

The Bypass: Ahmad Chalabi, Dick Cheney and the Disbanding of the Iraqi Army

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On March 12, 2003, a week before the invasion of Iraq, a Principals Committee meeting of the National Security Council was held at the White House to formally decide the fate of the Iraqi Army.¹ The participants, having all received extensive briefings on the subject prior to meeting, voted unanimously and with little discussion that after disbanding the Republican Guard, the “regular soldiers” of the Iraqi Army would be called “back to duty.”² In spite of this decision, on May 23, 2003, L. Paul Bremer III—President Bush’s “special envoy” in Iraq—announced Coalition Provisional Authority Order No. 2, “Dissolution of Entities.” Among the relevant entities to be dissolved by the decree was the Iraqi Army.³

In an interview with the journalist Robert Draper at the end of his presidency, President Bush commented on this apparent dissonance when he remarked, “The policy was to keep the army intact; didn’t happen.” When asked further of his reaction when he found out about the decree, Bush replied, “Yeah, I can’t remember, I’m sure I said, ‘This is the policy, what happened?’”⁴ Having endured significant criticism over CPA Order No. 2, Mr. Bremer was quick to defend himself, providing letters to *The New York Times* to and from the

¹ The Principals Committee of the National Security Council serves as the senior interagency forum for consideration of policy issues affecting national security. It is composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Chief of Staff to the President, and the Assistant to the President for National Security Affairs (who serves as chair). The purpose of the particular meeting referenced was to decide on several matters related to postwar Iraq, including De-Ba’athification and the Iraqi Army. “National Security Presidential Directive 1: Organization of the National Security System.” Federation of American Scientists, February 13, 2001.

² Kaplan, Fred. “Who Disbanded the Iraqi Army?” *Slate Magazine*, September, 7, 2007.

³ Gordon, Michael R. “Fateful Choice on Iraq Army Bypassed Debate.” *The New York Times*, March 17, 2008.

⁴ Andrews, Edmund L. “Envoy’s Letters Counters Bush on Dismantling of Iraq Army.” *The New York Times*, September 3, 2007.

president “in order to refute the suggestion in Mr. Bush’s comment that Mr. Bremer had acted to disband the army without the knowledge and concurrence of the White House.”⁵

Such a puzzling exchange over such an important topic serves to illustrate a larger point. That is, despite its centrality to America’s involvement in Iraq, from the emergence of the insurgency onward to its current conflict with ISIS, it still remains unclear how and why the decision to disband the Iraqi Army was made.

In this paper, I demonstrate that the impetus for CPA Order No. 2 came from the prominent Iraqi exile Ahmad Chalabi, and was carried out under the authority of Vice President Richard “Dick” Cheney by a small group of Chalabi’s supporters in the Office of the Vice President and the Pentagon. I do so first by establishing the lengths to which those in the vice president’s office, in concert with like-minded officials at the Defense Department, were willing to go in order to support Chalabi, who favored disbanding the army. Secondly, I identify the striking similarities between the events surrounding the order and other instances involving the vice president that involved a bypass of the normal interagency policy-making process.

The Plan

On January 17, 2003, Douglas Feith, the Undersecretary of Defense for Policy, “called Jay Garner, a retired lieutenant general, and asked him to take charge of postwar Iraq” as the head of the Office of Reconstruction and Humanitarian Assistance (ORHA). Having served as the commander for Operation Provide Comfort—a humanitarian mission to provide assistance to Iraqi Kurds following the Gulf War—Garner was considered a natural choice for the type of short occupation mission envisioned by policy-makers at the time, given

⁵ Andrews, Edmund L. “Envoy’s Letters Counters Bush on Dismantling of Iraq Army.” *The New York Times*, September 3, 2007.

both his familiarity with Iraq and his “experience providing humanitarian aid on Iraqi soil.”⁶

As Garner began preparing to assume his duties, he asked “Feith for copies of planning documents that had been drawn up in the Pentagon and elsewhere in the U.S. government.”⁷ Despite the fact that Garner was given only 7 weeks to prepare for assuming responsibility for postwar Iraq (equivalent to “what it takes to get a computer connection at the Pentagon,” said one DOD official),⁸ Feith told Garner “that nothing useful existed and that he should develop his own plans.”⁹

This was not the case, however.

In fact, under the State Department’s “Future of Iraq Project,” a team of over 200 Iraqi exiles comprising seventeen working groups had been drafting working documents “designed systematically to cover what would be needed to rebuild the political and economic infrastructure” of postwar Iraq.¹⁰ On the subject of what to do with regard to the Iraqi Army, the recommendations of the “Future of Iraq” project, along with the Army War College and the Center for Strategic and International Studies (CSIS), were unambiguous: it should to be left intact.¹¹

The case for reforming, rather than disbanding, the Iraqi Army was clear, and given ensuing events, hauntingly prescient. The first concern outlined was that by dissolving the army, one created “an instant enemy class: hundreds of thousands of men who still had their weapons but no longer had a paycheck or a place to go each day.” Manpower that could be used for security could instead become part of the “security threat.” The second concern,

⁶ Chandrasekaran, Rajiv. *Imperial Life in the Emerald City: Inside Iraq's Green Zone*. New York: Alfred A. Knopf, 2006, 33.

⁷ Chandrasekaran, 34.

⁸ Packer, George. *The Assassins' Gate: America in Iraq*. New York: Farrar, Straus and Giroux, 2005, 122.

⁹ Chandrasekaran, 34-35.

¹⁰ Fallows, James. “Blind Into Baghdad.” *The Atlantic*, January 28, 2004.

¹¹ Ibid.

according to the Army War College, revolved around the fear that dissolving the “army in the war’s aftermath could lead to the destruction of one of the only forces for unity within the society.”¹²

Chain of Command

On February 28, 2003, Garner was able to meet for the first time with the President and his “war cabinet” to discuss his plans for Iraq in the war’s aftermath. In particular, Garner focused on how he “planned to maintain stability in Iraq after combat.” Referring to a talking point entitled, “Postwar use of Iraqi Regular Army,” Garner stated, “We’re going to use the army. We need to use them. They have the proper skill sets.”¹³

When asked to speculate on how many he would use, he answered, “I’m going to give you a big range. It’ll be between 200,000 and 300,000.” As he looked around the room, Garner saw “all the heads were bobbing north and to south. Nobody challenged. Nobody had any questions about [the] plan.”¹⁴

Garner’s plan was predicated partially on his suspicion that the war plan being devised by Secretary Donald Rumsfeld and Army General Tommy Franks “called for a force level dramatically below the 500,000 in the initial war plan for Iraq.” He believed, however, that “with another 100,000 U.S. forces that could flow in after combat began, plus some 200,000 to 300,000 from the Iraqi army who could be turned to work with the U.S. forces, it was possible to have some measure of security and stability.”¹⁵

The 500,000 troops number Garner referenced closely matched the findings of a RAND Corporation study conducted before the war which found, using examples from seven previous occupations, “that to achieve stability in the initial years after military occupation

¹² Fallows, James. “Blind Into Baghdad.” *The Atlantic*, January 28, 2004.

¹³ Woodward, *State of Denial*. New York: Simon & Schuster, 2006, 133.

¹⁴ *Ibid*, 133.

¹⁵ *Ibid*, 137.

there should be twenty occupying troops for every one thousand people in the country occupied.” Given that the population of Iraq at the time was approximately 25 million, meeting the proposed ratio required a troop presence of 500,000, or “more than three times the number of foreign troops” that would eventually deploy to Iraq.¹⁶

Military commanders were also on board with the decision, having long integrated “the idea of using the Iraqi Army” as part of their plans. According to Colonel John Agoglia, who served as a war planner on General Franks’ staff at Central Command, “Starting in June 2002 we conducted targeted psychological operations using pamphlet drops, broadcasts and all sort of means to get the message to the regular army troops that they should surrender or desert and that if they did that we would bring them back as part of a new Iraq without Saddam.”¹⁷

Chalabi and the Neocons

To understand why Feith declined to inform Jay Garner of the existence of the Future of Iraq Project in the first place, one must understand the connection between Chalabi and prominent neoconservatives in the Bush Administration, beginning in the Office of Special Plans.

The Office of Special Plans was established under Deputy Secretary of Defense Paul Wolfowitz by Douglas Feith, and was overseen by William J. Luti, a retired naval officer who had previously worked in Vice President Cheney’s office. The most important function of the Office of Special Plans was to provide a “closer examination of all intelligence information to find links between Iraq and al-Qaeda and evidence of Saddam Hussein’s weapons of mass destruction that other analysts might have overlooked or underappreciated.” The office’s other function, and one in which it maintained “close

¹⁶ Bremer, L. Paul, and Malcolm McConnell. *My Year in Iraq: The Struggle to Build a Future of Hope*. New York: Simon & Schuster, 2006, 10.

¹⁷ Gordon, Michael R. “Fateful Choice on Iraq Army Bypassed Debate.” *The New York Times*, March 17, 2008.

contact” with the Vice President’s Chief of Staff Scooter Libby, was to “manage the Pentagon’s relationship with its favored candidate to replace Hussein, Iraqi exile Ahmad Chalabi, a leading supporter of anti-Saddam intelligence.”¹⁸

A highly educated, secular Shiite from a prominent Baghdad family, Chalabi—as the head of the Iraqi National Congress (INC)—had assiduously cultivated a network of hawkish supporters around Washington since the mid-1990’s who supported his goal of regime change. Following the demise of Communism, “the neoconservatives were eager for a new cause, and Chalabi...who was accepting of Israel and talked about spreading democracy throughout the Middle East - capitalized on their enthusiasm.”¹⁹ Included among those he met with during this period were Richard Perle, Paul Wolfowitz, Douglas Feith and Dick Cheney, all of whom would play crucial roles in his journey during the Bush administration.²⁰

Despite such influential supporters, however, Chalabi was not without his detractors. “At CIA headquarters in Langley...Chalabi was so despised that no one there wanted anything to do with him – period.”²¹ The CIA’s disdain for Chalabi stemmed from a failed operation conducted jointly between Chalabi’s Iraqi National Congress and the CIA in 1995 to overthrow Saddam from a base inside Iraqi Kurdistan. “Chalabi didn’t deliver a single lieutenant, let alone a colonel or general,” remarked Robert Baer, the CIA agent who oversaw the operation.²²

¹⁸ DeYoung, Karen. *Soldier: The Life of Colin Powell*. New York: Knopf, 2006, 397.

¹⁹ Mayer, Jane. “The Manipulator.” *The New Yorker*, June 7, 2004.

²⁰ Ibid.

²¹ Bonin, Richard. *Arrows of the Night: Ahmad Chalabi’s Long Journey to Triumph in Iraq*. New York: Doubleday, 2011, 177.

²² Isikoff, Michael, and David Corn. *Hubris: The Inside Story of Spin, Scandal, and the Selling of the Iraq War*. New York: Crown Publishers, 2006, 50.

²² Mayer

²³ Bonin, 193.

Despite this hostility, Chalabi's campaign to move the policy of regime change in Iraq to the forefront of American foreign policy making reached a turning point in October, 1998 with the passage of the Iraq Liberation Act. "Crafted by Chalabi" and his "allies in Congress," the legislation formally made regime change the policy of the United States government with regard to Iraq.²³

Chalabi, The Bush Administration and Weapons of Mass Destruction

Following the 9/11 attacks and the anthrax scare that swept the nation, Chalabi received a call from John P. Hannah, a national security aide of the vice president. Hannah told Chalabi that "the administration [was] looking for people who know about Iraq's weapons of mass destruction, Iraqis who know about these weapons firsthand," and asked if he could introduce them to any.²⁴

This exchange began "what would become perhaps the signature scandal in the lead-up to the 2003 invasion of Iraq: the procurement of Iraqi defectors whose bogus tales of WMD and Iraqi-sponsored terrorism permeated the press and circulated at the highest levels of the U.S. government."²⁵ These defectors would assert among other things that the Iraqi military had been given training "for airline hijacking and assassinations", as well as that Saddam was working on "secret facilities for biological, chemical and nuclear weapons [located] in underground wells, private villas and under the Saddam Hussein Hospital in Baghdad."²⁶

Despite the reservations of those in the CIA's Counterterrorism Center regarding the veracity of these defectors, some of whom were suspected of being "coached to lie by the INC," senior Pentagon officials remained confident that "Chalabi [was] a valuable conduit of

²³ Mayer.

²⁴ Bonin, 193.

²⁵ Ibid, 195.

²⁶ Ibid, 198.

information with a track record that was far and away better than the agency's."²⁷ Chalabi also "provided defector allegations to just about every respectable news outlet in the country, including *The Wall Street Journal*, *Time*, *Newsweek*, *Vanity Fair*, *The New Yorker*, *USA Today*, *UPI*, and *Fox News*."²⁸

According to David Frum, a Bush administration speechwriter, the vice president's relationship with Chalabi was also deepening during this period:

I was less impressed by Chalabi than were some others in the Bush administration. However, since one of those "others" was Vice President Cheney, it didn't matter what I thought. In 2002, Chalabi joined the annual summer retreat of the American Enterprise Institute near Vail, Colorado. He and Cheney spent long hours together, contemplating the possibilities of a Western-oriented Iraq: an additional source of oil, an alternative to U.S. dependency on an unstable-looking Saudi Arabia.²⁹

Cheney's growing affinity for Chalabi during this period may be explained by the influence of the noted academic Bernard Lewis, a widely hailed expert on the Middle East. "Over a series of lunches at the vice president's residence in 2002, Lewis laid out his case for using American military power to change the regime in Iraq...Force was what Arabs respected. A conclusive show of strength could catalyze a change in the opposite direction." In Lewis' analogy, "the exiled Chalabi would play the role of the secularizing Mustafa Kemal Ataturk, reorienting his country toward the West."³⁰

By the spring of 2002, the hard work that Chalabi and the INC had put in was paying off:

Rumsfeld and Wolfowitz began urging the President to release more than ninety million dollars in federal funds to Chalabi. The 1998 Iraq Liberation Act had authorized ninety-seven million dollars for the Iraqi opposition, but most of the funds had not been expended. The State Department opposed releasing the rest of the money, arguing that Chalabi had failed to account

²⁷ Bonin, 200.

²⁸ Ibid.

²⁹ Frum, David. "The Speechwriter: Inside the Bush Administration During the Iraq War." *Newsweek*, March 19, 2013.

³⁰ Weisberg, Jacob. *The Bush Tragedy*. New York: Random House, 2008, 204.

properly for the funds he had already received. “The Vice-President came into a meeting furious that we hadn’t given the money to Chalabi,” the former official recalled. Cheney said, “Here we are, denying him money, when they”—the Iraqi National Congress—“are providing us with unique intelligence on Iraqi W.M.D.s.”³¹

Having helped to provide the intelligence necessary to secure public support for the war to his benefactors in the U.S. government, Chalabi now stood to benefit as policy began to take shape under the influence of his most influential admirers, none of who stood more powerful than Cheney.

The Threat of Thomas Warrick

On February 21, 2003, Garner convened a “pre-deployment rock drill” at the National Defense University. As the meeting began, he noticed—first to his annoyance, and later to his grudging respect—that one man in particular “was asking the right questions and providing insightful comments” among the over 100 attendees. The man in question was Thomas Warrick, head of the Future of Iraq Project.³²

After speaking with him and learning of the extensive research he had overseen as director, Garner quickly offered Warrick a job with ORHA. Within a week, however, Rumsfeld informed Garner that he had to remove him:

“Why?” Garner replied. “Warrick has a difficult personality, but he’s probably the smartest guy I’ve got.”

“Look, I got this request from above me,” the defense secretary said. “I can’t defer it. You’re just going to have to do what I ask.”

Garner said he was told later that Dick Cheney had objected to Warrick’s involvement in ORHA. The reason, like so many foolish decisions before the war, had to do with Ahmad Chalabi. Warrick regarded Chalabi as a smarmy opportunist who believed in democracy only so long as it suited his own

³¹ Hersh, Seymour. “The Stovepipe.” *The New Yorker*. October 27, 2003.

³² Chandrasekaran, 36.

interests. The vice president's office, which wanted Chalabi to lead a liberated Iraq, deemed Warrick a threat to its man.³³

Thomas Warrick was not to be the last "threat" the vice president's office would remove in order to protect their man, however. In fact, "Chalabi's backers in the Bush administration never wavered from their commitment to installing him in power. After Bush decided against establishing a government-in-exile, Chalabi pushed his backers to endorse the formation of a nucleus provisional government. When this failed, the Pentagon reverted to Plan C."³⁴

Plan C would involve a "rolling transition" where "ORHA would hand over power to an interim Iraqi administration that would run day-to-day affairs and reconstitute Iraq's military...Once the constitution was written, a sovereign administration would be established and elections organized within two years. Chalabi's backers reasoned that giving Chalabi and the Iraqi National Congress control of Iraq's reconstruction would eventually put him in a position to assume political leadership in Iraq."³⁵

Despite the failure of these plans to come to fruition, the faith of Cheney in Chalabi was virtually unshakeable. In the fall of 2003, amidst signs of the impending chaos that would engulf Iraq following the initial success of the invasion, "Dick Cheney approached his longtime colleague [Secretary of State] Colin Powell, stuck a finger in his chest, and said, 'If you hadn't opposed the INC and Chalabi, we wouldn't be in this mess.'"³⁶

Change of Plan

³³ Chandrasekaran, 37.

³⁴ Phillips, David L. *Losing Iraq: Inside the Postwar Reconstruction Fiasco*. New York: Westview Press, 2005, 131.

³⁵ Ibid.

³⁶ Packer, 147.

Following the successful invasion and capture of Baghdad, Colonel Paul Hughes was charged by Garner with establishing contact with officers of the Iraqi Army in order to identify soldiers and units who could be recalled to provide security and help with the reconstruction effort. Although the CENTCOM psychological operations campaign had “instructed army units...to stay in formation and surrender,” upon arriving “coalition forces found that rather than standing aside from the fight as intact units, the Iraqi army was nowhere to be seen.”³⁷ Despite this unexpected complication, however, “before going on leave” to attend his daughter’s college graduation, Col. Paul Hughes “had been meeting every day with a group of Iraqi generals, and with them had developed a list of 125,000 former Iraqi soldiers” to recall to duty.³⁸

During the same period Hughes was making his push, Lieutenant General David McKiernan “and a select few senior U.S. officers met at the Abu Ghraib palace with Faris Naima, a former Iraqi officer, in a meeting coordinated by the CIA.” Naima had “been the commander of al-Bakr Military College, a training ground for Iraq’s top officers.” Speaking fluent English, he stressed the overwhelming importance of security for Iraq in the post-Saddam landscape. In order to provide it, he “urged the Americans to establish three Iraqi military divisions to be deployed in northern, central, and southern Iraq,” with an army unit “stationed in each major town to back up the police.”³⁹

New Leader, New Vision

By the time of President Bush’s “Mission Accomplished” speech, it was clear in Washington that Garner was soon to be replaced, having lost the support of several administration officials, including Cheney, whose office never saw him “as part of the team.” The specific incident that precipitated his downfall may have come at a press conference Garner held a

³⁷ Bensahel, Nora. *After Saddam: Prewar Planning and the Occupation of Iraq*. Santa Monica, CA: Rand Arroyo Center, 2008, 121

³⁸ Ricks, Thomas E. *Fiasco: The American Military Adventure in Iraq*. New York: Penguin Press, 2006, 161.

³⁹ Gordon, Michael R., and Bernard E. Trainor. *Cobra II: The inside Story of the Invasion and Occupation of Iraq*. New York: Pantheon Books, 2006, 552.

few days before leaving for Kuwait. “When a reporter asked whether he would hand power over to Chalabi and the INC, Garner replied, ‘I don’t intend to empower the INC. I don’t have a candidate. The best man will rise.’” That night, Garner “received several agitated calls from [Undersecretary] Feith,” who said, “You’ve damaged the INC, you’ve caused Ahmad embarrassment.”

Garner replied, “Hey, goddamnit, then what you need to do, Doug, is have a little press conference in the morning and say, ‘We’re firing Garner because he embarrassed Ahmad Chalabi.’”⁴⁰

The vice president “moved quickly to bring in what he hoped would be a stronger figure.” After Wolfowitz’s bid to be considered was denied, Scooter Libby, Cheney’s chief of staff, contacted Bremer to inform him that he was being considered for the position.⁴¹

Following his appointment, Bremer and his deputy Walt Slocombe began preparing at the Pentagon. During this period according to Bremer, Slocombe began meeting with Wolfowitz to discuss “the policy implications of Saddam’s army having melted away.”⁴² “According to Bremer, Rumsfeld approved an outline of the plans [to disband] on May 9,” and later approved a final plan on May 19. “After the draft order was reviewed by Feith on May 22, Bremer sent President Bush a three page letter which was an update on the conditions in Iraq. Near the end of the letter he mentioned that he was going to dissolve ‘Saddam’s military and intelligence structures.’”⁴³

During a National Security Council meeting from which he was participating from Baghdad via video that day, Bremer claims to have informed the president of his plan. According to

⁴⁰ Packer, 128.

⁴¹ Baker, Peter. *Days of Fire: Bush and Cheney in the White House*. Anchor, 2014, 270-271.

⁴² Bremer, L. Paul, and Malcolm McConnell. *My Year in Iraq: The Struggle to Build a Future of Hope*. New York: Simon & Schuster, 2006, 54.

⁴³ Pfiffner, James. “US Blunders in Iraq: De-Baathification and Disband the Army.” *Intelligence and National Security* 25, no. 1 (2010): 76-85. Accessed May 14, 2015. Doi:February 2010.

National Security Adviser Condoleezza Rice, however, several participants in the meeting recall the order being “brought up only in general terms during a discussion of de-Ba’athification. It was certainly not a request for permission to issue the order.” She further notes that the “decision to dissolve [the army] explicitly ran counter to the earlier plans to retain as many as three to five divisions to form the nucleus of a new Iraqi Army.” She adds finally, “I was surprised when I read in the newspaper on May 24 that the Iraqi military had been dissolved by order of the U.S. envoy.”⁴⁴

The fact that Rice has admitted to being surprised by the order leads to one of the most fundamental questions of this whole episode: did President Bush know of and approve the order before it was issued?

For his part, Bremer has been consistent in his insistence that President Bush gave his approval for disbanding the Iraqi Army during the disputed videoconference. Powell contradicts his contention, however:

When we went in, we had a plan, which the president approved. We would not break up and disband the Iraqi Army. We would use the reconstituted Army with purged leadership to help us secure and maintain order throughout the country...The plan the president had approved was not implemented... These actions surprised the president, National Security Adviser Condi Rice, and me, but once they had been set in motion, the president felt he had to support Secretary Rumsfeld and Ambassador Bremer.⁴⁵

Seconding both Rice’s and Powell’s characterization of the unusual process that led to the order is Franklin C. Miller, a decorated member of the NSC staff, who recalls:

Anyone who is experienced in the ways of Washington knows the difference between an open, transparent policy process and slamming something through the system...The most portentous decision of the occupation, disbanding the Iraqi army, was carried out stealthily and without giving the

⁴⁴ Rice, Condoleezza. *No Higher Honor: A Memoir of My Years in Washington*. New York: Crown Publishers, 2011, 238.

⁴⁵ Powell, Colin. “Colin Powell on the Bush Administration’s Iraq War Mistakes.” *Newsweek*, May 13, 2012.

president's principal advisors an opportunity to consider it and give the president their views.⁴⁶

Their characterizations are further supported by several curious incidents that took place in Iraq during this period. Among them was Colonel Greg Gardner's attempt—at the behest of Bremer's deputy Walt Slocombe—to obtain McKiernan's opinion of the order “the day before it was issued.” While Gardner claims “that a member of McKiernan's staff told him over the phone that McKiernan accepted the policy decision,” McKiernan himself says, “I never saw that order and never concurred. That is absolutely false.”⁴⁷ Lieutenant General J.D. Thurman, who served as McKiernan's top operations officer at the time, concurs, adding: “We did not get a chance to make a comment. Not sure they wanted to hear what we had to say.”⁴⁸

Similarly, Colonel Michael Barron, who was a “senior advisor to Garner, participated in the heated discussions between Garner and Bremer over the CPA orders 1 and 2.” As someone who “had been involved in the Army planning for the post-military victory administration of Iraq,” Barron knew that “the assumption all along had been that reestablishing the Iraqi Army was essential for both security and economic reasons.” Despite that, however, Bremer “arrogantly dismissed the concerns of military leaders and continued to insist that in making the decisions he was following the president's orders and that they were final.”⁴⁹

Left in the Dark

Given the importance of CPA Order No. 2 for America's involvement in Iraq, it is worth considering in full just how many key members of the military and President Bush's

⁴⁶ Gordon, Michael R. “Fateful Choice on Iraq Army Bypassed Debate.” *The New York Times*, March 17, 2008.

⁴⁷ Pfiffner, 76-85.

⁴⁸ Gordon, Michael R. “Fateful Choice on Iraq Army Bypassed Debate.” *The New York Times*, March 17, 2008.

⁴⁹ Pfiffner, 76-85.

cabinet—some of whom were already referenced—were left in the dark when news broke of Bremer’s decision.

- Lieutenant General David McKiernan, “the senior American military commander at the time...neither reviewed nor backed the decree.”⁵⁰
- General Richard B. Myers, Chairman of the Joint Chiefs of Staff, “said the issue was never debated by the chiefs. ‘I don’t recall having a robust debate about this issue, and I would have recalled this.’”⁵¹
- General Peter Pace, Vice Chairman of the Joints Chiefs of Staff: “We were not asked for a recommendation or for advice.”⁵²
- Major General Victor Renuart—director of operations at Central Command—remarked, “We were surprised at the dissolution of the army.” Colonel Kevin Benson, another CENTCOM planner, added, “We expected to be able to recall the Iraqi army. Once CPA took the decision to disband the Iraqi army and start again, our assumptions for the plan became invalid.”⁵³

⁵⁰ Gordon, Michael R. “Fateful Choice on Iraq Army Bypassed Debate.” *The New York Times*, March 17, 2008.

⁵¹ Ibid.

⁵² Pfiffner, 76-85.

⁵³ Ricks, 163.

- CIA Director George Tenet writes in his memoir that, “without any formal discussion or debate back in Washington—at least any that included me or my top deputies—Bremer, on May 23, ordered the dissolution of the Iraqi Army.”⁵⁴
- Deputy National Security Advisor Stephen Hadley “first learned of the orders on de-Baathification and disbanding the military as Bremer announced them to Iraq and the world. They hadn’t been touched by the formal interagency process...[Condoleeza] Rice also had not been consulted.”⁵⁵
- Secretary of State Colin Powell “was not informed about it, much less consulted.” When he asked National Security Advisor Condoleeza Rice about it later, she replied, “I was surprised too, but it is a decision that has been made and the president is standing behind Jerry’s decision. Jerry is the guy on the ground.”⁵⁶

The consequences would be immediate, and catastrophic.

Fallout

According to Agoglia, Bremer’s order was the moment when “we snatched defeat from the jaws of victory and created an insurgency.” Colonel R. Alan King—civil affairs officer for the 3rd Infantry Division—concur, recalling that, “When Bremer did that, the insurgency went crazy...When they disbanded the military, and announced we were occupiers – that was it. Every moderate, every person that had leaned toward us, was furious. One Iraqi who had saved my life in an ambush said to me, ‘I can’t be your friend anymore.’”⁵⁷

⁵⁴ Tenet, George, and Bill Harlow. *At the Center of the Storm: My Years at the CIA*. New York: HarperCollins Publishers, 2007, 429.

⁵⁵ Woodward, Bob. *State of Denial*. New York: Simon & Schuster, 2006, 197.

⁵⁶ Pfiffner, 76-85.

⁵⁷ Ricks, 163-164.

Furious protests from ex-soldiers and other Iraqis began immediately once the order was announced, with protestors offering chilling warnings of violence to come.

A *New York Times* report from May 25 on a “demonstration in Basra by dismissed Iraqi soldiers quoted one former Iraqi tank driver as saying, “The U.S. planes dropped the papers telling us to stay in our homes...They said our families would be fine.” Another soldier at the protest remarked, “We have guns at home. If they don’t pay us, if they make our children suffer, they’ll hear from us.”⁵⁸

“On June 2, about 1,000 ex-soldiers gathered in Baghdad outside the gates of the CPA headquarters to protest the army’s disbanding.” Said one protestor, “The entire Iraqi people is a time bomb that will blow up in the Americans’ face if they don’t end their occupation.” Said another, a former military officer, “All of us will become suicide bombers. I will turn my six daughters into bombs to kill the Americans.”⁵⁹

“On June 18 an estimated two thousand Iraqi soldiers gathered outside the Green Zone to denounce the dissolution decision.” Some were carrying signs that read “PLEASE KEEP YOUR PROMISES” – an obvious reference to the psychological operations campaign waged by the United States before the war to convince Iraqi soldiers to give up before fighting started on the promise that they would be brought back. One of the demonstrators vowed, “We will take up arms. We are all very well-trained soldiers and we are armed. We will start ambushes, bombings and even suicide bombings. We will not let the Americans rule us in such a humiliating way.”⁶⁰

The most haunting story of the missed opportunity presented by the order was the case of Lieutenant Colonel Jeff Ingram, a battalion commander for the 2/70 Armor Battalion out of

⁵⁸ Tenet and Harlow, 429.

⁵⁹ Woodward, 211.

⁶⁰ Ricks, 164.

⁶¹ Nagl, John A. *Knife Fights: A Memoir of Modern War in Theory and Practice*, 64-65.

Fort Riley. Upon arriving in the Iraqi capital, Ingram found himself “responsible for securing a section of the city that far exceeded his grasp.” Luckily, however, he “was meeting daily with an Iraqi major general who told [him] that he had an entire division of some 10,000 troops standing by to provide security on the streets. All [he] had to do was pay them.”⁶¹

After Ingram “informed the Iraqi general of [CPA Order No. 2], the astonished Iraqi officer informed him, “This means that I will be fighting you tomorrow.” After “acknowledging the possibility” of impending conflict, “the two officers gravely saluted each other. Although [Ingram’s] sector had been quiet to that point, attacks on his troops began the next morning.”⁶²

For Hughes, the man who had spent more time on recalling the Iraqi Army than any other government official, what made the situation all the more disheartening was the amount of leverage that had been squandered. “I had them by their balls,” he recalled. “They would have stood on their head in the Tigris River for me as long as we were dealing fairly with each other. It was just so tragic, so needless.”⁶³

As Agoglia put it, “We wanted to rapidly call the soldiers back, get them on our side, and then sort out who could and could not be trusted.” In doing so, “The generals wanted to use the Iraqi forces as a means to generate the troop levels that would be needed to guard the borders and establish a military presence throughout the country.” Instead the plan subsequently offered by Slocombe in the wake of the order called for building a “New Iraqi Corps” battalion by battalion, a process that would take “two years to train and equip a three-division force.”

⁶² Nagl, 64-65.

⁶³ Woodward, 207.

“It would have been a lot faster than building one battalion at a time,” remarked Agoglia on the original plan. “And we wanted to send a psychological message that they were going to be part of the new Iraq, to prevent them from turning against us.”⁶⁴

After violent protests in Mosul following the order left 16 of his soldiers wounded, Lieutenant General David Petraeus—then commander of the 101st Airborne Division—told Slocombe at a change-of-command ceremony “that the decision to leave the Iraqi soldiers without a livelihood had put American lives at risk.”⁶⁵

As David L. Phillips writes in describing Petraeus’ lament, “Not only did the decree turn 400,000 former soldiers against the U.S.-led coalition, but if you consider that an average Iraqi family includes six persons, the decision directly affected the lives of 2.4 million people, or roughly 10 percent of Iraq’s population.”⁶⁶

Planting the Seeds of Al-Qaeda in Iraq (and ISIS)

“If Abu Musab al-Zarqawi could have dictated a U.S. strategy for Iraq that suited his own designs for building a terrorist network, he could have hardly come up with one that surpassed what the Americans themselves put in place over the spring and summer of 2003,” writes Joby Warrick in his acclaimed book, *Black Flags: The Rise of ISIS*.⁶⁷

Following the de-Ba’athification order and the order disbanding the Iraqi Army, Sunnis across Iraq found themselves newly powerless, and enraged. As Warrick writes, “It was in this reordered Iraq that Zarqawi would find both freedom to maneuver and powerful allies willing and able to support his cause. Captains and sergeants who once served Saddam Hussein now enlisted in Zarqawi’s army, and some rose to leadership positions. Others offered safe houses, intelligence, cash, and weapons, including, investigators later

⁶⁴ Gordon and Trainor, 484-485.

⁶⁵ Ibid, 556.

⁶⁶ Phillips, David L. *Losing Iraq: Inside the Postwar Reconstruction Fiasco*. New York: Westview Press, 2005, 152.

⁶⁷ Warrick, Joby. *Black Flags: The Rise of ISIS*. New York: Doubleday, 117.

concluded, the aerial munitions and artillery shells that provided the explosives...for Zarqawi's biggest car bombs."⁶⁸

Warrick's assessment is shared by noted counterinsurgency expert (Army, Ret.) John Nagl, who writes, "A large group of organized, angry men who knew how to use weapons that were lying literally loose in the unsecured ammunitions bunkers of what had fairly recently been the world's fourth-largest army now had no job and no prospects...and they took their anger out on the people they believed responsible for this disaster."⁶⁹

And thus was an insurgency born.

Identifying the (Elusive) Culprit

As both Fred Kaplan of *Slate Magazine* and James P. Pfiffner of George Mason University have cited, there exist several compelling facts that point to the vice president's office as the originator of the order within the U.S. government. First is a quote from Tenet's memoir in which he writes that when Garner and the CIA station chief in Baghdad confronted Bremer about the order to outline their objections, Bremer told Garner "that he could raise the issue with the secretary of defense if he wanted to, but that this was a done deal and a decision made at a level 'above Rumsfeld's pay grade.'"⁷⁰ Considering that only the president and vice president stood above Rumsfeld in terms of "pay-grade," as well as that President Bush admitted to being surprised by the decision in an aforementioned interview with Robert Draper of *The New York Times*, these statements seem to clearly implicate the vice president. Second, Cheney's office was known as "one of the most leak-proof offices in Washington." Given the intense interest this subject has generated over the past 12 years, it seems likely that "had the order originated somewhere else, that fact would have been leaked by now."⁷¹

⁶⁸ Warrick, 119.

⁶⁹ Nagl, 64-65.

⁷⁰ Tenet and Harlow, 429.

⁷¹ Kaplan, Fred. "Who Disbanded the Iraqi Army?" *Slate Magazine*, September 7, 2007.

It is in considering the motive of the vice president and those in his office that the picture emerges clearest, however. As Tenet writes in his memoir, for those admirers of Chalabi in the vice president's office and in the Department of Defense, maintaining "control" of the Iraqi political process so as to promote his interests was of paramount importance. He writes:

Hovering over this entire process was...Ahmad Chalabi. Time and again, during the months leading up to the invasion and for months thereafter, the representatives of the vice president and Pentagon officials would introduce ideas that were thinly veiled efforts to put Chalabi in charge of post-invasion Iraq.⁷²

General Anthony Zinni (USMC, Ret.), the former CENTCOM commander, is even more explicit, believing that "de-Baathification and the dissolution of the army were [done] at Chalabi's insistence...he saw the army as a threat to him. If the army stayed intact, he wouldn't have control of the security forces."⁷³

The most convincing evidence of all, however, comes from Jack O'Connell, a former CIA officer and long-time confidant of King Hussein of Jordan, who ruled his country for nearly a half century from 1952-1999:

To pave the way for him to head the Iraqi government, he said he had to destroy the existing Iraqi power structure, which consisted of Saddam, the Iraqi Army, and the Ba'ath Party. He was instrumental in eliminating all three. At a meeting in London, on his way back to Iraq, he told us he was going back to ensure the army would be disbanded. Our question was whether this would eliminate the only force capable of maintaining law and order. He explained that the army had already disbanded itself. The soldiers had all gone home and their barracks had been looted...Disbanding the army was, later, generally recognized as a major blunder, but there were no apologies from Chalabi. It was part of his agenda.⁷⁴

⁷² Tenet and Harlow, 419.

⁷³ Ricks, 162.

⁷⁴ O'Connell, Jack and Vernon Loeb. *King's Counsel: A Memoir of War, Espionage, and Diplomacy in the Middle East*. New York: W.W. Norton, 2011, 224.

As Michael Gordon and Bernard Trainor write in *Cobra II*, Chalabi's intent resulted from his rivalry with fellow exile leader Iyad Allawi. Allawi, who "had contacts among the Baathists and the Iraqi military...calculated that they could be a part of his power base." This led him to push for "limited de-Baathification and an appeal for Iraqis affiliated with the old order to switch sides." Chalabi, meanwhile, "had pushed for a strong de-Baathification policy and for disbanding the Iraqi military, figuring this would not only remove the vestiges of Saddam's regime but also undermine his rival."⁷⁵

The Cheney Modus Operandi

In addition to the substantial evidence already cited, the manner in which the decision to disband the Iraqi Army was carried out is yet another powerful indicator of Vice President Cheney's involvement.

An earlier example of a similar bypass of the interagency review process came on November 13, 2001, during a weekly lunch Cheney shared with President Bush. On this occasion, Cheney had brought an order his lawyer David Addington "had drafted in strict secrecy." The order concerned a fundamental question the United States was facing in the newly launched War On Terror: "What should they do with a captured fighter from al-Qaeda or the Taliban?"⁷⁶

In order to consider the question, Powell had earlier "appointed Pierre Prosper, ambassador-at-large for war crimes, to lead a working group." Prosper's working group would eventually include "representatives from Justice, Defense, and the Joint Chiefs of Staff." Tellingly, however, not one member of Cheney's staff showed up.⁷⁷

⁷⁵ Gordon and Trainor, 476.

⁷⁶ Gellman, Bart. *Angler: The Cheney Vice Presidency*. Penguin Books, 2008, 162.

⁷⁷ Ibid.

Instead, Addington “typed out an order that stripped foreign terrorist suspects of access to any court – civilian or military, domestic or foreign.” The terrorists “would be tried, if at all, in closed ‘military commissions,’ modeled on the ones Franklin Roosevelt set up for Nazi saboteurs in World War II.”⁷⁸

After dismissing the concerns of Attorney General John Ashcroft, Cheney brought Addington’s order to the aforementioned lunch with President Bush, at which he secured his approval to move forward.⁷⁹ Neither Powell nor Rice were made aware of the order being brought to the president. When both officials found out they were left furious, leaving Powell to ask the same question many did in the wake of the disbanding of the Iraqi Army, “What the hell just happened?”⁸⁰

In considering the Vice President’s pattern of behavior, the similarities between the events described and the events surrounding the disbanding of the Iraqi Army are striking:

One NSC lawyer had been shown drafts of the policies to de-Baathify Iraq and disband the military—but that was only to give a legal opinion. The policy-makers never saw the drafts, never had a chance to say whether they thought they were good ideas or even to point out that they were radical departures from what had earlier been planned and briefed to the president...General Myers, the principal military adviser to Bush, Rumsfeld and the NSC, wasn’t even consulted on the disbanding of the Iraqi military. It was presented as a fait accompli.⁸¹

Clearly for the vice president, the interagency process was not a tool to help the president avoid making mistakes, but a hindrance to achieving his policy goals. And would thus be avoided at all costs.

What About Rumsfeld?

⁷⁸ Gellman, 163.

⁷⁹ Ibid, 166.

⁸⁰ Ibid, 168.

⁸¹ Woodward, 197-198.

Defining the role that Rumsfeld played in the disbanding of the Iraqi Army has proven quite difficult, even for Rumsfeld himself.

On April 24, 2006, Rumsfeld wrote a memo to several Pentagon officials with the subject, "Disbanding the Iraq Army." The memo was in regard to a recent story in the *New York Times* entitled, "Criticizing an Agent of Change as Failing to Adapt." In it, Rumsfeld wrote that a particular statement in the story "does not ring true to me." The statement in question read, "The decision of L. Paul Bremer III, the head of the occupation authority, to disband the Iraq army only added to the deficit of forces. Mr. Rumsfeld approved that decision. Neither Condoleeza Rice, then the national security adviser, nor the Joint Chiefs were consulted about the decision."⁸²

To which Rumsfeld responded, "It is difficult for me to imagine that I approved something of this nature without the kind of interaction we normally have around here that involves the Chairman or the Vice Chairman." He further asked that a review be conducted of "briefing and meeting notes from that period to refresh all our memories on the way this issue may have been discussed with Jerry Bremer."⁸³

The stunning reply from Assistant Secretary of Defense Peter W. Rodman came a month later. It is recreated fully herein:

You asked that we review relevant briefing and meeting notes from 2003 to determine how the decision to disband the Iraqi army was made and approved.

The relevant material is attached.

Our review yielded the following chronology:

21 Jan 2003: OSD Policy/Joint Staff produced a draft brief "Rebuilding the Iraqi Military: recommending the elimination of organizations tainted with

⁸² "The Rumsfeld Papers." The Rumsfeld Papers. Accessed September 9, 2015.

<http://papers.rumsfeld.com/>.

⁸³ Ibid.

crimes of the Ba'ath regime (e.g. the security services) but retaining the regular army.

3 Mar 2003: OSD Policy produced a "Draft Agreement between USG and Iraqi Interim Authority" which called for disestablishing the Ba'ath party and the military and security agencies tainted with the crimes of the Ba'ath regime (but retaining the regular army).

7 Mar 2003: The Joint Staff produced an updated version to the 21 Jan 2003 brief. The new brief, renamed "Reshaping the Iraqi Military, recommended that, following combat operations, Iraq's regular army should "maintain its current status in assembly areas and permanent garrison."

7 May 2003: OSD Policy produced a draft De-Ba'athification policy guidance paper recommending dismantling Saddam-era organizations tainted with the crimes of the Ba'ath regime (not including disbanding the regular army).
- Note: The above papers and briefings were discussed at daily Executive Steering Group meetings held in the Pentagon and chaired by the NSC staff

19 May 2003: Ambassador Bremer informed you that he intended to issue an order dissolving Iraqi military and security organizations (including the regular army) as part of the de'Ba'athification effort.

23 May 2003: Ambassador Bremer signed CPA order #2 officially dissolving key Iraqi security ministries including the regular army.
- Note: Ambassador Bremer did not vet/coordinate CPA order #2 or the decision to disband the army with OSD Policy or the Joint Staff ⁸⁴

Rumsfeld's documented confusion over CPA Order No. 2 raises fascinating questions about the Bush administration during this period. The first and most obvious of which is, if Rumsfeld approved the order—as this memo apparently confirms—why order the review in the first place? Especially when doing so provides a rather humiliating rejoinder for historians to marvel over in perpetuity?

Although definitive conclusions at this point remain impossible to draw, what is clear, as Rice writes in her memoir, are these facts: "Don [Rumsfeld]...received a memorandum [on disbanding]...on May 19, but he did not bring it to my attention or that of the president."

⁸⁴ "The Rumsfeld Papers." The Rumsfeld Papers. Accessed September 9, 2015. <http://papers.rumsfeld.com/>.

Furthermore, she concluded, “something was wrong when a decision of that magnitude could be made without Washington’s full and considered deliberation.”⁸⁵

As is now clear, such laments were common in the Bush administration on matters of significance to Cheney.

The Rise of ISIS

From an American perspective, of all the numerous and often excruciating ironies that have resulted from the invasion of Iraq, few can compare to the legacy of disbanding the Iraqi Army given the chaos caused by the rise of ISIS. As a *Washington Post* article describes, “The original sin...was the disbanding of the Iraqi army following the U.S. invasion in 2003, which toppled the country's long-ruling dictator Saddam Hussein...Military officers belonging to Hussein's Ba'ath party — a nominally secular institution — eventually emerged as the key figures running the Islamic State.”⁸⁶

“Under its leader, Iraqi jihadi Abu Bakr al-Baghdadi,” describes another article from the *Associated Press*, “the Islamic State group's top command is dominated by former officers from Saddam's military and intelligence agencies, according to senior Iraqi officers on the front lines of the fight against the group.”⁸⁷

In describing the importance of their presence to the terrorist group, the article continues, “The experience they bring is a major reason for the group's victories in overrunning large parts of Iraq and Syria. The officers gave IS the organization and discipline it needed to weld together jihadi fighters drawn from across the globe, integrating terror tactics like suicide bombings with military operations. They have been

⁸⁵ Rice, 238.

⁸⁶ Tharoor, Ishaan. “Why the Iraqi Army Keeps Failing.” *The Washington Post*, May 19, 2015. Accessed October 12, 2015.

⁸⁷ Hendawi, Hamza, and Qassim Abdul-Zahra. “ISIS Top Brass is Iraqi Army’s Former Best and Brightest.” *Haaretz*, August 8, 2015. Accessed October 12, 2015.

put in charge of intelligence-gathering, spying on the Iraqi forces as well as maintaining and upgrading weapons and trying to develop a chemical weapons program.”⁸⁸

In May 2015, the Iraqi Army suffered a stunning defeat against the Islamic State in Ramadi, the capital of Anbar Province. “The unexpected collapse of Iraqi forces in Ramadi, including elite counterterrorism troops from Iraq’s Golden Division, suggests that the Iraqi forces may be weaker than many in the U.S. government had thought,” reported a story from *The Washington Post* the following day, leading Secretary of Defense Ashton Carter to remark, “The Iraqi forces just showed no will to fight...They were not outnumbered, but in fact, they vastly outnumbered the opposing force. And yet they failed to fight.”⁸⁹ To which Chairman of the Joint Chiefs of Staff Martin Dempsey added, “The Iraqi Army ‘was not driven out of Ramadi. They drove out of Ramadi.’”⁹⁰

In explaining the defeat, and in particular the disparity between the quality of commanders for the Iraqi Army and the Islamic State, a writer for *Foreign Policy* remarked, “The Islamic State’s advantages on the battlefield represent a long-term unintended byproduct of the U.S. decision to disband the Iraqi army in 2003 after Saddam Hussein’s regime melted away. A generation of Sunni military expertise was essentially turned out onto the streets and eventually lost to the insurgency.”⁹¹

Conclusion

One Iraqi colonel told me, you know, our planning before the war was that we assumed that you guys couldn’t take casualties, and that was obviously wrong. I looked at him and said, ‘What makes you think that was wrong?’ He goes, ‘Well, if you didn’t want to take casualties, you would have never made

⁸⁸ Ibid.

⁸⁹ Jaffe, Greg, and Loveday Morris. “Defense Secretary Carter: Iraqis Lack ‘Will to Fight’ to Defeat Islamic State.” *The Washington Post*, May 24, 2014. Accessed August 19, 2015.

⁹⁰ McLeary, Paul. “Why Are the Islamic State’s Commanders So Much Better Than the Iraqi Army’s?” *Foreign Policy*, May 26, 2015.

⁹¹ Ibid.

that decision about the army.’ – **Charles Duelfer, U.S. weapons inspector**⁹²

I think that’s the lesson learned, is that you have to have great intelligence, and I think that the decision...to disband the Iraqi military rather than to co-opt it to create a secure Iraq first for its citizens was a mistake. And that’s the lesson. The lesson is you can—American power, military power—is still the greatest in the world. And we can have the desired effect militarily, but we need to think through how we create security and peace afterwards, or we have chaos. – **Jeb Bush, former Republican Presidential candidate**⁹³

Although there exists no “smoking gun” evidence to connect Vice President Cheney to CPA Order No. 2, in this examination we have been able to build upon and advance the narrative first offered by Kaplan and later Pfiffner identifying the vice president as the culprit, through several avenues. The first is by establishing that the vice president—in concert with allies like Wolfowitz and Feith—sought over a period of several years to use his influence and knowledge of the policy-making process to advance the interests of Chalabi as the new leader of Iraq; the second, by establishing that Chalabi sought to have the Iraqi Army disbanded so as to eliminate a possible competing center of power in the Iraqi post-Hussein landscape; and lastly, by establishing that the decision making process surrounding CPA Order No. 2 bears remarkable similarities to other vice presidential interventions during the Bush Administration that involved a bypass of the normal interagency process.

Furthermore, subsequent events have demonstrated that the decision to disband the Iraqi Army was one of the most damaging decisions of the entire war, as it contravened the U.S. military’s strategy regarding post-war stability operations, which led to a security vacuum that allowed for and even hastened the rise of the insurgency, and has left a crippled Iraqi military in its wake.

⁹² Murphy, Cullen, and Todd S. Purdum. “An Oral History of the Bush White House.” *Vanity Fair*, February 1, 2009.

⁹³ O’Keefe Ed. “Jeb Bush: When It Comes to Talk About Iraq, His Last Name ‘Doesn’t Matter.’” *The Washington Post*, August 14, 2015.

That the mystery surrounding the whole episode has been maintained for this long is a reflection ultimately of just how devastating it is for the legacies of all those involved - a legacy that unfortunately continues to worsen with time.