

**IRAQ: BUILDING A NEW  
SECURITY STRUCTURE**

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## IRAQ: BUILDING A NEW SECURITY STRUCTURE

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

For the foreseeable future, Iraq's security will be in the hands of Coalition forces. As a result, how the Coalition Provisional Authority (CPA) chose to deal with the country's former military and how it is now going about starting up a new army may not have immediate security implications. But both courses have decisive political implications, and both appear, at a minimum, to have been poorly thought out and recklessly implemented. They heighten the risk that the Sunni population will be further alienated, that the military will be perceived as a prolongation of, rather than a substitute for, the occupation and that, far from helping to forge a new collective national identity, it will become an arena for renewed internal political, sectarian and ethnic conflict. A significant course correction is required in order to lay the foundations for a stable, and stabilising, indigenous security structure.

Disbanding the former army was almost certainly the most controversial and arguably the most ill-advised CPA decision. The 23 May 2003 decree, one of the first promulgated by the new civil administrator, Paul Bremer, in one fell swoop reversed prior U.S. policy and put an end to an institution whose origins predated Saddam Hussein's rule, whose identity was distinct from that of his Baathist regime, and which has been intimately linked to the history of the Iraqi nation-state since the 1920s.

The decision caused an immediate backlash. The humiliating treatment meted out to former soldiers and the absence of a plan to get them back to work on reconstruction and humanitarian tasks alienated a significant part of the population. It was the more infuriating since the Coalition was recruiting from the security and intelligence services, which were far more loyal to the Baathist regime and far more implicated in its repression. Hundreds of thousands of former soldiers, most of whom had displayed no

loyalty to the regime and many of whom were too young to have participated in the atrocities in which the army had played a part, found themselves without pay, future and honour. Coupled with the sweeping de-Baathification decree, the order further alienated Sunnis, who were disproportionately represented at senior levels in both party and army.

Iraqis interviewed by ICG typically did not consider the army an extension of the regime; at a critical time, it distanced itself from Saddam Hussein and, rather than fight, deserted its positions, abandoning weapons and letting the regime's elite units and party militias engage the invading forces. The CPA's decision to undo this last remaining symbol of sovereignty and national unity contributed to the perception that the liberators were in fact occupiers.

Political pressure in Iraq coupled with mounting security problems subsequently led the CPA to modify its approach. It agreed to pay former soldiers and facilitate their return to civilian life. As part of an effort to "Iraqify" the political and military processes, it sped up formation of the New Iraqi Army (NIA). Concurrently, it set up a myriad of security forces, relying in part on politically-affiliated militias.

At times, these steps have had a haphazard quality. NIA soldiers have been underpaid and poorly treated, leading up to half the first battalion to resign. The command has been exclusively and visibly American, without even an Iraqi defence ministry for political oversight, undermining the notion that a legitimate Iraqi institution is being established. Instruction has been curtailed, raising questions about troop quality. Candidates for the security forces were recommended by Iraqi intermediaries (political parties, tribal chiefs, provincial governors and notables) only too content to promote their allies. The latest idea – to draw on armed militias from political

parties – raises alarms among many Iraqis (and within the CPA), who fear privatisation, atomisation and politicisation of the security institutions.

The CPA points out that these are transitional measures, dictated by immediate demands, and which a sovereign Iraqi government can build upon or discard. The increased presence of Iraqi forces on the streets has indeed enhanced people's sense of safety. However, these temporary measures are liable to have long-lasting and negative political effect.

A military viewed as neither credible nor national and that is poorly trained, divided along ethnic and sectarian lines and in which politicised militias play a part is not the ideal foundation upon which to construct a stable, legitimate political system. The CPA's relatively cavalier approach to the old and new armies and the security structure as a whole sends the wrong message as to how seriously it regards the transfer of sovereignty. Rather than a vehicle for national unity, the emerging army is becoming an instrument of political feuding that Sunnis view as a symbol of their disenfranchisement and others seek to shape in their favour.

Notwithstanding repeated calls from Iraqis, genuine security responsibility is not about to be transferred to them; "Iraqification" will be a long and gradual enterprise. The security challenges are still too daunting; with the political struggle intense and uncertain, the risks of political or sectarian manipulation are too great.

It is critical, therefore, that decisions the CPA takes regarding Iraq's security structure reflect long-term planning, not short-term expediency, so that the foundations can be laid for a more legitimate, professional and Iraqi-led military. Indeed, there are encouraging signs that the CPA is responding constructively to criticism and is reconsidering some of its earlier decisions. It and the Interim Governing Council need to shift course and embark on a series of measures that meet the following requirements:

- ❑ turning over decision-making and command of the future military to Iraqis;
- ❑ taking the building of a military seriously, not as a political gimmick, and protecting it from political and sectarian influences; and

- ❑ including all Iraqis – Sunnis and former Baathists in particular – who have not engaged in crimes or human rights violations.

## **RECOMMENDATIONS**

### **To the United States Government and the Coalition Authorities:**

1. Take immediate steps to increase the attractiveness of service with the New Iraqi Army (NIA), such as by increasing pay and instituting social benefits, including pensions and health insurance, for soldiers and officers, and extending these benefits to their families.
2. Authorise the creation of a defence ministry in the interim Iraqi cabinet charged in particular with overseeing the demobilisation and reintegration of military personnel and the establishment of the new armed forces.
3. Limit reliance on intermediary institutions such as political parties, provincial governors or tribal notables for the recruitment of soldiers and turn instead to a transparent method of direct enlistment of individual volunteers.
4. Establish professional review boards to evaluate applications by officers of the former Iraqi Army for positions in the NIA, including those with senior rank, and to weed out and ban officers who committed crimes during their service in the old army.
5. Curtail the use of private security firms by limiting as much as possible the sub-contracting of security responsibilities, in particular by phasing out the use of contractors for training the NIA, turning instead to military forces of Coalition members and, if possible, NATO.
6. Reverse any decision to incorporate Iraqi militias in the security structure and work instead on a plan for the eventual demobilisation and reintegration of militia members as part of the return of full sovereignty to Iraq.
7. Do not reduce training cycles for members of the NIA.

### **To the Interim Governing Council:**

8. Appoint a professionally competent defence minister not affiliated with any political party and enjoying broad respect within the military to launch a comprehensive program to deal with

former soldiers and with the NIA, including reintegration, retirement for officers of the appropriate age, allocation of pension and other social benefits, job training and placement for younger soldiers.

9. Create a National Security Council – including the Interim Governing Council’s sub-committee responsible for security, the interior minister, the defence minister (if appointed) and representatives from the governorates – charged with defining Iraq’s security policy, overseeing the establishment of the various security branches and liaising with the CPA.
10. In coordination with the CPA:
  - (a) launch a nation-wide information campaign to educate Iraqis on opportunities for service within the various security forces;
  - (b) open recruitment offices throughout the country; and
  - (c) offer prospective recruits in the various security forces a contract that contains clear information regarding work conditions, requirements and pay.

**To Members of the International Community and of NATO in Particular:**

11. Send military instructors to Iraq to train the NIA.

**Baghdad/Brussels, 23 December 2003**

## IRAQ: BUILDING A NEW SECURITY STRUCTURE

### I. INTRODUCTION

#### A. BRITISH RULE AND THE ORIGINS OF THE IRAQI MILITARY

The now defunct Iraqi army was established in January 1921, well before the contours of the future Iraqi state had been clearly defined.<sup>1</sup> Its history closely parallels that of the nation-state and is marked by repeated interference with the country's political process.

After the British conquered Mesopotamia during the First World War, they quickly concluded that the best way to perpetuate their rule, diminish its cost and lessen the burden on their forces was to establish an Iraqi army. Building on the Ottoman legacy, they facilitated the return of approximately 300 officers from the Turkish army, predominantly from the Sunni sectors of the three *vilayet* (provinces) of Mosul, Baghdad and Basra.<sup>2</sup> Mostly trained in Istanbul's military academies, many had participated in Sharif Hussein's Arab Revolt in 1916 before joining his son, Prince Faisal, in Syria (1918). Once crowned Iraq's king by the British, Faisal relied on them to form the core of an army he saw as the country's "primary tool of education and state-building".<sup>3</sup>

The seeds of Iraq's militarisation can be traced to this period. Indeed, from its inception, the Iraqi military focused on more than defending the nation against foreign threats; its mission extended to protecting the

monarchy against internal foes.<sup>4</sup> Over the opposition of the British and of many Iraqis, the monarchy instituted compulsory military service in 1934; the army grew from 10,000 in 1929 to 41,000 in 1941. From the outset, Iraq's education system was infused with martial symbolism, including the recruitment of young men in paramilitary organisations known as the *futtuwa*, and the dissemination of militaristic values.<sup>5</sup> Moreover, because Iraq lacked sufficient administrative and political cadres, the senior officer corps, which was bound together by strong family ties, quickly became the dominant political player, exerting both direct and indirect influence; many members of the scientific and administrative elite, lured by its prestige and resources, chose a military career. Ultimately, the officers viewed themselves as having a sacred mission – to fight for national independence and engineer a top-down social transformation. They helped shape Iraq's ambitious – at times expansionist – perception of its regional role. Most political parties were forced to cultivate alliances with the senior ranks to enjoy any measure of influence.<sup>6</sup>

More often than not, the military took political matters directly into its own hands. From the time of General Bakr Sidqi's putsch in October 1936, it gradually perfected the technique of the coup.<sup>7</sup> On

<sup>1</sup> See Mohammad A. Tarbush, *The Role of the Army in Politics: A Case Study of Iraq to 1941* (London, 1982).

<sup>2</sup> See Hanna Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq. A Study of Iraq's Old Landed and Commercial Classes and of its Communists, Ba' thists and Free Officers* (Princeton, 1978), pp. 319-361.

<sup>3</sup> See Toby Dodge, *Inventing Iraq. The Failure of Nation-Building and a History Denied* (London, 2003), p. 140.

<sup>4</sup> Under the monarchy, the army repeatedly served as an instrument of repression against centrifugal forces that were deemed to threaten the country's territorial integrity: Kurds, Assyrians, Yezidis and tribes from the mid-Euphrates and southern areas, all of which expressed varying degrees of autonomy vis-à-vis the central authorities, refusing to pay taxes or to be drafted into the army.

<sup>5</sup> See Andrew Parasiliti, "The Military in Iraqi Politics", in J. Kechichian (ed.), *Iran, Iraq and the Arab Gulf States* (Hampshire), pp. 83-94.

<sup>6</sup> The Iraqi model is in this respect far from unique, and shares much in common with Egypt, Syria and Algeria.

<sup>7</sup> On Bakr Sidqi, see Stephen H. Longrigg, *Iraq, 1900 to 1955. A Political, Social and Economic History* (Oxford, 1953), pp. 247 and following.

each occasion, whether it eventually succeeded or failed, the scenario was roughly the same: one or more army units would march on the royal palace (which, after 1958, became the republican palace); they would target radio and television buildings and other key power centres (defence and interior ministries, for example); and issue “communiqué number 1” (*bayan raqm wahid*) naming the officers who had led the coup and announcing the onset of their rule. The affair typically would end in vengeful blood-letting, sham trials, executions or exile.

The British had in mind a relatively small, elitist, tribally-based army, backed by a powerful air force<sup>8</sup> and irregular forces such as the “levies”.<sup>9</sup> What emerged was quite different: a large conscript army that became the repository of national identity and embodiment of state sovereignty. But one of its principal features remained unchanged: Sunni hegemony within the upper ranks. The discriminatory admissions policy instituted by the British favoured members of Sunni Arab tribes, principally the sons of tribal sheikhs, to the detriment of Shiites and Kurds. The army thus was and remained an important vehicle of social climbing for rural Sunnis. That is why many from the small, impoverished village of Tikrit – Saddam Hussein’s birthplace – joined even prior to the advent of the Iraqi Republic.

In May 1941, following the “colonel’s putsch” – which combined strong nationalist feelings with pro-German leanings – British forces reoccupied Iraq. The army was confined to the political sidelines until the July 1958 revolution during which a new generation of “free officers”, Arab nationalists for the most part from the lower social classes and

clandestinely organised, seized power, ending the Hashemite kingdom and British influence.<sup>10</sup>

Authoritarian military rule established itself firmly during the republic’s first decade (1958-1968). The highly politicised officer corps rose from 4,000 to 10,000,<sup>11</sup> and its social status and influence grew at an equivalent rate. The army held key government portfolios (president, prime minister, defence minister, interior minister, head of internal security), and the constant threat of a coup affected the behaviour of all political actors. Among the results was increased personalisation and concentration of power in the hands of military leaders – beginning with Qassim and the Arif brothers, who feared a repeat of their own deeds.<sup>12</sup> Attempts to neutralise and pacify the army, chiefly by granting officers material privileges, proved futile. Having entered politics, they were unable to overcome divisions rooted in ideology, social class and ambition. Step by step, they led Iraq down the path to repressive, authoritarian rule. The strong aspiration for social justice that drove them at the beginning got lost in a brutal struggle for power, with each successive military government claiming to be “provisional” and promising to hold elections that never came.

## B. THE BAATHIST MILITARY

It took the advent of Baathist rule in 1968 to put an end to this period of instability.<sup>13</sup> Although the Baathists themselves had “jump[ed] on a couple of tanks and overthr[e]w the government”,<sup>14</sup> they sought both to keep the military in a subordinate position and to civilianise the regime. During their first year in power, they purged several thousand officers suspected of sympathising with other parties (such as Nasserists or communists). While highly decorated officers gradually were evicted from the Revolutionary Command Council, Saddam Hussein – himself lacking any military background – assumed the title of general in 1976. Using various tools –

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<sup>8</sup> Toby Dodge has evoked the “‘despotic’ power of airplanes” in explaining this preference. “Neither side in Baghdad (the British and the Hashemite political elite) had the resources to create an efficient army. Reliance upon the air force remained the state’s means of enforcing its will. Unlike that of the army, airplanes enabled the rapid deployment of retribution against rebels”. Dodge, op. cit., pp. 144-145.

<sup>9</sup> Levies were recruited beginning in 1915 as auxiliaries to the British armed forces; they focused on maintaining law and order and gradually turned into an ethnic-based force exclusively comprised of Assyrians. They were directed and funded by Great Britain until 1950, at which time they were dissolved. Levies were used in particular to crush the Kurdish revolts. See David Omissi, “Britain, the Assyrians and the Iraqi Levies”, *Journal of Imperial and Commonwealth History*, Vol. 17, No 3, 1989.

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<sup>10</sup> On the origins of the free officers and the regime of General Qassim, see Alaa Tahir, *Irak, Aux Origines du Régime Militaire* (Paris, 1989).

<sup>11</sup> See Batatu, op. cit., p. 1126.

<sup>12</sup> See ICG Middle East Report N°6, *Iraq Backgrounder: What Lies Beneath*, 1 October 2002.

<sup>13</sup> Ibid., pp. 4-5.

<sup>14</sup> Saddam Hussein, quoted in A. Parasiliti and S. Antoon, “Friends in Need, Foes to Heed: The Iraqi Military in Politics”, *Middle East Journal*, Vol. VII, N°4, October 2000, p. 130.

repression, surveillance and corruption – the regime sought to “emasculate”<sup>15</sup> or, at the very least, control the senior officer corps and create an “ideological army” (*jaysh aqa’idi*) at the Baath Party’s service.

Any dissident political activity within the armed forces was punishable by death, and admission to the Military Academy was restricted to party members. Despite strict disciplinary rules, relations between the regime and the superior officers were marked by mutual suspicion and mistrust. To diminish the military’s influence further, the Baathists promoted the secret services (*mukhabarat*), which were under the President’s control; by the early 1970s, the military itself had been divided into competing bodies. The loyalty of conscripted soldiers was unproven at best, so other institutions were created. The Republican Guard was set up to protect the president. Under his direct authority, it began as an elite body that rapidly grew into a powerful force with offensive capabilities, equipped with superior weaponry, staffed principally by members of Sunni tribes allied with the regime and enjoying vast privileges.<sup>16</sup> It also was a formidable instrument of repression. Another institution, the Popular Army, operated under a separate chain of command and was charged with policing society in peacetime and controlling the hinterland during such periods as the eight-year war with Iran. It was a paramilitary organisation, under the Baath Party, and comprised chiefly of those (professionals or individuals otherwise engaged, such as teachers and students) who were not serving in the regular army.

The Baathist regime thus implemented two steps that were contradictory in appearance only: it sidelined the regular armed forces and their senior command from the political field, giving ultimate decision-making to civilians; but at the same time, it vigorously militarised Iraq, vastly increasing the armed forces and, in the aftermath of the 1973 Arab-Israeli war, engaging in an ambitious armament program<sup>17</sup> and promoting a belligerent nationalism.<sup>18</sup> The army

grew roughly tenfold from 1968 to 1980 – from 50,000 to approximately half a million; by that time, military expenses were some 70 per cent of the gross national product. The proportion of the population serving in the military exceeded that of any other Arab country. The regime’s official discourse increasingly glorified the army and the use of force; during the Iran war, Saddam Hussein ordered all his ministers to dress in military uniforms. The army was described as “the factory of heroes” (*masna’ al-abtal*) and “the crown of the people” (*taj al-sha’b*).<sup>19</sup> The Iran war cost the military dearly but endowed it with renewed popular legitimacy; it no longer was perceived as focusing exclusively on the struggle against the “internal enemy,” but also on defence of the homeland and the Arab nation as a whole.<sup>20</sup>

The army had become a vast social and economic institution, by almost any measure the nation’s foremost corporate entity. Through its scholarship system, the ministry of defence attracted numerous students, principally in science. Many were sent to study abroad and now count among the best educated Iraqis. The army had a strong presence in the health sector, where it employed roughly 1,000 doctors and 15,000 paramedics deployed in 25 hospitals throughout the country.<sup>21</sup> It was similarly active in housing and construction. Military industrialisation reached its peak as a result of the Iran war.

The military’s multiple roles – as instrument of the Baathist regime, but also as its target; as promoter of nationalist values, but also as tool of domestic repression – account for the Iraqi people’s complex and at times contradictory attitude toward it. The only statue to survive the collapse of the Baathist regime in 2003 was that of General Adnan Khairallah Tulifah, even though he had been minister of defence, was originally from Tikrit, and was Saddam’s maternal cousin. It remained untouched in the heart of Baghdad because for many he embodied the army’s patriotism in the brutal struggle against Iran. That many Iraqis blamed Saddam for his death in a 1989 helicopter crash only further enhanced his

<sup>15</sup> See Amatzia Baram, “Saddam Hussein, the Ba’th Regime and the Iraqi Officer Corps”, in Barney Rubin and T.A. Keaney (eds), *Armed Forces in the Middle East* (London 2002), pp. 206-230.

<sup>16</sup> See generally David Baran, “L’adversaire irakien”, *Politique Etrangère*, April 2003.

<sup>17</sup> For a description of the metamorphosis of Iraq’s armed forces since 1968, see *idem*.

<sup>18</sup> See Isam al-Khafaji, “War as a Vehicle for the Rise and Demise of a State-Controlled Society. The Case of Ba’thist Iraq”, in S. Heydemann (ed.), *War, Institutions and Social Change in the Middle East* (Berkeley, 2000) pp. 258-291.

<sup>19</sup> See Ofra Bengio, *Saddam’s World, Political Discourse in Iraq* (Oxford, 1998), pp. 146-161.

<sup>20</sup> See Christine Moss-Helms, *Iraq: Eastern Flank of the Arab World* (Brookings, Washington DC, 1991).

<sup>21</sup> ICG interview with former director of the al-Rashid centre for cardiac surgery, which fell under the defence ministry’s supervision, Baghdad, 1 September 2003.



standing and probably helped preserve his statue.<sup>22</sup> At the same time, in Basra, many statues of soldiers pointing an accusatory finger toward Iran that once dotted the corniche on the banks of the Shatt-al-Arab have been knocked down or damaged. These two examples illustrate the ambivalent stance toward the military. There is strong resentment of its internal role and participation in endless wars, for which senior officers are held directly responsible. A ten-year conscript who was demobilised in 1992 told ICG:

While ordinary soldiers saw their lives destroyed during all these years because of the slaughter that took place in the war with Iran, the officer corps was spared. I did not see a single one of them die on the front lines. They stayed behind and cared about one thing only: Saddam's next largesse, the size of the plot of land they would receive or the type of car he would offer them. When Saddam had less to give, they simply took more through graft.<sup>23</sup>

But there is also a powerful nationalistic, patriotic feeling infused with military pride that accounts for a certain attachment to the army. A schoolteacher told ICG that "regardless of the crimes the army may have committed, it belongs to the people and remains the symbol of national unity".<sup>24</sup> This is not an isolated sentiment. Feeding it was the myth of its power – portrayed as the fourth largest in the world and armed with considerable firepower.

Not all Iraqis share these feelings in equal measure. Kurds in particular are prone to underscore their struggle against the army, as well as its resort to extreme means to subdue them.<sup>25</sup> Likewise, a significant portion of Islamist Shiite militants feel hostile toward an institution they associate with fierce domestic repression and discrimination in favour of Sunnis.<sup>26</sup>

<sup>22</sup> While much has been made of the destruction of statues, some – principally those made of bronze – were stolen; the metal used to make them was subsequently sold.

<sup>23</sup> ICG interview, Baghdad, August 2003.

<sup>24</sup> ICG interview, Baghdad-Sadr City, August 2003.

<sup>25</sup> ICG interviews with Adel Murad, from the PUK, Baghdad, September 2003 and with Rast Nouri, from the KDP, Baghdad, October 2003.

<sup>26</sup> For the movement of Muqtada al-Sadr, the decision to dissolve the army reflected a "genuine intention by the Coalition to provoke chaos in Iraq and thereby justify its occupation". ICG interview with Sheik Abbas al-Rubaie, Baghdad, 5 November 2003. Those close to Ayatollah Sistani

## II. COALITION POLICY

### A. BACKGROUND

The Coalition's decision to dismantle the armed forces in their entirety was made without any genuine consultation with Iraq's political forces or civil society and took many by surprise.<sup>27</sup>

The decision appeared to put an end to a long debate in Washington over the army's role. For many years, beginning at least with the first President Bush's appeal to the army to seize control of the country's destiny in the aftermath of the 1991 Gulf War,<sup>28</sup> the U.S. had placed considerable stock in the military as an instrument of regime change. The army was seen both as the most likely candidate to oust Saddam Hussein and as the institution most capable of ensuring stability and territorial integrity subsequently.<sup>29</sup> Indeed, virtually all serious attempts

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and to the SCIRI claim that the decision was necessary. ICG interview with Ali Dabbagh (one of Sistani's representatives), Baghdad, 9 September 2003, and with Shaykh Jamal Eddin Al-Saghir (close to the SCIRI and minister of Shiite religious affairs within the interim cabinet), Baghdad, 13 September 2003.

<sup>27</sup> Isam al-Khafaji, a former member of the Iraqi Reconstruction and Development Council (IRDC), a structure established to assist the Coalition in its reconstruction plans, wrote: "We were never consulted beforehand". He resigned in June 2003. See "Iraq is not a Lost Battle," op. cit. Two former heads of the U.S. Central Command, General Zinni and General Hoar, strongly criticised the decision. Zinni, who at one time served as special U.S. envoy to the Middle East in the Bush administration, called it the U.S.'s "worst mistake" in post-war Iraq. *The Washington Post*, 20 November 2003. Numerous Iraqis, including members of the Interim Governing Council, have done likewise, as have U.S. officials, in private. ICG interviews, Washington, November 2003. Isam al-Khafaji, a former Iraqi exile who briefly worked with the CPA before resigning, said that "dissolving the army was a big crime". See *Middle East Report*, N°228, Fall 2003.

<sup>28</sup> "And there's another way for the bloodshed to stop, and that is for the Iraqi military and the Iraqi people to take matters into their own hands and force Saddam Hussein, the dictator, to step aside". Remarks by President Bush, 15 February 1991.

<sup>29</sup> Describing this belief, David Wurmser evoked U.S. faith in "the policy of silver-bullet coups", which "is rooted in the assumption [that] only a strong, heavy-handed central government can hold Iraq together as a nation and provide an element of stability. A coup, assassination, and subsequent installation in Baghdad of a secular Sunni military officer close to Saddam would meet all the aforementioned considerations". Wurmser, *Tyranny's Ally. America's*

to overthrow Saddam during the 1990s involved high-ranking officers, notably members of the Republican Guard.<sup>30</sup> The U.S. repeatedly tried to infiltrate the senior command and encourage defections, whether directly or through the exiled opposition. Even during the recent war, rumours abounded of secret negotiations with members of the military apparatus – negotiations that, in the eyes of many Iraqis, accounted for the army's lack of resistance and rapid collapse and the Coalition's generous treatment of the former defence minister, General Sultan Hashim Ahmad.<sup>31</sup> To this day, numerous Iraqis believe that General Nizar Al-Khazraji, who mysteriously disappeared before the war (and reportedly surfaced in the UAE in late 2003), will some day be brought in by the U.S. to "save" the country.<sup>32</sup>

Nor was the CPA's decision consistent with initial U.S. policy. Prior to the war, the plan had been to put the majority of Iraqi soldiers on the U.S. payroll and enlist them for various security and other tasks,

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*Failure to Defeat Saddam Hussein* (Washington, 1999), pp. 39-40.

<sup>30</sup> According to Amatzia Baram, there were three attempted coups against Saddam between March 1991 and mid-1996. See A. Baram, "Building Toward Crisis: Saddam Husayn's Strategy for Survival", Washington Institute for Near East Policy, Policy Paper N°47, 1998, p. 48. Operation Desert Fox, conducted in December 1998, also reportedly was aimed at signalling to senior Iraqi officers that the time had come to overthrow Saddam.

<sup>31</sup> General Ahmad was treated with deferential respect by the Coalition forces to whom he surrendered in what was reported as a "gentleman's agreement" that included a U.S. commitment not to try him for war crimes. His name subsequently was removed from the list of 55 most wanted senior officials of the Baathist regime, even though as commander of the Army's First Corps in 1988, he played a direct role in the genocidal Anfal campaign against rural Kurds. See *Le Monde*, 20 September 2003, and Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign Against the Kurds* (New Haven and London, 1995), pp. 73, 105, 120-121, 129, 256, 259.

<sup>32</sup> General Al-Khazraji was chief of staff between 1987 and 1990; he defected in 1996 and sought refuge in Denmark, becoming the highest ranked military officer to do so. Accused by Kurds of having played an active part in the Anfal campaign during which chemical weapons were used, he was sued and ordered by the Danish judiciary not to leave the country. He was last seen right before the war, disappearing on 17 March 2003. According to various unsubstantiated rumours, he was exfiltrated by the CIA to Saudi Arabia and then to Qatar, where he is said to have assisted the U.S. military in planning its campaign. See C. Kutschera, "Irak: Révélations du Général Nizar al-Khazraji", *Le Point*, 21 March 2003 and Jim Hoagland, "Not a Vichy Option", *The Washington Post*, 23 March 2003.

such as road and infrastructure repairs.<sup>33</sup> Ret. Lieutenant General Jay Garner, the first head of the Coalition, planned to order all soldiers to regain their units and to put them to work to help rebuild the country. Walter Slocombe, who accompanied Bremer as Senior Advisor for National Security and Defence, began in May 2003 by merging the ministries of defence and military industrialisation, creating a single body he was to oversee as interim minister. The purported goal was to recall some 30,000 soldiers to their barracks and use them together with new recruits as the foundation for a rebuilt Iraqi army.

Yet, a week after preparations began, the CPA issued its order dismantling the army in its entirety, creating the impression that decisions were taken haphazardly, without a prior plan or vision. The CPA suppressed the defence ministry, the regular army, elite units (Republican Guard and Special Republican Guard), and all paramilitary entities (Saddam's Fedayeen, "Companions," "Protectors," Baath Party militias) as well as the security and intelligence services.<sup>34</sup> For the regular army,<sup>35</sup> this meant demobilisation of all enlisted soldiers, as well as the indefinite suspension of universal conscription and the elimination of military ranks.<sup>36</sup> High-ranking officers (colonel and above) faced worse: in addition to loss of status, they were automatically treated as senior Baath Party members and, as such, barred

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<sup>33</sup> *The Washington Post*, 20 November 2003.

<sup>34</sup> For a comprehensive list, see Coalition Provisional Authority Order Number 3, "Dissolution of entities", 23 May 2003, p. 4.

<sup>35</sup> This report focuses on the dissolution and reconstruction of so-called regular Iraqi armed forces under the auspices of the occupation forces, and is based on a series of interviews conducted in Iraq between August and November 2003. It does not address the fate of the various secret services (mukhabarat) and special security forces put in place by the Baathist regime.

<sup>36</sup> "Section 3, Employees and Service Members:

Any military or other rank, title, or status granted to a former employee or functionary of a Dissolved Entity by the former Regime is hereby cancelled.

All conscripts are released from their service obligations. Conscription is suspended indefinitely, subject to decisions by future Iraq governments concerning whether a free Iraq should have conscription.

Any person employed by a Dissolved Entity in any form or capacity, is dismissed effective as of April 16, 2003. Any person employed by a Dissolved Entity, in any form or capacity, remains accountable for acts committed during such employment", CPA Order N°2, 23 May 2003, p. 2.

from all public service in the new Iraq.<sup>37</sup> Contrary to the administration's earlier plans, soldiers were not to be paid.

This radical treatment of the army flew in the face of recommendations in numerous studies and reports on "day after" scenarios.<sup>38</sup> Few such works had advocated a wholesale dismantling; some evoked a program of "parole, retraining and reintegration of the regular army",<sup>39</sup> others a traditional disarmament, demobilisation and reintegration (DR) approach.<sup>40</sup> Exiled Iraqis brought together by the U.S. State Department to prepare for the "Future of Iraq" in the middle of 2002 had underscored the army's controversial role in Iraq's contemporary history and its involvement in regime repression, but they did not contemplate its wholesale disappearance. Rather, they evoked a "carefully considered and yet sweeping reform of armed forces during the transitional period".<sup>41</sup> The plan took as its point of departure that Iraq should have a relatively small military, focused on defensive tasks and charged with protecting territorial integrity. Other changes included the end of compulsory military service, a budgetary ceiling and legislative oversight.

But the basic premise was that the new army would flow from a restructuring of the old one, and that senior officers known for their integrity and for having kept their distance from the regime would

play a key role. Additionally, the exiled groups had contemplated creating "something like a new Public Reconstruction Authority made up of de-commissioned officers and soldiers that would undertake large-scale reconstruction projects" in order to address the socio-economic problems resulting from the de-commissioning of several thousand soldiers.<sup>42</sup>

Various explanations, sympathetic and unsympathetic, have been offered as to why these recommendations – together with many others made in the "Future of Iraq" project and in independent reports – basically were ignored once Bremer took over in Baghdad.

1. The most common from CPA officials is that they had no choice. Pre-war plans had assumed that some units would change sides during the conflict and others would surrender. Instead, the army dissolved practically of its own accord at the outset of the war. Walter Slocombe told ICG:

The Iraqi army evaporated. After the fighting, only a single unit remained intact. The soldiers went to their homes, taking with them all they could – weapons, munitions, equipment. To dismantle the army was simply to recognise an established fact.<sup>43</sup>

To which CPA officials add that it would have been physically impossible to recall the troops since all available military bases had been ransacked amidst the looting that followed Saddam Hussein's ouster.<sup>44</sup>

Yet even if the army dissolved of its own accord – indeed, particularly if it did so – there was no need to dismantle it formally, cancel payments and fail to provide alternative employment. Units did not have to be recalled; soldiers could have been given extended paid leave until the Coalition sorted out the situation, and many could have been employed in public works projects. As a U.S. official told ICG:

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<sup>37</sup> The treatment of "senior party members" is addressed in CPA Order N°1: "De-Baathification of Iraqi Society", 15 May 2003.

<sup>38</sup> These include ICG Middle East Report N°11, War in Iraq: Political Challenges After The Conflict, 25 March 2003.

<sup>39</sup> "Failure to promote former combatants' reintegration into a legitimate security organization or their return to civilian life leads to long-term difficulties for reconstruction and development efforts and can cause serious security problems. Long-term security challenges and requirements for defensive self-sufficiency are too great in Iraq to justify completely demobilising the military. . . The Iraqi National Army – currently 350,000 strong – should be restructured and retained as a defensive force of no fewer than 150,000 regular troops". "A Wiser Peace: An Action Strategy for Post-Conflict Iraq", CSIS, Washington, 2003, pp. 16-17.

<sup>40</sup> "Planning for disarmament, demobilisation and reintegration... of the Iraqi military must precede an intervention, and should envisage downsizing and supervised use of selected former Iraqi regular Army troops in civil works and public order". "Iraq: Looking Beyond Saddam's Rule", Workshop Report, Institute for National Strategic Studies, 20-21 November 2002.

<sup>41</sup> "Report on the Transition to Democracy in Iraq", December 2002, in particular the chapter entitled "Reform of the Army," pp. 67-72.

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<sup>42</sup> Ibid.

<sup>43</sup> ICG interview, Baghdad, 4 September 2003.

<sup>44</sup> "Had a recall somehow evoked a response, we would have found ourselves not with 500,000 disciplined soldiers ready to impose order under U.S. command but with 500,000 refugees needing shelter, food, uniforms, weapons and a good many other things – just to survive. Instead of being a help to the American and other forces, they would have been a huge burden". Walter Slocombe, "To Build an Army", *The Washington Post*, 5 November 2003.

This was a terrible decision and virtually everyone in the administration recognises this. The fact that the military evaporated is no excuse, on the contrary. Many of these soldiers felt there was an implicit bargain – they stopped fighting and we would treat them fairly. The decision to dismantle the army was viewed as a betrayal and sent the wrong message at the wrong time.<sup>45</sup>

Some Iraqis also question the argument that the army disappeared on its own accord on factual grounds. Most of the units of the regular army that were stationed to the west and north of Baghdad were intact because they did not fight. For example, the Mosul-based Fifth Army Corps (Faylaq Khames) stayed in its barracks and its commanders negotiated their surrender with both Coalition and Kurdish forces after the fall of Baghdad. They were then ordered to put on their civilian clothes and go home. As reports at the time suggested, the subsequent failure to secure military bases and barracks is what led to the widespread looting afterwards.<sup>46</sup>

2. CPA officials also had little confidence in the army in general and the senior officer corps in particular. They were seen as potential participants in an organised opposition to the occupation; far less risky, it was believed by some, to dissolve it than to let it be.<sup>47</sup>

3. There was a strong ideological dimension as well. For Bremer and the CPA, the goal was clearly to “de-Baathify” Iraq in all its dimensions, which meant in particular to “eliminat[e] the former officer class, as a class as a source of opposition”.<sup>48</sup> If Baathism was to be eliminated root and branch, this by definition had to extend to an institution that was guilty of foreign aggression (the invasions of Iran in 1980 and Kuwait in 1990) and harsh domestic repression (the use of chemical warfare against the Kurds in 1987-1988, the Anfal campaign of 1988 and the bloody suppression

of the Kurdish and Shiite uprisings in 1991), and whose ranks were viewed as thoroughly infiltrated by the former regime and therefore untrustworthy. The model was de-Nazification of Germany after World War II; the military that had served Saddam Hussein’s regime and conducted some of its worst actions could not be trusted in a new democratic Iraq. Nor was it entitled to any better treatment. As Slocombe told ICG, “[I] can’t see why a conquered and vanquished army should expect to be nurtured and paid for nothing”.<sup>49</sup>

4. According to some participants in the State Department-sponsored workshop, the Defence Department erred by relying too heavily on the views of one particular exile, Ahmad Chalabi, the leader of the Iraqi National Congress (INC).<sup>50</sup> Similar explanations are offered by former Iraqi officers who had defected and worked with successive U.S. administrations in the 1990s. Staff Brigadier General Najib al-Salhi who, since his return to Iraq, has led the Free Officers and Civilians Movement, told ICG:

The Americans opted for a brutal demobilisation, thereby ignoring the advice and studies on the Iraqi armed forces that we provided them. The Interim Governing Council does not include a single military officer in its ranks! For the first time in the history of Iraq, its cabinet does not include a minister of defence. The reason, undoubtedly, lies in the influence enjoyed by certain exiled groups in Washington. Their goal is to strengthen their political monopoly by excluding the military from the transition phase.<sup>51</sup>

<sup>45</sup> ICG interview, Washington, December 2003.

<sup>46</sup> ICG interviews with Iraqi officers who were stationed at the Ghazlani camp in Mosul during the war, Baghdad, 17-18 December 2003.

<sup>47</sup> Slocombe, op. cit., wrote: “There is also the question of reliability and loyalty to the new Iraq. While many Iraqi officers no doubt served for honourable reasons and thought of themselves as defending their nation rather than the regime, the army was deeply penetrated by Hussein loyalists”. These points are discussed in Section III below.

<sup>48</sup> Department of Defense News Briefing by Walter Slocombe, 17 September 2003.

<sup>49</sup> ICG interview, Baghdad, 4 September 2003. For discussion of the army-Baath relationship, see Section III below.

<sup>50</sup> David L. Philips, an adviser to the Democratic Principles Working Group, wrote: “Representatives of the Iraqi National Congress . . . insisted that the entire Iraqi Army be immediately disbanded. The Pentagon agreed.” David L. Philips, “Listening to the Wrong Iraqis”, *The New York Times*, 20 September 2003.

<sup>51</sup> ICG interview, Baghdad, 3 August 2003. Iraqi officers who remained inside Iraq are even more blunt: “The exiles are traitors who led the Americans to believe that the army was loyal to Saddam and that all soldiers were dirty Baathist agents. They did this in order to remain in control of the situation. Because they lack all legitimacy or popular backing, they fear that one of us will seize the first opportunity to jump on a tank, issue a “communiqué number one,” and overthrow them the day the Americans won’t be paying attention”. ICG interview, Baghdad, 1 September 2003.

5. Tawfiq al-Yassiri, another former military officer, who returned from exile at the head of the Iraqi National Coalition (*al-I'tilaf al-watani al-Iraqi*) offers an even simpler explanation:

Before the war, the Americans pandered to the military defectors because they believed we were the only ones who could overthrow Saddam. Now that they occupy our country and directly govern it, they feel they know best and need no one. As a result, they concluded that they could dispense with the military. The first strike against the army was its dismantling in mid-May; the second, its exclusion from the political and economic transition process in its entirety.<sup>52</sup>

## B. A WORK IN PROGRESS

The U.S. plan soon ran into difficulties. In the face of angry demonstrations by demobilised soldiers, some of which led to violent confrontation and, on 18 June 2003, to the death of two former soldiers, Bremer reversed course. On 23 June, the CPA announced an interim plan to facilitate the return of demobilised soldiers to civilian life.<sup>53</sup> All former employees of the Defence Ministry, as well as war prisoners, families of those missing in action and of soldiers killed in combat were to receive emergency pay.<sup>54</sup> Conscripts were to receive a severance payment. That policy gradually evolved, and the CPA agreed to prolong the payment to conscripts and officers; the U.S. hopes it can phase out these payments by mid-2004.

A series of factors combined to produce other mid-course corrections. These included growing attacks against Coalition forces and Iraqi targets, morale problems among U.S. forces and their

overextension,<sup>55</sup> more vocal calls from within and outside Iraq for a rapid transfer of sovereignty and political pressures in the U.S. To this one should add Iraqi opposition to the deployment of troops from neighbouring countries, chiefly Turkey,<sup>56</sup> and opposition from other nations, chiefly France and Germany, to the deployment of their own.

Together, these factors have led the U.S. administration to revisit its approach and to place renewed emphasis on accelerating the "Iraqification" of political and military power.<sup>57</sup> As Defence Secretary Donald Rumsfeld put it, "foreign forces ultimately are unnatural, they ought not be in a country".<sup>58</sup> Accordingly, the CPA sped up plans for the New Iraqi Army (NIA).<sup>59</sup>

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<sup>55</sup> Returning from a mission in Iraq in early November, Anthony Cordesman wrote: "Officers and soldiers alike feel they are overstretched, deployed too long and too often, and have no way to explain to their families when they are coming back or why so many delays occur...The general impression one gets is that reenlistments are going to be a massive problem". Anthony Cordesman, "The Current Military Situation in Iraq", CSIS, Washington, 14 November 2003, p. 18. The U.S. currently provides roughly 115,000 of the Coalition's 139,000 soldiers. In November 2003, the Pentagon announced the mobilisation of another 43,000 reservists and 20,000 marines in 2004 to take over from those currently in Iraq. According to Edward Atkinson, a retired Major-General, "the U.S. army is as stretched as it can be". Quoted in *The Boston Globe*, 26 September 2003.

<sup>56</sup> In an interview with ICG, Mahmoud Othman, an independent Kurdish member of the Interim Governing Council, said: "We do not want forces coming from neighbouring countries, whether they be Arab or Turk. That is what the majority of the Interim Council believes. Ayatollah Sistani shares this view. The Americans want to involve more countries for reasons of legitimacy, cost and burden sharing", but not, he implied, for the good of Iraq. ICG interview, Baghdad, 9 September 2003. Jalal Talabani, leader of the Patriotic Union of Kurdistan and current head of the Interim Governing Council, explained: "No one wants them [Turkish troops] here. We call for all neighbouring countries to stay out, not only Turkey, but Syria, Iran, Jordan, Kuwait and Saudi Arabia". *The Guardian*, 8 October 2003. Adnan Pachachi, a Sunni Muslim and also a member of the Interim Governing Council, echoed that view: "No troops from any of our neighbours, please". *International Herald Tribune*, 10 October 2003.

<sup>57</sup> For a discussion of the political aspects, see ICG Middle East Report N°19, *Iraq's Constitutional Challenge*, 13 November 2003.

<sup>58</sup> Reuters, 6 December 2003.

<sup>59</sup> After two false starts, the CPA finally settled on the name NIA. Initially, the 23 March 2003 decree announced the creation of the "New Iraqi Corps", but the acronym, when pronounced in Arabic, sounded like an expletive. Another option, the Iraqi Defense Forces, was discarded after it was

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<sup>52</sup> ICG interview, Baghdad, 10 September 2003.

<sup>53</sup> CPA Press Release, "Good News for Iraqi Soldiers", PR N°006, 23 June 2003.

<sup>54</sup> "Career people received an emergency stipend slightly less than their pre-war salaries. 250,000 servicemen including POWs and disabled people received this emergency payment. 8,000 military (officers and non commissioned officers) were disqualified due to their membership in the top layers of the Baath party". ICG interview with Walter Slocombe, Baghdad, 4 September 2003. The payments disbursed in July covered the months of May and June, to which was added a three-month advance (August, September and October). Payments for March and April were disbursed by the old regime,

Recruitment began by the end of July 2003 in the principal Iraqi cities (Baghdad, Mosul, Basra and Erbil). On 7 August, the CPA issued "The mission and command structure of the New Iraqi Army".<sup>60</sup> Of the U.S.\$87 billion requested to the Congress by the Bush Administration for reconstruction efforts in Iraq and Afghanistan, some \$2 billion were earmarked for the NIA.<sup>61</sup> Whereas the CPA originally had announced that it would take two years to set up the Iraqi army, this was reduced to one year.<sup>62</sup> Training was shortened from eight to six weeks. Ironically, the CPA justified its decision by arguing that many who were to join the NIA came from the former army, and therefore did not need prolonged training.<sup>63</sup> Going further, the CPA has evoked the idea of incorporating former officers or engineering, transportation or logistical units from the disbanded army into the NIA.<sup>64</sup>

The most recent chapter comes in the context of the U.S. decision to review its basic political approach and speed up the transfer of sovereignty to an elected (or semi-elected) Iraqi government. "Iraqification", in both its political and military dimensions, is criticised by some as an attempt to lower the American presence in Iraq as U.S. presidential elections approach and justified by others as an effort to stabilise the country by turning effective power over to the Iraqi people and thereby moderating their anger. Supporters of the decision, American and Iraqi, further argue that indigenous forces will be far

more able to gather intelligence on the insurgents and far less likely to be culturally insensitive.<sup>65</sup>

Whether this reflects the search for a better strategy or for an exit strategy, the result has been intensified work to erect security structures which, in theory, will allow U.S. forces to pull back from some jobs that require less professional expertise, such as static security at critical sites. Whereas early plans had projected a 7,000-strong NIA by September 2004, the target is now 20,000 plus another 20,000 for supply duties and administrative tasks. Combined with the police, border guards, the Iraqi Civil Defence Corps and other institutions, some 200,000 Iraqis are now expected to participate in the security forces by the end of 2004.<sup>66</sup> Iraqis and others have pointed to the risks of the plan. An accelerated schedule, particularly if politically driven, could come at the expense of needed military and human rights instruction.

Finally, and as explored in greater depth below, the CPA appears to be moving toward a decision to enlist the help of militias associated with some of the political parties represented in the Interim Governing Council as a supplementary counter-insurgency tool.

Notwithstanding, displeasure among members of the Iraqi political class has remained vocal. Iyad Alawi, a member of the Interim Governing Council and a leader of the Iraqi National Accord (INA) (a formerly exiled opposition group which built support among defected military and security officials) has been at the forefront of a campaign to rehabilitate the army. Denouncing the unfair treatment of "Iraqi patriots" who have been discharged, it has called for the "recall of army units" to fill the existing security vacuum.<sup>67</sup>

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observed that its acronym was the same as that of the Israel Defense Forces. See *The Christian Science Monitor*, 6 July 2003.

<sup>60</sup> See CPA Order N°22 (Section 3), 7 August 2003.

<sup>61</sup> Associated Press, 22 September 2003.

<sup>62</sup> ICG interview with Walter Slocombe, op. cit. See also *The New York Times*, 18 September 2003.

<sup>63</sup> "This is a country of universal conscription . . . so, virtually every Iraqi male of, what, 20, is former military in some sense. As to why we've been able to accelerate it [the training] . . . we learned that the Iraqi army was not much good for some things but it did a perfectly competent job of basic training, and that the real requirement is for leaders". Department of Defense Briefing by Walter Slocombe, 17 September 2003. Slocombe asserted that 60 per cent of the enlisted soldiers in the NIA served in the old army. *The Washington Post*, 20 November 2003.

<sup>64</sup> Deputy Secretary of Defense Paul Wolfowitz explained upon his return from Iraq that "there is no prejudice against hiring officers of the former army if they have clean records". American Forces Press Services, 24 October 2003.

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<sup>65</sup> According to Wolfowitz, "they can talk to the people . . . with a directness we can't possibly [match]. They can go and search an Iraqi house and not cause the animosity that an American will cause." Quoted in *The Wall Street Journal*, 17 November 2003.

<sup>66</sup> Ibid.

<sup>67</sup> "Any American-led military presence, even if complemented by the United Nations, will never have the credibility and legitimacy that the Iraqi Army has among the people". Iyad Alawi, "Americans must let Iraq rebuild itself: A view from the Governing Council", *International Herald Tribune*, 20 October 2003.

### III. VIEWS FROM THE FORMER MILITARY

ICG interviews with a number of soldiers and officers from the now defunct army reveal the scope of current and potential problems. They show that a powerful mix of nationalism, humiliated pride and nostalgia (chiefly among the senior corps) for the old institutional benefits is fuelling anger against the decision to dismantle the army, the absence of a minister of defence, and the attempt to recreate a new military apparatus under the occupying powers. Perhaps most importantly, they indicate that more weight needs to be given to long-term consequences, not merely short-term expediency, when security policy decisions are made.

#### A. ARE THE FORMER SOLDIERS A THREAT TO THE COALITION?

Dissatisfaction among the former military is readily apparent; as of yet, however, it has not translated into broad support for the resistance.<sup>68</sup> The CPA's welcome decision to pay former soldiers certainly plays an important part. As a former colonel told ICG, "So long as they continue to pay us, there will be no confrontation. But if they stop, things will change".<sup>69</sup>

Other factors are at play. For the most part, officers of the old army had little loyalty toward the Baathist regime; few among them appear willing to do anything that would contribute to its restoration. Like most of their compatriots, their complaint lies less with the fact of the occupation than with the manner in which it is conducted; their request is not so much that the U.S. leave quickly, but that it do a better job. Indeed, many express a desire to join in the reconstruction effort, pointing to their experience in various technical fields.

Finally, they have little if any sympathy for actions that endanger Iraqi civilians.

I am a career soldier. When I went to military school, nobody taught me to plant explosives in cars or to kill civilians! I am not about to start climbing on a rooftop and shooting at U.S. soldiers who will retaliate and destroy my entire neighbourhood.<sup>70</sup>

In this, they seek to distinguish themselves from members of Saddam's elite units, whom they accuse of either having fled Iraq or instigating attacks against Coalition forces.<sup>71</sup>

That said, the sources of discontent run deep and the potential for more active opposition is clear. At the root of the resentment is the belief that they were unfairly judged and treated. That at the end of hostilities there was neither formal surrender nor cease-fire<sup>72</sup> between a defeated army and a triumphant Coalition only confirms in Iraqi eyes that the armed forces chose to "dissipate"<sup>73</sup> and that their allegiance was to the nation rather than to the regime. Aware of the extraordinary disparity of forces, wanting to spare the country a devastating conflict, and lacking loyalty to the regime, Iraqi

<sup>70</sup> ICG interview with Colonel Abou Ali, Baghdad, 5 September 2003.

<sup>71</sup> Explaining why the reintegration of members of elite units is much more problematic than that of the regular army, a former member of the Iraqi military intelligence said: "These [members of elite units] are people who lost everything from one day to the next – especially the exceptional quality of life guaranteed by the Baathist regime. Together with the heads of the security and intelligence services, they constituted an elite caste that could not be denied a thing. Their reintegration into civilian life will be difficult: some have accumulated fortunes and will join the business world, others may offer their service to the Americans; and some will engage in acts of violence or banditry". ICG interview with Colonel Abou Zayn, Baghdad, 1 September 2003.

<sup>72</sup> In March 1991, during the first Gulf War, Iraq's high military command signed a ceasefire with allied forces and surrendered at Safwan. In contrast, in 2003 President Bush unilaterally declared an "end of major combat operations" on 1 May.

<sup>73</sup> The contrast with 1991 is, again, noteworthy. During the first Gulf War, coalition forces early on witnessed the surrender of tens of thousands of Iraqi soldiers; in March-April 2003, the number of Iraqi war prisoners remained relatively small, and never much exceeded 10,000. According to Defence Secretary Rumsfeld, various facilities "have held – at their peak – 7,000 to 7,500 Iraqi POWs and foreign nationals who were fighting in Iraq as mercenaries". 25 April 2003, <http://usinfo.state.gov/topical/pol/terror/texts/03042515.htm>. In his press briefing, op. cit., Slocombe mentioned 8,000 to 10,000 POWs. Iraqi soldiers wore civilian clothing underneath their military garb in order to facilitate their retreat from the battlefield.

<sup>68</sup> Individuals who served in the army almost certainly have taken part in attacks against Coalition forces, though there is no evidence it has become a widespread phenomenon. See *Time Magazine*, 15 December 2003.

<sup>69</sup> ICG interview with Colonel Abdel Wahhab, Baghdad, 5 September 2003.

troops simply “went home,” (*rahu li-baythum*), an expression that many former soldiers of all ranks used in interviews with ICG.

Most with whom ICG spoke denounced the Coalition’s overall attitude toward an army that – they claim – heeded U.S. calls and chose not to resist.

The army did not fight – contrary to members of the Baath party and to the militias. The desertion rate was extremely high: during the war, less than half the army actually fought... During the months preceding the war, it was becoming clear that even the senior command was not going to fight for Saddam.<sup>74</sup>

There also is resentment at being excluded simply because – like so many others – they participated in the Baathist system in order to survive.<sup>75</sup> As evidence of tension with the regime, they point to the fact that the army was the object of repeated purges and that Party “mindes” sought to control and penetrate it from the advent of Baathist power in 1968. The military, according to former officers, was viewed as a potential foe and “at every moment, military commanders expected that a car belonging to the military intelligence (*istikhbarat*) would come to pick them up”.<sup>76</sup> The regular army was held at arm’s length from all key centres of power, including the capital. Those were protected by the Republican Guard and Special Republican Guards, both of which fell under the authority of the presidency, not the ministry of defence. While they do not deny that regime loyalists were inserted into the military and unfairly promoted (in particular those they call “Tikriti illiterates” who were propelled from non-commissioned officer rank to senior command)<sup>77</sup> and support removing members of the Guards, they argue that neither of these groups had anything to do with the bulk of the army.

Even disgruntled Iraqis acknowledge that something had to be done to overhaul the army and create something new. The question is whether the CPA’s broad-brush approach was the optimal manner by which to establish credible armed forces, capable of strengthening and accelerating the return to normalcy and full sovereignty. There is a strong argument, based on the above evidence, that it was not. While some would argue that this was done purposefully to prolong U.S. control, others believe the decision was guided by an exaggerated fear that officers of the former army would play a negative role. In response, Iraqis point out that these officers are, for the most part, a-political, and certainly not loyal to the Baathist regime. It would have been relatively easy to buy off the older officers with promises of comfortable pensions.

I served in the army for some 18 years. I am an officer and I have a family and kids to feed. I shouldn’t be forced to pay for Saddam’s ouster. They [the CPA] should just pay for my retirement if they don’t want me anymore and don’t want to see someone of my rank in the NIA.<sup>78</sup>

The main concern of younger officers is unemployment; in interviews with ICG, they displayed scant interest for politics or for the parties that purport to defend their interests.<sup>79</sup>

## **B. A WOUNDED NATIONALISM AND SENSE OF PRIDE**

Major Abou Sarah expressed the view of many when he exclaimed:

I still cannot believe that the Americans are occupying my country! As members of the military, we have always had strong

<sup>74</sup> ICG interview with Colonel Abdel Wahhad, Baghdad, 5 September 2003. Throughout the 1990s, the Iraqi regime experienced a large number of desertions. For a short period, it resorted to corporal punishments – such as amputating an ear – against deserters.

<sup>75</sup> “We all have dirty hands! Every single category of the population worked in one way or another with the former regime, including the hawza leaders who, today, claim to want to lead our people!” ICG interview with a former intelligence officer, Baghdad, 8 September 2003.

<sup>76</sup> ICG interview with Colonel Abou Ali, Baghdad, 5 September 2003.

<sup>77</sup> ICG interview with General Qays Abdellatif, Baghdad, 1 September 2003.

<sup>78</sup> ICG interview with Colonel Ali Sadeq, Baghdad, 13 September 2003.

<sup>79</sup> Although most political parties currently active in Iraq have an office responsible for the military and security fields, only a handful of parties have a specifically military identity. These include the Free Officers and Civilians Movement led by Najib al-Salhi, the Iraqi National Coalition led by Tawfiq al-Yassiri and the Iraqi Salvation Movement (*harakat inqaz al-Iraq*) led by Fawzi al-Shammari. These organizations often act as placement offices for former soldiers looking for jobs in the civilian sector. During its interviews with members of these parties, ICG was asked whether it wanted to hire former soldiers as bodyguards or night guards.



nationalistic, anti-imperialistic feelings. Iraq is finished as a state and as a nation. Today, the Americans are in charge of everything.<sup>80</sup>

The feeling of humiliation derived not only from the decision to do away with the army – arguably the only symbol of Iraqi sovereignty that remained after the fall of the Baathist regime – but also from the disdainful, summary and blanket fashion in which it was announced and implemented, and then partly reversed. Staff Brigadier General Nabeel Khaleel put it this way:

The Americans dissolved the army and then they decreed they would not give us a cent, precisely in order to make us understand that we were a vanquished army. Then they told us that only the Baathists would be denied payment. By displaying such ambiguity and vagueness, they are trying to show that Mister Bremer is all-powerful. Since that time, the soldiers are desperately seeking more information: how much will they receive? Until when? Where do they need to go? Now, we know that our future is in their hands. Then, all of a sudden, in July, Mr. Bremer decided to be magnanimous: he paid us in advance three months' worth of our pay. How can one account for such a cavalier attitude?<sup>81</sup>

In Baghdad, the now dilapidated former Al-Muthanna airport has become a disbursement centre for payments to former soldiers; its long queues, including in the searing mid-summer heat, have acted as a constant reminder of collective humiliation.<sup>82</sup> Unsurprisingly, the location has witnessed repeated incidents involving U.S. soldiers

seeking to impose order on the restless crowd. Among the ritual events – widely publicised by the Iraqi press – are rock-throwing and pro-Saddam slogans, to which U.S. troops have responded by firing in the air to disperse the crowd.<sup>83</sup> In response, the CPA recently decided that payments would be made at state banks, and that each soldier should turn up at the appropriate local branch.

One of the more infuriating – and puzzling – aspects for the former military was to be treated so poorly at a time when members of the security and intelligence services were being recruited by the Coalition.

It's grotesque! The U.S. hastily and unthinkingly dismantles a national army that is accused to have been on Saddam's side, yet it enlists secret agents that clearly and loyally served the Baathist regime for years! The Iraqi people alone should decide what they want to do with their own armed forces.<sup>84</sup>

The transition from member of the elite to unemployed and socially marginalised was particularly traumatic. Iraq's army was far more than a military: the Baath regime had turned it into an unrivalled socio-economic actor. Many soldiers had considerable experience in non-military tasks as engineers, technicians and health professionals.<sup>85</sup> Eager to join in reconstruction, they had to wait until early November 2003 – when some already had fled the country – for the U.S. State Department to initiate a U.S.\$14 million program (STEM II, Science, Technology and Engineering Mentorship Initiative for Iraq) to attract scientists, provide them with civilian work, and ensure they not transfer their nuclear, biological or chemical expertise to others.<sup>86</sup>

Of course, not all agree that the decision to dismantle the army was a mistake. The Iraqi National Congress has defended it, accusing some who have denounced it of “wanting to preserve an institution inherited

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<sup>80</sup> ICG interview, Baghdad, 8 September 2003. The absence of a sovereign defence system also fuels anger. “There can be no state without an army and without a national defence. If tomorrow the U.S. decides for purely electoral and domestic reasons to withdraw, who will defend our 3,000 km-long borders? Who will prevent our neighbours from interfering with our domestic affairs and sow division among our political class?” ICG interview with Lieutenant Majed al-Azzawi, Baghdad, 13 September 2003.

<sup>81</sup> ICG interview, Baghdad, 6 September 2003.

<sup>82</sup> Colonel Abou Yasser told ICG: “At the airport, I had to wait in line for hours in order to finally enter a building where an American soldier sitting behind a desk gave me the money, after having perforated my military ID. When the time came for the second payment, they punched another hole in my card. Today, I have practically nothing left to remind me of a twenty-year military career”. ICG interview, Baghdad, 7 September 2003.

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<sup>83</sup> In the wake of the death of two Iraqis during a melee on 5 October 2003, the headline of *Al-Zaman* (an independent publication whose chief editor is an ex-Baathist who defected in the 1990s) read: “The Coalition's big stick leads to a clash with former military”.

<sup>84</sup> ICG interview with Mahmoud Othman, Kurdish (independent) member of the Interim Governing Council, Baghdad, 9 September 2003.

<sup>85</sup> ICG interview with Ali Jalil Al-Ta'i, a former engineer in public works, 15 October 2003.

<sup>86</sup> *Le Monde*, 19 November 2003.

from the old regime. We believe it was a corrupt institution that had to be replaced by a new one".<sup>87</sup>

Yet even political leaders who were generally supportive of the decision are hard-pressed to defend how it was carried out. For Nasseer Chaderchi, a moderate, secular Sunni member of the Interim Governing Council,

To dissolve the army was necessary. It was a corrupt institution that grew out of repression and unfairness. The army always stood with the regime and against the people, with two notable exceptions: General Bakr Sidqi's 1936 coup and the July 1958 revolution. That said, I would criticise the modalities of the army's dismantling by the Coalition: they were humiliating and denoted insensitivity to the human dimension, in particular the fate of military families.<sup>88</sup>

### C. ECONOMIC HARDSHIPS AND THE END OF CORPORATIST PRIVILEGES

Although wounded patriotic feelings certainly played an important part in the military's anger, so too did the fact that with its dissolution myriad benefits accorded by the Baathist regime to the upper ranks came to an abrupt end. At the most basic level, the CPA's decision meant that some 400,000 men were summarily dismissed, without any recourse or assistance in terms of salary, pension or transition to civilian life.<sup>89</sup> Given that every demobilised soldier provided on average for a family of four, the decision meant that roughly 1.6 million Iraqis suddenly were deprived of resources and hope. The consequences, in a country whose unemployment rate reached approximately 60 per cent, were bound to be devastating, creating a vast pool of real discontent and potential instability. This was manifested in angry and at times violent demonstrations by former soldiers in Baghdad, Mosul and Basra.

Former senior officers may not have been in such dire straights but their loss was nonetheless palpable. They were summarily deprived of the privileges and material benefits the former regime bestowed in

order to purchase at least their dependability. These included cars, land, free health care and education. Even after they retired, officers enjoyed a privileged status. As one put it, especially with the bloody Iran war, "Saddam Hussein was forced to buy our blind obedience at a steep cost; he gave us cars, land lots, and financial compensation in the wake of every particularly brutal episode in the war. Most importantly, he gave money to families in which a member had been killed or disabled as a result of the war".<sup>90</sup> The implicit message is that the Coalition, too, will have to treat them with respect (and perhaps more) if its goal is stability, and that the mere payment of salaries to former officers accustomed to much greater largesse may deepen rather than alleviate the sense of humiliation.

More generally, the army – as in most Arab countries – was a powerful vehicle of social mobility, with particular appeal for the rural population and those living on the country's periphery. Mosul, for instance, used to boast about being "the city with a million officers". Cities of the Sunni triangle such as (Ana, Haditha, Tikrit, Fallouja, Samarra, and Ba'quba, have a strong military tradition; a significant proportion of their active, male population suddenly found itself unemployed. This factor, along with the broader and deepening sense of disempowerment among Sunnis (a feeling ICG believes has intensified measurably over the past several months), helps explain the region's strong anti-Coalition feelings.

That said, it would be a mistake to view this as a Sunni issue alone, as some U.S. officials have tended to do. Although the Baathist regime relied heavily on the Sunni minority and granted it most senior military positions,<sup>91</sup> the army was a cross-confessional mix. Contrary to widespread belief, the officer corps was not exclusively Sunni. Slocombe's assertion that retaining important elements of the military would have created "huge problems immediately" among the country's Shiite majority misses this point.<sup>92</sup> Shiites were discriminated against in the senior ranks but they were present below, and the decision to dismantle affected them as well.

<sup>87</sup> ICG interview with Mohamad Najm Talabani from the INC, Baghdad, 28 October 2003.

<sup>88</sup> ICG interview, Baghdad, 27 September 2003.

<sup>89</sup> In Jay Garner's words, the result was the creation of "400,000 new enemies." Quoted in *The New Yorker*, 24 November 2003.

<sup>90</sup> ICG interview with Brigadier Jabbar Flayih, Baghdad, 2 September 2003.

<sup>91</sup> "Among the distinctive characteristics of the Iraqi military is the high proportion of senior and middle-level officers drawn from Saddam's tribal and allied lineages". ICG Report, War in Iraq, op. cit., p. 7.

<sup>92</sup> Quoted in *The Washington Post*, 20 November 2003.

Iraq's military needs grew exponentially with the war against Iran, which led to the recruitment and promotion of Shiite officers, a number of whom became national heroes.

Of course, the greatest source of economic resentment lies in the army's senior echelons. As corruption spread in the 1990s, the senior command fared better than the rank and file, and the gap that separated them deepened. Conscripts considered compulsory military service lasting as long as three years (length varied with a recruit's educational background) and deplorable living conditions in the barracks as only marginally better than forced detention.<sup>93</sup> To avoid it, they would bribe higher-ranking officers who were eager to supplement their income during the harsh period of the embargo. Most conscripts were relieved when the Coalition ended compulsory military service, even as they lamented the loss of a job. Not so members of the former military elite, who besides prerogatives under the Baathist regime, benefited from this type of corruption and other kickbacks related to the defence ministry's extensive business dealings and their own role as commercial agents or middlemen.

Strong hostility among former military to the creation-from-scratch new army that will not be under their control and in which, even if they were to join, they would be deprived of former rank, is no surprise. Although many argue that they oppose the NIA because "they do not want to become mercenaries in their own country",<sup>94</sup> the desire to preserve prerogatives and material benefits clearly is relevant. Indeed, a number of young officers told ICG they would be prepared to join the new army – or any of the new security bodies – if allowed to maintain their former rank and salary.

It is not fair for a policeman or a bureaucrat to earn more than a soldier who sacrificed so

much for this nation. I am a lieutenant, with a degree from the military academy. I'm willing to join the police or any other security or defence force, but only if I am respected and if I can keep my military rank.<sup>95</sup>

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<sup>93</sup> "In 1999, I was doing my military service in Amara. We did not have a single drop of water. Some civilians took pity upon us and gave us some food every now and then. I had to sell my blanket to have enough money to get back home during leave. During that time, our commander was building a villa"! ICG interview with Mohammad Jaheel, Baghdad, 16 September 2003.

<sup>94</sup> "The NIA is an affront to our military honour and to our national dignity. I will not become a mercenary in my own country and I do not want to take orders from an American instructor"! ICG interview with Brigadier Jabbar Flayih, op. cit.

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<sup>95</sup> ICG interview with Lieutenant Ammar, Baghdad, 3 September 2003.

#### **IV. THE DILEMMA: “DO THE PEOPLE OF IRAQ KNOW THEIR VALLEYS BETTER”?**

Prompted by the deteriorating security situation, the CPA accelerated the process of setting up an Iraqi army and diverse other security mechanisms. But the precise security structure that the CPA will bequeath a sovereign Iraq remains unclear; indeed, as CPA officials have told ICG, a lively internal debate is taking place about how to balance short term requirements with longer term concerns.

##### **A. THE NEW IRAQI ARMY**

According to the CPA, the New Iraqi Army will be relatively small (three to five divisions, roughly 40,000 soldiers), professional (enrolment on a voluntary basis only, available to those between the ages of 18 and 40, initially for 26 months), purely defensive and non-political. It also is expected to reflect Iraq’s diversity, to which end volunteers are asked to identify their ethnic and sectarian affiliations, and the CPA has provided breakdowns of its composition. For the time being, the NIA is composed only of light infantry divisions without an air force or navy. As defined by the CPA, its mission will be to defend the homeland, the people, the country’s vital installations, and lines of communication and transport. In the short run at least, these duties extend neither to law and order nor to participation in joint operations with Coalition forces. Training and instruction have been assigned to U.S. private contractors, which has raised predictable language problems.<sup>96</sup>

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<sup>96</sup> Vinell Corporation, which landed a U.S.\$48 million contract, is in charge of most training. The company for the most part uses former members of the U.S. military and has extensive experience in the Middle East where it also works with the Saudi National Guard. Easily identified due to their gray uniforms, these private contractors often have tense relations with the U.S., British, Australian and Spanish soldiers from the CMATT (Coalition Military Training and Assistance Team), whose job is to oversee the training. At the Kirkush military base, a senior British officer told ICG that he wanted nothing to do with “the men in gray”, whom he described as “nothing more than mercenaries, armed civilians”. ICG interview, Kirkush, 15 September 2003. ICG also observed an angry shouting match in August 2003 between U.S. troops and armed U.S. contractors at the gate to the building housing the Interim Governing Council, neither accepting the other’s authority.

Coalition officials assert that the NIA is popular in Iraq. As Walter Slocombe put it, “Our impression is. . . that the creation of an Iraqi Army has been a very popular move in Iraq. It’s been endorsed by the [Interim Governing Council]”.<sup>97</sup> In the same vein, they insist that it is an Iraqi institution, under Iraqi command.<sup>98</sup> On the ground, reality is more ambiguous. In principle, Iraqis appear eager to get on with the business of establishing a national army and accelerating the process of starting up the NIA is a step in that direction. But former soldiers clearly reject the NIA and even members of the Interim Governing Council (itself an institution that does not enjoy considerable popular support) have for the most part remained quiet, pointing out that they have not been given responsibility for the military file. Even those who joined the NIA are quickly becoming disaffected. The experience of its first battalion is illuminating: between one third and one half of enrollees are said to have quit, reportedly angry at humiliating treatment, low pay and lack of Iraqi control over their destiny.<sup>99</sup> Inadequate pay clearly was a contributing factor: whereas most NIA soldiers make roughly U.S.\$60 a month,<sup>100</sup> police officers begin at U.S.\$80, a difference perceived by the former as an insult. In response, the CPA has undertaken a pay scale review.<sup>101</sup> But the mass resignation also was triggered by the refusal of soldiers to patrol in the “Sunni triangle” in general and Ramadi in particular. Many Kurds went further, objecting to service in any Arab governorate.

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<sup>97</sup> Department of Defense News Briefing, 17 September 2003.

<sup>98</sup> The U.S. general in charge of the Kirkush Military Training Base, where the first NIA battalions are being trained, told a 15 September 2003 press conference attended by ICG that “the Americans are here as mere observers; Iraqis are in charge”.

<sup>99</sup> During ICG’s visit to the Kirkush military base, organised by the CPA, a significant number of Iraqi recruits asked not to have their picture taken, worried that they would be tagged as collaborators. Also, the words “our country is for sale!” were scribbled, in Arabic, on a dormitory door. Of the 900 men who started out training for the first battalion of the NIA, some 480 are said to have quit. *The Washington Post*, 14 December 2003. Commenting on this episode, a retired Iraqi general told ICG: “Who ever heard of an army that goes on strike or resigns? If soldiers go on strike and, in reply, the highest ranking officer in the Coalition, General Sanchez, promises them a pay raise, the principle of authority and obedience will never be taken seriously”. ICG interview, Baghdad, 15 December 2003.

<sup>100</sup> The top salary was roughly U.S.\$180 per month.

<sup>101</sup> Lt. General Sanchez said: “We are trying to determine what needs to be done there to ensure they have a decent standard of living”.

Whatever the explanation, the notion of a credible, national army, was dealt a serious blow. For many Iraqis interviewed by ICG, the NIA is at best a sideshow, irrelevant to what is going on in the country.

The NIA's identity, mission and means are still unclear to the Iraqi public and questionable to many military experts. With only scant training and light arms, it is hard to see how it can conduct the kinds of security missions that are central to restoring stability. Assault rifles and light machine guns are no match for what appears to be the considerable amount of weapons and explosives available to insurgents. There is a dearth of training and housing space as most functioning military bases have been taken over by Coalition troops. At the same time, Iraqis are unlikely to see in the emerging army a credible deterrent to potential aggressors; instead, reliance on the U.S. military presence will continue. The NIA's place in a coherent, long-term Iraqi security structure remains imprecise.

Few seem prepared to believe there is really Iraqi command.<sup>102</sup> Until sovereignty is transferred, and under the terms of the CPA's order, "supreme command, control and administrative authority over the NIA and of additional units of the national defence forces of Iraq and all authority formerly vested in the Ministry of Defence will reside on an interim basis with the Administrator of the CPA as the civilian Commander-in-Chief".<sup>103</sup> The agreement reached on 15 November 2003 between the CPA and the Interim Governing Council concerning procedures for the transfer of sovereignty, significantly, is for the most part silent on military and security issues, merely specifying that agreements covering the status of Coalition forces will be determined later.<sup>104</sup> At a more anecdotal yet

symbolic level, Iraqi flags were not in evidence when ICG visited the Kirkush base.<sup>105</sup> The high number of Iraqis who are said to have left the NIA also reflects concern on their part as to whether their fellow citizens will perceive them as traitors and fear that their family members may pay the price. For Anthony Cordesman, a pre-eminent U.S. expert on Gulf military affairs:

One of the greatest problems here is that they are creating an Iraqi army that is seen by most Iraqis as not an Iraqi army but as a paramilitary force that looks more like a tool of the occupation than a national defence force.<sup>106</sup>

Among Iraqis, principal complaints are that, by starting from scratch, refusing to set up a defence ministry, and barring from the NIA any officer who had a rank equal to or greater than lieutenant colonel, the CPA has undercut both the symbols and reality of Iraqi empowerment, and by speeding up the process, it has actually lengthened the task of building a credible military. The CPA has deprived the NIA of experience, insisting that every recruit – regardless of prior rank – enlist as a mere soldier and that officers and non-commissioned officers be selected on the basis of their performance during the instruction phase. This, combined with the CPA's accelerated schedule, has led many Iraqis to suspect the army will emerge poorly trained and ill-prepared. According to an Iraqi instructor in the former military, training a modern, 40,000-strong army theoretically requires 4,000 instructors and, if done thoroughly, as long as five years – not the one the CPA contemplates.<sup>107</sup>

Staff Brigadier General Khaleel Nabeel criticised the CPA's approach for both its U.S. command and its pace:

This method is wholly unrealistic. You can't create an experienced military command in a mere six weeks. You need an Iraqi command

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<sup>102</sup> Cordesman, arguably the foremost expert on military issues in the Arab-Gulf, area has dubbed the NIA a "puppet army". Anthony Cordesman, "Iraq and Conflict Termination: The Road to Guerilla War?", Center for Strategic and International Studies, 28 July 2003.

<sup>103</sup> CPA Order N°22, 7 August 2003.

<sup>104</sup> The "Agreement on Political Process" reached between the CPA and the Interim Governing Council on 15 November 2003 states:

2. Agreements with Coalition on Security:

To be agreed by the CPA and the GC [Governing Council] Security agreements to cover status of Coalition Forces in Iraq, giving wide latitude to provide for the safety and security of the Iraqi people.

Approval of bilateral agreements complete by the end of March 2004.

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<sup>105</sup> The Iraqi journalists who participated in the press conference at Kirkush refused to direct their questions to the Iraqi recruits on the grounds that they were working for a foreign power.

<sup>106</sup> Quoted in *The New York Times*, 21 September 2003.

<sup>107</sup> ICG interview with Colonel Abdel Wahhab, op. cit. Illustratively, it has taken two years to train some 6,000 soldiers of the Afghan National Army. See ICG Asia Report N°65, Disarmament and Reintegration in Afghanistan, 30 September 2003.

from the outset. To whom do you want a soldier to address his administrative or everyday queries? Are we going to revert to the disastrous formula of the British mandate, when there were two chains of command – an Iraqi one that served merely as a go-between and a foreign one that made all the decisions? It would be far better to do it the other way around: to have an Iraqi command, emanating from the ranks of the former army, and surrounded by U.S. and other advisers. If you have a direct foreign command, all the patriots who are competing in the post-Saddam political arena will denounce the army as an offence to the nation and to Islam!<sup>108</sup>

During the visit to the Kirkush training base organised by the CPA for the local and international press, tension among recruits was palpable.<sup>109</sup> Iraqis with some military experience were training alongside others with no experience; all had the rank of mere soldier, their promotions in the hands of foreign instructors; the best that members of the old army could hope for was to recover their former rank.

There are other pitfalls associated with how the NIA is being established. By bluntly erasing the past and starting a new military structure on a relatively blank slate, and in doing so relying on the input of political parties, tribal chiefs, and provincial notables, the CPA risked that political, ethnic and religious groups would view the security field as one more arena in their struggle for power. ICG previously warned against the hardening of communal identities and the adoption of a quota-like approach to government institutions such as the Interim Governing Council and the cabinet.<sup>110</sup> This phenomenon is particularly worrisome – and threatening to Iraq's future stability – when it finds its way into the military.

If the CPA feared over-politicisation of the NIA, subcontracting recruitment to multiple intermediaries who, pre-selecting their own candidates, transmit their lists to the Coalition, arguably was a more dangerous path than building on the former army and relying on vetted former officers or, alternatively, opening recruitment offices throughout the country. A number of political parties partake in this pre-

selection, as do provincial notables and tribal chiefs. On the Kurdish side, for instance, the lists of candidates have been controlled by the two principal political parties, the Patriotic Union of Kurdistan (PUK) and Kurdistan Democratic Party (KDP). Some Iraqis question the loyalty to the Iraqi state of these recruits, pointing to statements by Kurdish political leaders that

...one should follow the principle of each one on his own territory. No Arab soldier should be assigned to Kurdistan and no Kurdish soldier should be assigned to the Arab regions. Soldiers from Ramadi [a Sunni Arab region to the west of Baghdad] ought to patrol the border with Saudi Arabia. And the North is too cold for Arab soldiers.<sup>111</sup>

In other ways, too, the wholesale rebuilding of an army has brought to the fore such tensions among Iraqi groups and politicised the question of its composition. Sunnis interpret the wholesale dismantling of the old army as a means of marginalising them. Hatem Jassem Mukhlis, president of the Iraqi National Movement and a member of an old family of soldiers from Tikrit, asserted:

The Americans are forcibly confiscating weapons they find in Sunni regions while Shiite and Kurdish armed militias thrive. Sunnis feel targeted by the decision to dismantle the army, which marginalised their status in public and political life. It is unfair, and it neglects the fact that all serious coup attempts against Saddam were led by officers coming from our [Sunni] regions.<sup>112</sup>

Islamist Shiites too have denounced the recruitment process, as an attempt to water down their influence to the benefit of Sunnis, Kurds or even secular Shiites. According to an official from the Supreme Council of the Islamic Revolution in Iraq (SCIRI), "We had more than 300 senior officers and many sympathisers in the former army who could have helped with the new one. But the Americans distrust us".<sup>113</sup>

<sup>108</sup> ICG interview with Nabeel Khaleel, op. cit.

<sup>109</sup> ICG interview with Iraqi soldiers in Kirkush, 15 September 2003.

<sup>110</sup> See ICG Middle East Report N°17, *Governing Iraq*, 25 August 2003.

<sup>111</sup> ICG interview with Adel Murad, member of the PUK political bureau, Baghdad, 11 September 2003.

<sup>112</sup> ICG interview, Baghdad, 16 December 2003. It also is noteworthy that virtually every Sunni interviewed by ICG has claimed that Sunnis represent the majority of the population.

<sup>113</sup> ICG interview with Abou Liqaa, commander of SCIRI-affiliated Badr Brigades, Baghdad, 14 September 2003.

The issue is not so much whether these claims can be substantiated, but the fact that – because the recruitment process has lacked transparency, and the CPA has invited various socio-political forces to play a part – they can be made at all and be taken seriously by many Iraqis. What is at stake is the credibility of the future armed forces and their protection from ethnic, religious, or political infighting.

CPA officials have told ICG that the process is under serious review and decisions should be anticipated shortly, in particular regarding the opening of recruitment offices. This would be a welcome sign that, as on other issues, the CPA is capable of healthy self-correction.

## B. THE PERILS OF MILITIAS AND DISPERSAL OF SECURITY MECHANISMS

Unwilling to enlist the former military, and needing time to launch a new army, the Coalition has largely relied on a combination of security structures, some old, others of more recent vintage. Political organisations have pressed to keep their armed militias active and have argued that while these will not have a place in a democratic and peaceful Iraq, they are necessary to help promote security during the transitional phase. Ayad Alawi, the leader of the INA, argued that the militias “all have people who are much better suited to fight Ba'athists and terrorists”; Jalal Talabani, head of the PUK, echoed that view, asserting that Kurdish peshmerga fighters joining the new security forces “could participate with the Coalition forces in security and defending the country, especially in the places which are dominated by terrorist actions”.<sup>114</sup>

The principal militias – actually regular armed forces, well trained and disciplined – are those affiliated with the two Kurdish parties, the KDP and the PUK, and the Badr Brigades linked to the SCIRI. Estimates of their sizes vary. The Kurdish organisations claim they have roughly 70,000 *peshmergas*, though that is believed to be wildly inflated. For the Kurdish political leadership, dismantling their militias is out of the question: they have protected the community, enjoy a powerful historical legitimacy in the eyes of the Kurdish people and worked closely with Coalition forces in overthrowing Saddam. “We form an integral part of the Coalition”, claimed Kamal al-Mufti, a

Kurdish former general in the Iraqi army currently with the PUK.<sup>115</sup> For the KDP, indeed, the word “militia” is a misnomer:

For over eight years now, the *peshmergas* have ceased being a militia; they have become a regular and disciplined army, the Army of Kurdistan. We have two military academies, one in Suleimaniyya (run by the PUK), the other in Zakho (run by the KDP). They already have trained four classes of officers, or approximately 800 people. The U.S. administration and our brothers in the Interim Governing Council understand our specific situation.<sup>116</sup>

For the SCIRI, any special treatment for the Kurds is ethnic discrimination. While most observers believe the Badr Brigades have between 8,000 and 10,000 armed and well-trained men, the SCIRI claims twice that. Abou Liqaa, their commander, told ICG they could mobilise up to 100,000 but that, as an organised force, “we have 20,000 people and some 200 offices throughout Iraq”.<sup>117</sup> Both during and after the war, the Coalition displayed considerable mistrust of an armed force that was heavily backed by Iran, and it has tried to limit its influence. Badr heavy weaponry, for example, was not allowed to come in from Iran. Today, and although the SCIRI officially claims that the Brigades have become a strictly civilian body (*Munazamat Badr* or Badr Organisation) helping with reconstruction and humanitarian tasks, the idea of dismantling them is roundly rejected by the party. The preferential treatment given Kurds often is its first argument: “We will not dismantle our army unless the *peshmergas* and Dr. Chalabi’s militias also disappear”.<sup>118</sup>

For its part, the INC claims to have disbanded the bulk of the 1,500-strong force the Coalition trained in Hungary before the war; only a very small number is said to have been kept under arms to secure party buildings and protect its leaders.<sup>119</sup> Officially, the INA does not have a militia, though it has recruited and remunerates individuals for the stated purpose of safeguarding party facilities. Their number is unknown.

<sup>114</sup> Quoted in *The Guardian*, 6 November 2003, 4 December 2003.

<sup>115</sup> ICG interview, Baghdad, 11 September 2003.

<sup>116</sup> ICG interview with KDP military bureau member Rast Nouri, 11 October 2003.

<sup>117</sup> ICG interview, Baghdad, 14 September 2003.

<sup>118</sup> ICG interview with Abou Liqaa, op. cit.

<sup>119</sup> ICG interview with Mohamad Najm Talabani, op. cit.

The newest politically-affiliated militia on the scene is the Mahdi's Army (*jaysh al-Mahdi*), followers of Muqtada al-Sadr, the radical Shiite cleric.<sup>120</sup> It, too, seeks to fill a security vacuum, in particular to compensate for the Coalition's purported inability to protect religious leaders and Shiite sacred sites. It claims to be unlike other militias – not beholden to a specific group but modelled after “the Prophet's army [in which] every believer old enough to carry arms must safeguard his fellow men's security and make himself available when Islam's fate is at stake”.<sup>121</sup> Leaders maintain they have mobilised a million and a half Iraqis willing to work voluntarily at social and public utility tasks (e.g., traffic policing).

Ayatollah Sistani, the influential Shiite cleric who has emerged as a central power broker, has made his strong opposition to the militias known, calling for their dismantling and integration within a national army. Otherwise “we risk witnessing a Lebanonisation of the situation with every Iraqi fighting over every street corner”.<sup>122</sup> Others have added their voice.

The CPA's attitude has been more circumspect but evolving. For a while, acknowledging the inherent risks in proliferation, it appeared to rule the semi-private militias out.<sup>123</sup> Still, U.S. officials insisted that, “from a strictly military viewpoint” they did not present a threat to the Coalition.<sup>124</sup> More recently, the CPA has been suggesting it might incorporate a small rapid reaction force with members drawn from existing militias into its own security structure.<sup>125</sup> According to various reports, the idea is to establish an elite Iraqi unit under the Coalition's command that would use its allegedly superior intelligence-gathering capacity to carry out anti-insurgency operations, such as raids designed to arrest insurgents and discover arms caches or surveillance of areas suspected of sympathising with the resistance. The unit would be drawn from militias affiliated with

certain parties represented in the Interim Governing Council, namely the two Kurdish organisations (KDP and PUK), the SCIRI, the INA and the INC which, together, would contribute some 750-850 men.<sup>126</sup> The head of the SCIRI, Abdelaziz al-Hakim, explained that the force “will be made up of elements who have experience in the struggle against the former regime and qualified cadres such as the Kurdish *peshmerga* and the Badr Brigades”.<sup>127</sup>

Predictably, the plan drew angry protests from Iraqis who do not belong to these organisations, including from within the Interim Governing Council. An independent member of the Council who represents Sunni tribes, Ghazi al-Yawar, asserted, “I am very upset. This can lead to warlords and civil war. Should I form my own militia? I can have 20,000 people or more here”.<sup>128</sup> Sunni religious leaders assembled in the Committee of Muslim Ulemas in Iraq called it “an attempt to break up Iraq. . . This is a way to divide and rule by exploiting confessionism and racism”.<sup>129</sup> Ghazi al-Yawar told ICG:

Can you imagine Shiite armed forces recently returned from Iran conducting raids and searching homes in Fallouja or Ramadi? In a society where the spirit of revenge and notions of honour are paramount, it is extremely dangerous to set Iraqis against one another. Sooner or later, the Americans will leave this country. But they should not plant the seeds of a civil war.<sup>130</sup>

Seeking to reassure, U.S. military officials pointed out that recruits would undergo the same training as all security forces. Plus, “these units will conduct operations under the command and control of Coalition forces. We will have our own liaison officers embedded”.<sup>131</sup> Paul Bremer asserted that “I have consistently said since I arrived here that there is no place in the new Iraq for militias. Quite simply, the presence of militias does not fit into the campaign of building an independent Iraq with an army and police”.<sup>132</sup>

<sup>120</sup> See ICG Middle East Briefing, *Iraq's Shiites Under Occupation*, 9 September 2003.

<sup>121</sup> ICG interview with Shaykh Abbas al-Rubaie, op. cit.

<sup>122</sup> ICG interview with Ali Dabbagh, a representative of Ayatollah Sistani, Baghdad, 9 September 2003.

<sup>123</sup> See *The New York Times*, 6 November 2003.

<sup>124</sup> ICG interview with Walter Slocombe, op. cit.

<sup>125</sup> As Paul Bremer said, “we have encouraged members of militia, including the Badr Corps, to play a role in security. There are members of militia already; indeed, there are members of the Badr Corps who have already enlisted, for example, in one of the battalions of the Civil Defence Corps”. Department of Defence News Briefing, 2 September 2003.

<sup>126</sup> See *The Washington Post*, 3 November 2003.

<sup>127</sup> Agence France-Presse, 7 December 2003.

<sup>128</sup> Quoted in *The New York Times*, 4 December 2003.

<sup>129</sup> Quoted in Agence France-Presse, 7 December 2003.

<sup>130</sup> ICG interview, Baghdad, 13 December 2003.

<sup>131</sup> Lieutenant General Ricardo Sanchez in idem.

<sup>132</sup> Interview with Al-Iraqiya, (Coalition-run TV channel), 12 December 2003. Dan Senor, senior advisor to the CPA asserted that “all the Iraqi security personnel...cannot



But the matter is not closed. CPA officials tell ICG it is being hotly debated within their own ranks. Those who defend using the militias argue they can help deal with immediate security problems and that it is far better to co-opt them than to leave them outside as potential troublemakers. Those who oppose the plan express concern about what it may portend for the future and worry that empowering politically-affiliated militias risks undermining the notion of a national military, eroding the concept of a single Iraqi entity and becoming an instrument of political, ethnic or religious conflict.<sup>133</sup> The danger is all the greater at a time when Iraqis, in the midst of an unfamiliar and uncertain transition, are engaged in an intense power struggle. According to a CPA official and to a member of the Interim Governing Council, there is tension between the military arm of the Coalition – which generally favours using Iraqi militias for intelligence gathering – and its civilian arm – which generally opposes it.<sup>134</sup> According to a CPA official, some 400 men already have been assembled and are being trained to form this force.<sup>135</sup>

The militias are only one manifestation of a broader phenomenon: the gradual decentralisation and proliferation of security mechanisms, a radical shift away from the centralised, monopoly control exercised by Saddam Hussein. There are powerful arguments for such a move, carried out as the Coalition braces for the promised transition to full Iraqi sovereignty in mid 2004, most importantly the desire to avoid the very concentration of power that marked the Baathist regime. There also have been some real benefits for the Iraqi people from this increased and accelerated presence of Iraqi security personnel. Their deployment on streets, in residential and public areas, and official buildings has apparently helped reduce crime and ease fears, responding to a genuine and immediate security need. The Iraqi police have played a key role: after initially having been disbanded by the CPA, they were reinstated and currently are a force of over 60,000. To meet security needs, the training period has been shortened from the internationally-

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represent a political party and cannot represent a militia. They have to be recruited and they must serve as individuals, under a new unified Iraqi security service. And that remains the policy. That has been our policy all along. That continues to be our policy". U.S. Department of State, "U.S. Officials Describe Plans for Iraqi Counterterror Battalion", 3 December 2003.

<sup>133</sup> ICG interview, Baghdad, December 2003.

<sup>134</sup> ICG interviews, Baghdad, 14, 16 December 2003.

<sup>135</sup> ICG interview, Baghdad, 18 December 2003.

recommended twelve weeks to eight.<sup>136</sup> To accelerate and strengthen the process, Iraqi police instructors are being trained in Jordan. A 6,000-person Iraqi Border and Customs police also is being set up,<sup>137</sup> and each ministry and public building has been authorised to recruit and deploy its own "Facilities Protection Service"<sup>138</sup> against sabotage and looting.

But there are downsides as well. Set up prior to the establishment of a credible, central and authoritative Iraqi security command, Iraqi security personnel often are seen as extensions of the occupation, ostracised, and targeted by insurgents.<sup>139</sup> The absence of a defence minister is particularly troubling; according to CPA officials and Iraqi reports, this will soon be redressed.<sup>140</sup> The structures being set up generally have insufficient or inadequate equipment – a result both of resource constraints and, in some instances, the CPA's lack of confidence in their loyalty – which limits their usefulness and increases their vulnerability. Finally, as in the specific case of the new army, overall recruitment for these forces has relied heavily on lists provided by intermediaries: political parties, tribal chiefs, provincial governors or notables. While the goal may be to ground recruitment in existing Iraqi institutions, the risks are great that those who join will feel indebted to their patrons and carry a specific political, ethnic or confessional loyalty – a serious downside when everything should be aimed at building security institutions that serve the collective, national interest.

More broadly, by rushing the process and even if only to set up temporary mechanisms, the Coalition risks entrenching unwholesome practices. The Iraqi Civil Defence Corps (ICDC) is a case in point.<sup>141</sup> Essentially a tribally-based force, it has been undertaking joint operations with Coalition forces

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<sup>136</sup> The relatively high salaries offered to recruits have made police service very attractive to young Iraqis, despite the fact that policemen have been frequent targets of attack.

<sup>137</sup> See CPA Order N°26, 1 September 2003.

<sup>138</sup> See CPA Order N°27, 7 September 2003.

<sup>139</sup> This applies in particular to the police. In interviews conducted in Samarra, Iraqi policemen told ICG of their heightened fear of reprisals by anti-Coalition forces against them or their families. As a result, they did not want to be seen with Coalition patrols and, in some instances, resisted conducting arrests. ICG interviews, Samarra, 21 December 2003.

<sup>140</sup> A CPA official told ICG that a ministry of defence would soon be set up. ICG interview, Baghdad, December 2003. Press reports have also referred to the coming appointment of a defence minister. See, e.g., Iraq Today, 15 December 2003.

<sup>141</sup> See CPA Order N°28, 9 September 2003.

and has focused on intelligence-gathering given its members' close ties with local communities. Originally designed to be temporary, it was created by using lists of candidates that tribal chiefs and provincial governors compiled and passed to the CPA. Uncertain of the allegiance of its members, the CPA has not given them much weaponry beyond their personal Kalashnikovs. Yet the ICDC is emerging as a pillar of the emerging security architecture, particularly active in the governorates. As its visibility increases, and without clear vetting mechanisms, there is speculation that there may be saboteurs within its ranks.<sup>142</sup> For now, the chosen solution seems to be to increase payments to people who, in a reference to forces previously loyal to Saddam that terrorised the population, already are being referred to by Iraqis as "Bremer's Fedayeen".

Other problems deriving from this plethora of security mechanisms include coordinating the work of Iraqi security and Coalition forces, an issue made greater by severe language difficulties. Miscommunication already has been blamed for the accidental killing of several Iraqi security personnel by Coalition troops. For the most part, Iraqis have no idea who is supposed to be doing what. Nor can they be blamed: there has been no information campaign to educate them about the new security forces, and, in the course of its field work, ICG often encountered so-called security personnel, dressed in civilian clothes, carrying AK 47s and sporting multiple official badges. Some of these are well-armed foreigners who belong to private security firms hired to ensure the safety of various officials and personnel from large corporations that have been awarded reconstruction contracts – a symptom of the Coalition's increased sub-contracting of security functions.

Finally, as the deployment of Iraqis speeds up and the numbers expand – the goal is to enrol some 150,000 Iraqis in the various police, military and other security units by mid-2004 – the quality and length of their training almost certainly diminishes, with negative consequences for both their expertise and their human rights training.<sup>143</sup>

Iraq's former military sees these developments as a recipe for long-term disaster. They variously denounce the excessive reliance on tribal networks – "tribes are not trained to fight terrorism! Where did they learn to defuse a car bomb"?<sup>144</sup> – the multiplicity of security mechanisms and of chains of command – "a ship with so many captains can only sink"<sup>145</sup> – and the inadequate vetting resulting from rushed recruitment.<sup>146</sup>

### **C. CAN IRAQIS TAKE CARE OF THEIR OWN SECURITY?**

Practically all Iraqis interviewed by ICG asserted that they could better guarantee security than Coalition forces. These include former soldiers and policemen who say they only need technical support; tribal chiefs to whom Saddam once delegated police functions in rural areas and who say they only need financial resources; and militias associated with the various exiled political parties and backed by some members of the Interim Governing Council. To buttress their demand, they invoke an old proverb – "the inhabitants of Mecca know their valleys best" – and rely on three arguments:

- as Iraqis, they would have a far better grasp of human intelligence;
- they would better respect local traditions and customs when taking security actions; and
- they would not have the language problems that plague the occupation forces.

An Iraqi reportedly close to the Shiite SCIRI told ICG:

We have repeatedly told the Americans that their ultra-sophisticated technology will not be able to restore order. They lack a genuine knowledge of the field that Iraqis alone possess.<sup>147</sup>

<sup>142</sup> This certainly was the view of an intelligence official from a country that does not belong to the Coalition, who told ICG he suspected ICDC members of protecting oil installation during the day and of sabotaging them at night. ICG interview, Baghdad, 10 September 2003.

<sup>143</sup> The figures cited in this section come from Coalition officials and are drawn from Anthony Cordesman, "The Current Military Situation in Iraq", CSIS, 4 December 2003.

<sup>144</sup> ICG interview with Retired Brigadier Abdel Jalil Mohsen, member of the INA's executive bureau, Baghdad, 12 September 2003.

<sup>145</sup> ICG interview with Colonel Kernel Abdel Wahhab, op. cit.

<sup>146</sup> According to Colonel Abdel Wahhab, several common criminals amnestied by the Baathist regime in November 2002 have made their way into the security forces. ICG interview, op. cit.

<sup>147</sup> ICG interview, Baghdad, 9 September 2003.

Others point out that the Coalition inevitably is torn between its obligation to defend itself and the goal of ensuring the security of the country at large. Interim Governing Council member Mahmoud Othman asked:

What can a Coalition soldier, sitting on his tank, fearing for his life, not speaking a word of Arabic and depressed at being so far from home know about Iraq? How do you want him to be effective in the neighbourhoods, among local residents? It is imperative that Iraqis gradually take charge of security.<sup>148</sup>

Yet, beyond generalised appeals to accelerate the transfer of sovereignty and of security responsibility, Iraqis have offered very few concrete – and achievable – ideas. The notion that security responsibility should be transferred to Iraqis is, today, unrealistic and dangerous from both a military and a political point of view. The daunting security challenges facing the country, the intense rivalry between political forces manoeuvring for power in the post-CPA period, the ever-present menace of sectarian or ethnic conflict and the fact that there is no credible, national Iraqi security force, all militate against a rapid transfer of responsibility, notwithstanding calls from various Iraqi sectors. Indeed, to move rapidly would mean taking the considerable risk of transposing the country's political and religious divides into its armed forces, and this at a time when the Sunni minority in particular feels under siege and efforts should be focused on reassuring it rather than exacerbating its fears.

For the foreseeable future, Iraq's security will remain in the hands of Coalition forces, preferably under the guise of a U.S.-led multinational force under either UN or NATO authority.<sup>149</sup> That does not make the task of setting up an Iraqi security force any less important. But it means that proper time and thought can and should be invested to ensure that it becomes a credible, apolitical, national institution, a unifying body rather than one that replicates, let alone magnifies, the latent divisions that already are threatening Iraq.

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<sup>148</sup> ICG interview, *op. cit.*

<sup>149</sup> It is essential, however, that any effort to introduce NATO to Iraq not be at the expense of that organisation's commitment to expand effectively and considerably the international security presence in Afghanistan outside of Kabul. NATO's efforts in that regard have only recently begun, and it has not yet identified sufficient troops and equipment for that vital task.

## V. CONCLUSION

The effort to build a new Iraq necessarily had to include a thorough vetting of military ranks; the decision to dismantle the Republican and Special Republican Guards was necessary, and one that ICG recommended early on. But the regular army presented a far more difficult case. Oversized, politicised, infiltrated by regime loyalists and often used as a tool of repression, it also was one of the rare state institutions that enjoyed credibility among average Iraqis and was capable of nurturing national cohesion. There is little question that it needed to be downsized and revamped to better reflect the country's religious and ethnic make-up. But the decision to dismantle it wholesale set the tone for a series of subsequent steps that have left most Iraqis confused and many angry.

The problems posed by the Coalition's actions are, in this respect at least, less military than political. Formation of a new army optimally should serve as an anchor of Iraqi unity and a counterweight to the myriad centrifugal forces, while helping to symbolise the restoration of full Iraqi sovereignty. As currently initiated, the process is unlikely to produce that outcome. There is not even the illusion of central Iraqi command, and the Interim Governing Council has had nothing to do with the decision-making; the Coalition has been calling the shots, assisted by an assortment of political and social forces that each want to use the military to its advantage. The CPA has shown a worrisome tendency to issue decisions in this area without proper planning, consultation or due regard for the long-term consequences on Iraq's stability. The new NIA is not being taken seriously – no more by Iraqis than by the Coalition. It is being set up in response to immediate pressures, but few in Iraq appear persuaded that it is the core of future authentic, national and legitimate armed forces.

This is no small matter. A credible, non-political, non-sectarian military institution, viewed as under the control of representative Iraqis, is critical for the country's future development. Otherwise, Iraqis will continue to doubt whether they enjoy genuine sovereignty, and the risk of sectarian or ethnic conflict will be exacerbated.

The CPA and the Interim Governing Council need to shift course and embark on a series of measures that meet the following requirements:

*Turning over decision-making and command of the future military to Iraqis.* The Interim Governing Council should be allowed to create a ministry of defence and appoint a professional, non-political minister responsible for setting up a long-term program for the demobilisation and reintegration of former soldiers and the establishment of the NIA and other armed forces. The current Iraqi ambassador to the U.S., Rend Rahim Francke, also has suggested the formation of an Iraqi National Security Council, to coordinate all security matters and liaise with the CPA.

*Taking the building of a military seriously, not as a political gimmick, and protecting it from political and sectarian influences.* NIA recruits should get adequate pay and social benefits, including pensions and family health insurance. The instruction period should not be curtailed. Foreign instructors should be sought, indeed, this is an opportunity to enlist the help of countries such as France and Germany that have been reluctant to engage.<sup>150</sup> The role and tasks of the NIA and its relationship with other security forces should be clearly defined, again chiefly by Iraqis. Recruitment should stop relying upon the mediation of various political or social groups and become an open, transparent process. Any decision to rely on militias should be reversed; in the long-term, a plan should be put in place to dismantle and reintegrate militia members.

*Including all Iraqis – Sunnis and former Baathists in particular – who have not engaged in crimes or human rights violations.* Professional review boards should be established to evaluate applications by officers of the former army for positions in the NIA, including those of senior rank. A decision not to rely on militia forces (principally Kurdish and Shiite) would help in this regard.

According to CPA officials, several of these steps are under active consideration; their adoption would be important and welcome news. ICG urges that they be implemented as swiftly as possible.

But there is a broader message that involves the CPA's approach to Iraq's security structure as a whole. For Coalition forces who face a violent insurgency and a variety of domestic political pressures, the temptation to respond to immediate

requirements with expedient moves is, understandably, strong. But the Coalition will some day depart, and Iraqis will have to live with the consequences. Iraq's military can be an instrument of stability, a symbol of national unity and a bulwark against sectarian conflict. Or it can be none of the above. As Rend Rahim Francke put it: "Saddam's iron-tight security organisations were controlled through a political authority. Similarly, a viable security framework in Iraq must be underpinned by an Iraqi political structure".<sup>151</sup> A core challenge facing the CPA and the Interim Governing Council is to ensure that a link is formed between Iraq's political structure and its security framework and that both are viewed as genuinely representative, authentically Iraqi and truly national.

**Baghdad/Brussels, 23 December 2003**

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<sup>150</sup> In interviews with ICG, officials at the French Defence Ministry indicated they would be willing to send instructors to Iraq. ICG interviews, Paris, November 2003.

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<sup>151</sup> "Iraq Democracy Watch: Report #1 on the Situation in Iraq", Iraq Foundation, Washington D.C., 26 September 2003.

## APPENDIX A

### MAP OF IRAQ

