‘Fateful choice’.

⁴⁵Andrews, ‘Envoy’s letter’.

⁴⁶Ibid.

⁴⁷Ibid.

⁴⁸Gordon, ‘Fateful choice’.

⁴⁹Ibid.

planned all along to use most of the Iraqi Army to help stabilize Iraq after the invasion.

Colonel Michael Barron, as senior advisor to Jay Garner, participated in the heated discussions between Garner and Bremer over the CPA orders 1 and 2. Barron had been involved in the Army planning for the post-military victory administration of Iraq, and the assumption all along had been that reestablishing the Iraqi Army was essential for both security and economic reasons. Bremer, however, arrogantly dismissed the concerns of military leaders and continued to insist that in making the decisions he was following the president's orders and that they were final. He could not be dissuaded by Garner's objections or the military planners' concerns.⁵⁰

The order had not been cleared through any normal policy process. Feith admitted he did not bring it up in the deputies meetings but said that he had 'received detailed comments back from the JCS'.⁵¹ But Richard B. Myers, chair of joint chiefs then, said: 'I don't recall having a robust debate about this issue, and I would have recalled this'.⁵² In Iraq, Army Col. Greg Gardner, was tasked by Slocombe to get General McKiernan's reaction to the plan the day before it was issued (McKiernan was at Baghdad airport, while Bremer was in Green Zone). Gardner said that a member of McKiernan's staff told him over the phone that McKiernan accepted the policy decision.⁵³ McKiernan, however, denies that he was consulted: 'I never saw that order and never concurred. That is absolutely false'.⁵⁴ Gen. Peter Pace, vice chair of JCS said, 'We were not asked for a recommendation or for advice'.⁵⁵ Central Command in Florida was also surprised by the decision.⁵⁶ Paul Pillar, National Intelligence Officer for the Near East and South Asia, said that the intelligence community was not consulted about the decision.⁵⁷

Bremer's response to the above issues was: 'It was not my responsibility to do inter-agency coordination'.⁵⁸

President Bush himself was vague on how the decision to reverse the 12 March NSC consensus was made. When asked in 2006 by his biographer, Roger Draper, about the decision, Bush replied 'Well, the policy was to keep the army intact. Didn't happen'.⁵⁹ 'Yeah, I can't remember, I'm sure I said, "This is the policy, what happened?"'⁶⁰

⁵⁰Personal e-mail from Michael Barron to the author, 16 March 2009.

⁵¹Feith, *War and Decision*, p.433. The quote is from Andrews, 'Envoy's letter'.

⁵²Gordon, 'Fateful choice'.

⁵³Ibid.

⁵⁴Ibid.

⁵⁵Andrews, 'Envoy's letter'.

⁵⁶Ricks, *Fiasco*, pp.163.

⁵⁷Ferguson, *No End in Sight*, p.219.

⁵⁸Gordon, 'Fateful choice'.

⁵⁹Robert Draper, *Dead Certain: The Presidency of George W. Bush*. (New York: Free Press 2007) pp.211, 433.

⁶⁰Andrews, 'Envoy's letter'.

Conclusion

The above accounts indicate that neither President Bush nor the White House staff followed any regular policy process before the momentous decisions to disband the Iraqi army and de-Baathify the government were made. But what is known is that the decision was made *against* the judgment of Jay Garner, the senior CIA officer in Iraq, and military planners. In addition, it was made *without* consultation with: Secretary of State Colin Powell, National Security Adviser Rice, Chair of the Joint Chiefs of Staff General Myers, Vice Chair General Peter Pace, General McKiernan, CIA Director George Tenet, or Intelligence Community lead for the Middle East Paul Pillar.

It is possible that Bremer made the decision entirely on his own. But it seems unlikely that the Bush White House would allow this to happen. Given what is publicly known now, the likely range of decision makers is narrow. President Bush implied that he did not make the decision, and George Tenet said that it was made 'above Rumsfeld's pay grade'. As in Arthur Conan Doyle's short story, 'Silver Blaze,' something might be inferred from the failure of any White House staffers to defend or explain the decisions.⁶¹ The Vice President's office was known for its opacity and lack of leaks; the dogs that did not bark might very well have been Cheney's loyal staffers.

⁶¹A reference to the Conan Doyle story was made by Fred Kaplan in 'Who disbanded the Iraqi Army?' *Slate*, 7 September 2007, <www.slate.com>.

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