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Iraqi Civil-Military Relations Progress, Pathologies & Prospects

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After the fall of Saddam Hussein, a US-led coalition has sought to rebuild the Iraqi state and its institutions and structures along democratic lines. The long-term transition from dictatorship to democracy cannot occur without democratic control being exercised over an effective Iraqi military and security sector. In order to better understand the process in Iraq, this paper first characterizes civil military relations (CMR) in Iraq during the Ba'athist period (1968-2003). It then examines the process of regime change undertaken by the US led coalition in Operation Iraqi Freedom (2003 - present). Existing political and military structures were abolished or dissolved, and the Coalition Provisional Authority (CPA) created new military (Iraqi Police Force, Iraqi Facilities Protection Service, Iraqi Border Guards, Iraqi Civil Defence Force and New Iraqi Army) and political (Interim This paper demonstrates Government) structures from scratch. that the emergence of military structures - largely in reaction to a growing insurgency during the occupation period - occurred prior to the establishment of legitimate political authority. It argues that although existing theories of civil-military relations in states in transition are useful as guides to understanding Iraqi CMR, the unique experience of Iraq suggests that a three-phase tabula rasa model - which might be termed a post-occupation model of civilmilitary relations - may be emergent. The challenges, obstacles, dilemmas and organizing dynamics of this model may well be of relevance to the attempted construction of CMR under similar conditions in the future.

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Introduction: Contemporary Civil-Military Theory & Practice

The study of Iraq's attempts to create democratic civil-military relations is a complex but fascinating topic that is of interest to analysts, policy-makers and practitioners of civil-military relations. The Iraq case study highlights particular challenges, obstacles and dilemmas inherent in establishing democratic civil control over the military. Do existing theories of civil-military relations currently capture the processes that underpin the establishment of democratic civil-military relations in Iraq? If not, where are the discrepancies? Do the processes, structures and experiences of Iraqi attempts to build democratic civil-military relations allow us to suggest a new model?

There is a large and developed body of theory that examines the nature of the relationship between security and democracy, which suggests that democratic states are more stable and less prone to fighting wars against other democratic states. There is also a deep understanding of democratization processes in general, with an ongoing debate over the extent to which democratization is a universal process. The experiences are well documented, with studies examining how the creation or reform of political parties and movements, the state economy and civil society underpin a successful transition and consolidation of a democratization project.

How states democratize their military-security sectors is one crucial aspect of this process. Models have been developed to analyze the Latin America and South European experiences of the Cold War, where military-security apparatus dominated the civil institutions of the state. This experience of military rule shaped the reform agenda once these regimes had collapsed: de-politicization of the military and a return of the army to the barracks was the main task. The extent to which civilian non-democratic communist parties dominated the military-security services also shaped the post-communist reform agenda. Here the challenge was to demilitarize civilian elites and civilianize the military – that is, open the barracks to different values rather than return the army to the barracks.

When we look to Iraq, very little existing theoretical explanation for the state of civil-military relations appears applicable. What theoretical explanations might we therefore turn to as guides, suggesting pathways through which we might expect Iraqi civil-military relations to evolve? The most relevant experiences of creating democratic CMR after regime change from an authoritarian system may be in Central and Eastern Europe. Cottey, Edmonds and Forster have argued that states in the former Yugoslavia, such as Croatia, or former Soviet republics, such as Estonia, Latvia and Lithuania, which have been successful in democratic security building have pursued a two-stage or generation reform process. ¹ Each stage was

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characterized by a core civil-military reform agenda. The "first generation" agenda encompasses macro-level institutional restructuring and creating a framework and regulations that delineate competencies and responsibilities. This in turn allows democratic legitimacy, transparency and accountability. This agenda is achieved by ending constitutional links between the military and Communist Party, disbanding Party cells in the military and establishing new chains of command for armed forces. Cottey *et al* argue that the first generation institutional reform and restructuring agenda is characterized by rapid progress (particularly when compared to the pace of the second generation agenda), and attribute this to a number of factors. During the communist era, civilian control (if not democratic civilian control) did exist; military intervention in domestic politics was generally not the norm; and the state elites and populations generally supported the drive for democratization.

The second-generation agenda is characterized not so much by the establishment of structural and institutional reform, but by the development of state capacity building and bureaucratic and administrative modernization within the structures and institutions created during the first generation phase. The second-generation agenda fosters democratic culture, democratic behaviour and the exercise of effective democratic governance of the defence and security sector. democratic control of defence policy is accomplished by focusing on planning and implementation structures, systems for parliamentary oversight of CMR and defence policy, and engaging civil society in oversight and accountability. This complex agenda contains greater obstacles and challenges; inter alia, there is little detailed information available to ensure a strong analysis of policy choices: the defence bureaucracy has limited experience, is politicized and poorly paid; parliaments and relevant committees lack interest and expertise to exercise this control and may themselves lack democratic legitimacy; and there is little, if any, tradition of civil society exercising oversight of defence policy. Whilst there is some overlap between the two generational agendas, essentially the first generation agenda provides a foundation platform and basis upon which a second-generation agenda can be implemented.

How is Iraq managing this process in the military-security sector? What is the progress and what are the prospects for success? This paper is divided into five interlinked sections. The first section seeks to characterize the nature of military and political power within the Iraqi state under Saddam Hussein in order to demonstrate the scale of the democratization task that awaited the US-led coalition. The second section describes the strategic environment that characterized the postinvasion period and outlines the decisions taken that had a strategic significance for shaping the nature, role and scope of the new Iraqi military and security forces. The third section identifies and describes these structures, noting progress and evolution towards the expected end-state objectives. The fourth section will then examine the civilian structures, note their role and evolution and assess their capacity to adequately exercise democratic civil control of the military. The fifth section then offers a prognosis for the future, suggesting that this will be characterized by a troubled and turbulent pattern of civil-military relations. The paper concludes by examining the current evolution and possible future trajectory of civil-military relations in Iraq against existing models of civil-military relations. It argues that post-colonial, Latin American or post-communist models are not applicable, as Iraq presents a unique combination of foreign intervention-led state building during an on-going insurgency and in the context of a threatened civil war. For these reasons, this paper argues that Iraq may provide a new model of democratic civil-military relations that could well be the template for other similar challenges in the new century.

CMR in the Ba'athist Period (1968-2003)

CMR in the Ba'athist period provides the immediate context within which change in the post-Saddam period is measured. CMR was characterized by the domination of the military over the political system, and patterns of behaviour and reinforced dynamics in Iraqi political culture that are resistant to democratization efforts. Ba'athist control of Iraq emerged from unsustainable military dictatorships. General Abdul-Karim Qassim (1958-63) used military discipline to keep order, but the military proved too narrow a power base. His successor, Marshal Abdul-Salam Arif (1963-1968), married military discipline with blood ties to the Jumailat clan. Widening the party's power base through tribal solidarity was not enough to prevent a coup d'état, led by Saddam Hussein (1968-2003). Saddam combined three distinct entities in Iraq - political Ba'athism (socialist and Arab nationalist party), the military, and tribal solidarity (tribal elites' traditional beliefs and norms especially Sunni tribes). Each part exhibited different norms and relations between them were characterized by co-existence and clashes, over which Saddam adjudicated. He became president in 1979 and oversaw a more or less stable political system (a one party state under a military dictator) until the external shock of 2003. In the 1990s, following the first Gulf War and a diminution of his power, Saddam allowed the re-emergence of tribal identities to compensate for the weakness of the Ba'athist party. Tribal leaders emerged as a serious constituency in Iraq and were able to fill the security vacuum. Saddam's support base drew strength from a mixture of nationalism, patriotism, tribalism and Sunnism.²

The Iraqi officer corps played an active and decisive role in domestic politics. The officer corps was one of the most professional and modern institutions within Iraq, its members were well educated both at home and abroad and perceived as experienced, competent and capable. Although this large, professional officer corps initially consisted of Kurds, Shia and Sunni, increasingly during the years of Ba'athist rule power came to be concentrated in Sunni hands.

Saddam's understanding of the military's past role in politics and concerns for the primacy of the Ba'ath Party led to a number of measures to limit any possibilities of a successful military coup. This over-riding concern for regime security during the later years of Saddam Hussein's rule led to the assignment of personnel to key billets largely based upon the degree of perceived loyalty and trust to Saddam personally, either through demonstrated personal actions or by blood ties to Saddam's Tikriti clan. Frequent and irregular rotations of senior commanders were undertaken to deprive potential coup planners of personal power bases. division of the military into the Regular Army, Republican Guard and Special Republican Guard provided for competing forces with separate chains of command whose missions and budgets reflected their perceived loyalty to the regime. Regular Army forces were the lowest on the resource hierarchy and were largely stationed near Iraq's external borders. The Republican Guard Divisions were stationed to provide defence of the approaches to Baghdad, but were not allowed within the city Saddam's son Qusay commanded the Special Republican Guard, established in 1991 specifically to defend the regime and deter threats by Regular Army and Republican Guard units.

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Both Regular Army and Republican Guard divisions were used in offensive operations against neighbours in the wars against Iran in 1980 and Kuwait in 1990. The military was also used internally to maintain regime rule within Iraq. Regular Army and Republican Guard units were used in large-scale operations, including the use of chemical weapons, against the Kurds in 1988, as well as to brutally suppress the Kurds and Shia in their unsuccessful uprisings following Operation Desert Storm in 1991.

This employment of the military in an offensive role against Iraq's neighbours played an important role in the US vision of what capabilities would be provided to the post-Saddam Iraqi military. Similarly, Saddam's regular use of the military against restive Iraqi populations would lead US leaders to put clear boundaries on the roles and missions of the force. Efforts were made to ensure the security forces were representative of the main ethnic groups within Iraq, with loyalty pledged to the state - not a single individual.

Post-Phase IV

The US targeted an extensive Information Operations campaign against the Iraqi military officer corps in the months preceding the March 2003 invasion of Iraq. The common message communicated by this campaign was that the coalition force actions were directed against Saddam and the senior members of his regime, not against the Iraqi people or necessarily against the Iraqi military. If the military chose to defend the regime - they would be attacked and destroyed; should they step aside and not impede coalition efforts - they would be spared annihilation. In fact, the information operations campaign identified an important role for the officer corps in post-Saddam Iraq; Iraqi officers would be empowered to serve as defenders of the Iraqi people against the aggressive designs of hostile neighbouring states. The message was communicated via a variety of media: TV, radio, leaflets, the Internet and personal contacts via the Iraqi émigré community.

The message proved to be an effective one, but only after US forces advanced on Baghdad and convinced the Iraqi officer corps that the US was fully committed to seizing Baghdad and ousting Saddam. Iraqi military hardware and installations bore the brunt of American firepower during the advance and capture of Baghdad. Iraqi military personnel losses were light. Tens of thousands of Iraqi soldiers simply discarded their uniforms, put on civilian clothes and walked home. American forces, focused on Saddam and Baghdad, raced past them, handing out bottled water and rations as they moved north.³ The officer corps either returned home or, confident of humane treatment based on their 1991 experience, surrendered to coalition units. They expected that the Americans would deliver on their promise that Iraqi officers would soon play an important role as the defenders of a new Iraq against hostile neighbours.⁴

US planners assumed that Security and Stability Operations (SASO) would require approximately the same force level that was needed to oust the Saddam regime. Whilst there was some concern regarding large-scale retribution by the Shia and Kurds against their former Sunni oppressors, it was assumed that post-Saddam Iraq would be relatively stable. Two key assumptions drove this assessment. The first was that the Iraqi population would welcome its liberation from a brutal and oppressive regime. The second was that most units of the Iraqi military and security forces would remain intact and shoulder the brunt of the local security mission. Neither assumption proved to be correct.

The local police and internal security forces disintegrated. In the eyes of the Iraqi population these organizations and their leadership lacked legitimacy and legal authority due to their association with the excesses of the Saddam regime. Fearing acts of revenge, outnumbered and facing a population no longer cowed by the power of a repressive central government, the local security organs ceased to exist. An orgy of looting and lawlessness swept the country as impoverished and opportunistic Iraqis stepped forward to exploit this security vacuum for personal gain, causing immense damage to the very infrastructure coalition forces had been so intent on securing intact in order to quickly get Iraq back on its feet.

Overstretched coalition forces were tasked with conducting post-conflict SASO, but lacked clear guidance regarding the role they were to play in restoring order and reestablishing civil society. Military commanders expected guidance and direction from the United States' Organization for Reconstruction and Humanitarian Assistance (ORHA), which they had been told was to take the lead in the reestablishment of civil institutions. They were dismayed and disappointed when the first ORHA representatives finally showed up in May with "little more than a powerpoint brief and a checkbook. They were still debating the organization and responsibilities of ORHA, and clearly had done little in the way of detailed planning or ensuring they had the personnel and equipment necessary to accomplish their stated goals." ORHA would shortly be disbanded and replaced by the Coalition Provisional Auhtority (CPA). The "Sunni Triangle" north and west of Baghdad had little or no US military presence either during the war or in the crucial weeks following the fall of Baghdad. With the breakdown of centralized order and authority many Iraqis refocused on their tribal roots or turned to their religious congregations for protection and essential services. These religious units and tribal groupings formed their own militias and self-protection forces to defend themselves and promote their local interests and authority.

The Iraqi military was in no position to play a role in providing security and stability within Iraq. Military bases and facilities, abandoned by their garrisons, were among the first objects to be looted and stripped clean by the local populace. The manpower of the military had melted away into civil society, though arguably even had it remained intact it was in no position to counter the initial wave of anarchy and looting: Iraq's army had no training or competence in police activities. CPA Order #1, issued on 16 May only four days after Paul Bremer assumed his post as head of the CPA, abolished the Ba'ath Party and prohibited any leadership role for Ba'athists in the new Iraq. This order effectively eliminated any positive role the officer corps might have played in post-Saddam Iraq. A week later, on 23 May 2003, CPA placed the final nail in the coffin by formally dissolving the Iraqi armed forces.

The CPA decision to reject an Iraqi institution which might have been rehabilitated as an Iraqi solution to fill the internal security vacuum was to have a far-reaching impact. Former Iraqi military leaders had assumed the US was sincere and would honour its pre-war commitments regarding the important role the officer corps would play in post-Saddam Iraq. These potential allies, who had previously played an influential role in Iraqi society, now felt betrayed and alienated. Attitudes within the Iraqi military were a reflection of the attitudes of the population writ large: as summer turned to autumn Iraqi attitudes evolved from gratitude into frustration and from wariness to hostility.⁷

Post-Phase IV: Progress & Evolution

Coalition forces, faced with a deteriorating situation in the summer of 2003, established a number of Iraqi security organizations in an attempt to use Iraqi manpower and expertise to address the problems. In some cases Iraqi institutions that had previously existed under the Saddam regime were re-established with a new mandate and new leadership. In other cases, new organizations were stood up to address perceived needs.

Iraqi Police

The establishment of an effective police force to serve as a first line of defence is a key task in post-Saddam Iraq. Coalition forces were faced with a daunting challenge immediately after the capture of Baghdad. With the fall of the regime, Saddam-era local police lacked legitimacy or authority; the levers of repression that had keep the population under control were gone. The police were neither feared, nor respected, nor effective. Their investigative skills and policing methods were abysmal. Even if the police were successful at catching a criminal, the rest of the judicial system was in a shambles. Courts were presided over by judges appointed by Saddam, their credentials, loyalty and impartiality were suspect, many had been Ba'athists and thus were ineligible to continue their service due to CPA Order #1. Jails had been looted, either by deserting policemen or by angry and oppressed civilians exacting revenge for past injustices.

In the absence of meaningful or useful guidance from Washington, ORHA or the CPA, local military commanders established ad hoc localized police forces using the remnants of the former police force still on the job. Finding local leadership for the force was problematic. The individuals who had experience and expertise were tainted by their association with the regime or brought with them baggage from their previous service that was divisive and unacceptable to the local community. Vetting of individuals willing to serve as policemen was extremely difficult. Local leaders championed members of their own tribe or militia - raising issues of impartiality. Policemen were loath to arrest or take action against members of their own tribe and were vulnerable to threats and acts of revenge by aggrieved members of rival groups or tribes.

June 2003 CPA plans called for 75,000 Iraqi policemen to be on the street. Effectiveness at meeting this goal was measured by counting the number of policemen on the payroll, with little understanding of their loyalties and motivation or of the need to differentiate levels of training or expertise. Training was *ad hoc*, with wide variations in content and thoroughness, depending on the capability and expertise of the local military unit providing the training and the motivation of the local police. Attempts were made to improve the professionalism of the training by utilizing a centralized training curriculum. Plans were made to employ seconded or retired law enforcement professionals, but the actual numbers of these trainers who deployed to Iraq were too small to have much effect. Desperate attempts by local commanders to procure the uniforms, weapons, body armour, radios, and vehicles needed to stand up an effective force were confronted and confounded by the overwhelmed and ineffective bureaucracy in Baghdad.

As the insurgency grew in power throughout late 2003 and 2004 the fledgling police force increasingly became a target of the insurgents, who recognized that an effective and capable local police force posed a serious threat to the insurgency. Vulnerabilities in leadership, recruiting, training and physical protection were ruthlessly exploited. Family members were routinely targeted for attack or

kidnapping to force police to resign or work for the insurgency. As coalition military headquarters and bases hardened themselves against attack, police stations, recruiting centres and training bases became the preferred target of deadly insurgent car bombs and direct fire attacks – often with frightening losses. Despite the losses, recruits continued to sign up for service with the police, although there is no reliable way to discern if it arose out of a sense of duty and loyalty to the new Iraq, fathers and husbands desperate to put food on their families' tables or insurgents joining to provide intelligence on police operations and vulnerabilities.

Training of new police recruits has been standardized and improved. A number of nations and organizations, including NATO, are providing training assistance both in Iraq and abroad. Training consists of a three-week course for former policemen and an eight-week course for new recruits, followed by a 26-week field-training period of supervised on-the-job training. Progress in arranging the delivery of equipment, including basic items such as vehicles, radios and weapons has been made. Funding and delivery channels have been standardized and are finally in place. January 2005 figures from the US Embassy in Iraq and the headquarters of the multinational forces indicate that during the July 2004-January 2005 timeframe some 70,000 pistols, 49,000 AK-47s, 84,000 sets of body armor, 5,700 vehicles and 20,000 radios have been delivered to Iraqi Security Forces. 10

Although there is evidence that the improved training and equipment deliveries are paying dividends (31 January 2005 election day success in guarding the 5,000 polling stations throughout the country), the Iraqi police remain an extremely fragile and vulnerable institution. The current coalition goal is to have 135,000 trained policemen on the street by the end of 2005. While there were 84,000 police on the books in January 2005, only some 55,000 of them have attended the minimal prescribed training requirements.¹¹ Of the 29,000 police officers trained in the last six months of 2004, over 13,000 were former police who underwent the three-week transition course training, while 15,000 were new recruits who underwent the eight-week basic training. The eight-week course has reportedly been modified to "better prepare the new police officers for the challenging environment in which they will serve". 12 Measuring success by pushing candidates through an academy to meet a self-imposed manning figure is of little utility, however. assessing the ability of the Iraqi police to protect the Iraqi population against insurgents and terrorists involves more subjective factors than merely comparing a percentage of graduates against a manning document. Effective, inspiring leadership at the lower and middle levels of the force is the key to success. It will take years of dedication, patience and mentoring to grow the leaders who will be able to lead an Iraqi police force capable of confronting Iraq's daunting security challenges while simultaneously ensuring the protection of the civil liberties of the Iraqi populace.

Iraqi Facilities Protective Service (FPS)

The FPS was an early attempt to use Iraqi manpower to guard important and vulnerable static infrastructure from further looting or sabotage. Ammunition storage facilities, the electrical generation and transmission system, pipelines, bridges, dams, banks and hospitals were among the sites guarded by the FPS. Members of the FPS were recruited locally and were usually vetted by the local tribal chief, village elder or police chief. Motivation and dedication of the recruits was suspect: most members joined for a steady paycheck in an economic environment that held few prospects. FPS members were usually given minimal training, posted in small groups at isolated locations, and were equipped with little more than an AK47 and a magazine of ammunition. FPS members lacked a clear

reporting chain and the communication and transport assets required to be successful. Suspect motivation, the isolated nature of their postings and equipment woes resulted in an ineffective force subject to corruption and regularly intimidated by both criminal gangs and insurgents. In March 2004, responsibility for the FPS was turned over to the interim Iraqi government (IIG). Under the IIG each ministry within the government assumed responsibility for protection of its own infrastructure. Although coalition figures from February 2005 indicated some 74,000 individuals were still members of the FPS, coalition statements now no longer include FPS members when citing the numbers of personnel in the Iraqi Security Forces.¹³ The FPS has largely been ignored and neglected since the transition to Iraqi sovereignty. Iraqis view the organization as an unnecessary and outdated US creation.

Iraqi Border Guards

Coalition forces were also faced with the formation of an effective security organization to guard Iraq's long and porous borders. Iraq shares 3,400 km of border with six different nations, each of which has a different concept of what constitutes effective border security with their Iraqi neighbour. During the Saddam regime, border ports of entry were the fiefdom of the Customs Department, which regulated and profited from widespread smuggling. Isolated and ill-equipped conscripts from the Ministry of Defence guarded the vast expanse of border between the ports of entry. As coalition forces closed on Baghdad, regime officials at the borders deserted their posts. Border security facilities were looted and picked clean to their foundations by the local populace.

Following the fall of Baghdad, with no direction or assistance forthcoming from the CPA in Baghdad, local military commanders turned to the tribal chieftains or village elders along the border to recruit men to assist in controlling the flow of destabilizing influences from outside the country. Training was *ad hoc* and of limited duration, infrastructure was non-existent, and the modest amount of communications gear and vehicles available did little to meet the needs of the fledgling Iraqi Department of Border Enforcement (DBE).¹⁴

CPA estimates in the summer of 2003 envisioned the need for a DBE of 16,000. Revised estimates in late December 2004 called for a force of 24,000 by the end of 2006. By December 2004 some 15,000 men, with varying degrees of training, were on the books as part of the Ministry of Interior. New recruits attended an eightweek training academy in Jordan; the academy's first 440 students graduated at the end of September 2004. A multi-million dollar construction project is underway to build or reconstruct some 300 border posts. Installation of detection and monitoring equipment and supporting infrastructure is ongoing at the major border crossing points. Despite these efforts, the coalition commander in Iraq, at a Pentagon news conference on 16 December 2004, noted that building a better border patrol was one of three essential coalition tasks that was behind schedule. 15 As of January 2005 the first Special Border Force Battalion was operating on the Syrian border in Al Anbar Province. A second battalion was to begin training in February 2005.¹⁶ While a renewed coalition focus on training and infrastructure may lead to an Iraqi Department of Border Enforcement operating at a level of competence and effectiveness comparable to its neighbours within the next two years, the geographic scope of the challenge, coupled with historic and cultural attitudes toward smuggling, will make it impossible to prevent illicit cross-border trade and traffic.17

Iraqi Civil Defence Corps (ICDC)

In June 2003 the CPA announced the formation of a new Iraqi security organization, the Iraqi Civil Defence Corps (ICDC). Recruiting began in earnest and the first battalions were stood up by the end of July. The ICDC was intended as an Iraqi solution to a security situation that often found the local police outgunned by local criminals and insurgents, a gendarmerie or carabinieri style paramilitary force to lend muscle and support when needed. The ICDC was equipped only with small arms and was tasked only with internal defence missions. The ICDC was subordinate to the Iraqi Ministry of Interior, not the Ministry of Defence. ICDC battalions were to be employed locally in the towns and cities where they were established and where their soldiers were recruited.

As the insurgency grew in strength in the summer and autumn of 2003 pressure grew to field ICDC battalions to combat the insurgents while allowing the coalition to stick with plans to draw down its force level in Iraq. This demand for rapid fielding of forces resulted in the bypassing of a number of safeguards that were needed to ensure the long-term viability of the ICDC. Many ICDC leaders held their positions due to personal loyalties or tribal ties, not to competence or capability. Corruption was rampant; leaders regularly used their position to extort money from the community or their own soldiers. It was not uncommon on paydays for officers to shake down their soldiers, collecting a percentage of their soldiers' salaries. Most of the ICDC rank and file enlisted for the prospect of a steady job in a devastated economy, not because of the appeal of the profession of arms or loyalty to a country called Iraq. ICDC members' paramount loyalty was often to their local tribe, resulting in situations where ICDC units chose not to take up arms against their fellow tribesmen.

Equipment for the force was subject to the same inefficient and ineffective Baghdad-centric CPA bureaucracy that plagued the equipping of the Iraqi police. Local commanders' concerns about the loyalty of ICDC units led to unease regarding the wisdom of issuing what few weapons and equipment the procurement system did provide. Coalition training of ICDC battalions was *ad hoc*, based upon the resources, experience and insights of the local military commander. US Special Forces, who traditionally have the mission of training and advising foreign militaries, were stretched thin and focussed primarily on direct action missions against the insurgent leadership. Consequently, ICDC battalions lacked embedded coalition leadership to provide fulltime mentoring or sufficient in-depth oversight of the unit, either while training or while engaged in operations in the field.

Coalition officials as late as February 2004 were confident that 36 ICDC battalions would be stood up and operational by April 2004.¹⁹ While on paper it may have appeared that the ICDC possessed a useful capability, its extensive deficiencies were exposed in the spring of 2004. Late March and early April saw widespread insurgent attacks throughout central Iraq, generally timed to support embattled comrades within Fallujah, as well as attacks by Muqtadah Sadr's "Mahdi Army" in Baghdad and the major urban areas across southern Shia Iraq. The performance of the ICDC battalions was uniformly abysmal. At best they deserted en masse, at worst they sided with the insurgents against coalition troops. Once order was restored and the smoke had cleared following the ICDC collapse, the coalition redoubled its efforts to train and equip the force. The coalition had few options. It was widely understood that the solution to defeating the Iraqi insurgency remained a competent and capable local Iraqi security force. Those units that had stood and fought were recognized and rewarded, as well as studied to determine the factors that had led to their success. As a result, training was intensified and refocused;

leaders were vetted, replaced and promoted; equipment was reprioritized and fulltime advisors embedded in the battalions.²⁰

The transition to Iraqi sovereignty in July 2004 caused some re-evaluation of the role of the ICDC battalions. The professional military officers in the Ministry of Defence, while largely disdainful and dismissive of the coalition creation, recognized that the ICDC represented a capability that could fill the gap until properly trained and led regular army forces could be fielded to battle the insurgency. After the sovereignty transfer the ICDC was renamed the National Guard and resubordinated from the Ministry of Interior to the Ministry of Defence. Actions in late 2004 indicated that, when properly led and employed, these National Guard units could be effective in carrying out missions in support of coalition assault forces. This effective use of the National Guard capability had the potential to become building blocks in the further development of capabilities, to eventually include undertaking independent combat operations. Coalition statements indicated that as of January 2005 there were some 45 National Guard battalions (about 45,000 troops) trained and ready for operations across Iraq. The stated goal was to have 65,000 trained by the end of 2005.21

New Iraqi Army (NIA)

The final security force established by the CPA in 2003 was the New Iraqi Army (NIA). The explicit mission of this force was defence against external threats.²² Due to concerns about previous offensive use against its neighbours, the intention was to keep the force small and without an offensive capability. Initial plans in June 2003 envisioned a force of only 12,000, without tanks and with only helicopters, not fixed wing aircraft, in the air force. The 12,000 strong division was to be ready within a year, with a 40,000 strong force prepared for action within three years.²³ The establishment of the NIA was seen as a lesser priority than the immediate need for police or border enforcement units. The thousands of coalition soldiers in Iraq were considered an adequate force to deter or defeat any conventional armed aggression by one of Iraq's neighbours. The NIA would be subordinate to a civilian Minister of Defence and would owe its loyalty to the Iraqi nation; not a particular individual or political party. Soldiers were to be recruited nationally, reflecting a cross-section of the Sunni/Shia/Kurdish populations, and trained at a single centralized facility. Former Ba'athists were excluded from the ranks, as were any officers above the rank of Lieutenant Colonel.

Subsequently, by April 2004 when United States Marines requested the use of NIA units in their assault on Fallujah, only three battalions were judged ready for action. Assessments that they were ready for combat were wildly off the mark. Having been recruited to defend Iraq against an external foe, many soldiers refused to take up arms against fellow Iraqis. Fallujah, which had a reputation in Iraq as a rough place even during Saddam's rule, had taken on an aura of an indomitable nest of evil in the Iraqi media. Half-hearted soldiers who joined for a paycheque and served without capable Iraqi junior leadership chose not to make the trip to Fallujah or deserted upon arrival. Only elements of a single battalion, the 36th, a unit that had embedded American advisors and whose core was Kurds, chose to fight. The unit performed well in the April 2004 fight for Fallujah until the usual strains of urban combat and high losses among the battalion's leadership caused it to be pulled out of the fight and sent back to Baghdad to rest and refit.²⁴

Following the post-Fallujah meltdown the coalition redoubled its efforts to reestablish the NIA. Major General Petraeus, whose 101St Airborne Division had been one of the bright spots for the army in stability and security operations, was

brought in to direct the training and equipping of the Iraqi security forces. Training was expanded and lengthened, up to six months for a brigade level staff.²⁵ Efforts were made to recruit former Ba'athists to serve in the officer corps. Advisors were embedded in each of the Iraqi army battalions. Ten man advisor and support teams were with each battalion and at brigade and division headquarters.²⁶

Training and loyalty in the regular army appears to have been improved over the second half of 2004. Three battalions – two regular army and a third special ops/commando - of the NIA took part in the Fallujah operation (Operation Phantom Fury) in November 2004. These battalions were attached to the US units in order to provide 'second echelon' support. That is to say, after an area of the city had been initially 'secured' by US assault forces, the Iraqi battalions exploited documents and arms caches, provided security at food and water distribution points, patrolled to help prevent re-infiltration and screened civilians at checkpoints. The performance of the NIA in November was much more credible than their actions in April 2004.

On 6 January 2005, the Iraqi interim Minister of Defence announced that the National Guard distinction afforded to former ICDC forces would be removed and that its forces would be incorporated into the Iraqi Army.²⁷ The Iraqi leadership had no qualms or reservations about using the Iraqi Army against internal foes, unlike the CPA, which had originally planned for a static army that would only defend the state against external enemies. Former officers, properly vetted, who had required expertise and experience, were brought back into the force. Likewise, the CPA decision regarding the presence of tanks in the army was reversed. Coalition operations had shown that tanks, when properly supported by infantry, were effective weapons in an urban environment. As of early 2005 plans were on track for a mechanized brigade to be in place by mid 2005. This brigade now uses refurbished Iraqi T-55s and many of the recruits are soldiers from the mechanized forces of the former Iraqi army who received a short period of refresher training.²⁸

Some smaller specialized units have been established within the Ministry of Defence to meet specific counter-insurgency roles. These include a special operations force, consisting of a counter-terrorist force and a commando battalion.²⁹ While the current circumstances may require specialized units, care will have to be taken to prevent a "brain-drain" of badly needed talent and leadership from regular army units. The roles and missions of these new units will need to be clearly delineated so as not to duplicate or conflict with the roles and missions of the variety of security forces already on the street.

Prior to the transfer of sovereignty at the end of June 2004, a civilian Minister of Defence was appointed along with three General Officers, one Sunni, one Shia and one Kurd, to head up the military staff. As the 30 January 2005 election neared, the pressure to field security forces intensified: while a quality force is the long-term measure of success, quantity also remains an issue. The Allawi interim government argued that over 270,000 Iraqi security forces were needed to police the polling stations and secure a stable environment to allow for free and fair elections. In fact, some 140,000 Iraqi security personnel from both the Ministries of Interior and Defence were able to successfully protect 5,000 polling places throughout Iraq. Coalition forces stayed in the background, on standby as a reaction forces if needed. Despite nearly 300 insurgent attacks, including 11 suicide attacks, the elections went forward successfully. The Iraqi forces gained a huge confidence boost in their own capabilities, but even more important was the massive gain in legitimacy in the eyes of the Iraqi population. Iraqis were justifiably proud that their own soldiers and police had successfully defended the conduct of the election.

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Providing countrywide fixed-point security on 30 January 2005 was certainly an important victory, but the true measure of the Iraqi capability will be when they can operate independently against the insurgency. Much debate has centred on what constitutes adequate standards for training and performance of the NIA and police. As US Senator Joseph Biden noted: "the real standard is can an Iraqi soldier or policeman do what we ask American soldiers to do - provide law and order, protect the infrastructure, defend the borders and, above all, defeat the insurgency".³⁰ By this standard, small gains have been made. The Iraqi Army's 40th Brigade's 4,000 troops have assumed full authority over 10 Baghdad neighbourhoods, and have full control over their operations. The brigade's 4 battalions have US advisors embedded in the units and US forces are on call to provide support if needed.³¹

While gains may have been made at the battalion level at training forces in tactical operations, training and manning at echelons above battalion continues to be problematic. As one leading US commander noted of the MoD: What are lacking are the systems that pay people, that supply people, that recruit people, that replace the wounded and AWOL, and systems that promote people and provide spare parts.'32 Shortfalls in leadership experience persist and the whole system needs to be put into place, as transport, supply, administration and pay are tasks that are all still being performed by the coalition. In a frank assessment, US General McCaffrey noted: "However, much remains to be done. maintenance or logistics system. There is no national command and control. Corruption is a threat factor of greater long-range danger than the armed insurgency. The insurgents have widely infiltrated the ISF [Iraqi Security Forces]. The ISF desperately needs more effective, long-term NCO and officer training."33 According to Mahmoud Othman, a veteran Iraqi politician and member of parliament, the Iraqi military is full of 'ghost battalions': "I know of at least one unit which was meant to be 2,200 but the real figure was only 300 men. The US talks about 150,000 Iraqis in the security forces but I doubt if there are more than 40,000." A senior Iraqi official noted: "The interim government spent \$5.2bn (£2.6bn) on the ministry of defence and ministry of the interior during six months but there is little to show for it."34

Civilian Institutional Development: Ministers & Ministries

In 28 June 2004 sovereignty was transferred from the CPA to Iyad Allawi, the new Prime Minister of the Interim Iraq Government. Executive authority under Iraqi control had been established. Iyad Allawi had a difficult challenge: to stabilize Iraq whilst the violence and disruption of an insurgency continued, and indeed increased. Such violence was designed to underscore the puppet status insurgents ascribe to the interim government, and it now attempts to undermine the legitimacy of the Transitional National Assembly (TNA). The interim Prime Minister had to navigate a difficult path, beset by two key immediate challenges from the outset: maintaining a political distance from the multinational force, while relying on it for military support; managing the demotion of Sunni power – a group "who effectively formed the regime's backbone whether by occupying senior party positions, or by heading the various security agencies, the Republican Guard, and the Special Security Apparatus" - while promoting the majority Shia population aspirations; using force against insurgents without alienating the population, fuelling the insurgency and undermining the legitimacy of the government.

On 30 January 2005 the TNA was elected by popular vote – a legislature was now in place. The Shia received the plurality of the vote (48%) and the Sunnis, having

boycotted the election, were badly underrepresented in the 275-seat National Assembly. On 28 April 2005 a new government was approved by the parliament. By 7 May 2005 the Assembly agreed portfolios for government ministers, 30 ministerial and six other. The new Prime Minister, Ibrahim al-Jaafari, stated that the new government 'has religious, ethnic, political and geographical variety, in addition to the participation of women'. The TNA in conjunction with the Presidency Council and the Council of Ministers now constitutes the Iraqi Transitional Government and it will draft a permanent constitution for Iraq, which will be submitted for popular ratification on 15 October 2005. Elections will be held under this constitution on 15 December 2005 and a government will take office on 31 December 2005. It will begin to govern Iraq on 1 January 2006, heralding the emergence of a democratic Iraq.³⁶

The Shia are newly assertive and received control over the Ministry of Interior, which controls the police, border guards and internal intelligence services. The Interior Minister is a member of the Badr brigade or organization, which is considered to be the military wing of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), a Shiite party that fought Saddam Hussein from exile in Iran and fought on Iran's side in the Iraq-Iran war. It consists of Iraqi exiles and was trained by Iran's Islamic Revolutionary Guard Corps. Sunnis argue that Iraqi Shia dominated security services and shadow militias with the Badr Brigade, in conjunction with US forces, are terrorizing their communities, settling old scores, and attempting to exacerbate sectarian splits.³⁷ According to Larry Diamond, a senior fellow at the Hoover Institution, who advised the Coalition Provisional Authority in Baghdad from January to April 2004, pro-Iranian fundamentalists are attempting to secure power through political force, intimidation, and intrigue: "That has begun to happen in Iraq, with the steadily rising power of SCIRI (the Supreme Council for the Islamic Revolution in Iraq so named for a reason) and its 15,000man militia, the Badr Organisation (trained in Iran by the Revolutionary Guards)."38

Post-elections, a process of 'soothing Sunnis' (yuhada al Sunnah) is a key strategic element in Iraq in an attempt to minimize the political marginalization of this hitherto dominant minority.³⁹ All the major Sunni groups - the Sunni Waqf (religious endowment), Islamic Party, and Association of Religious Scholars (AMS) are represented. The Sunnis received a Vice Presidency (Ghazi Al Yawar), Speaker of the Parliament (Hajim Al Hassani) and six of the 30 ministries, including the Defence Ministry, and five Sunni army generals.⁴⁰ The Defence Minister, Saadoun al-Dulami, is a Sunni Arab and a former officer (Lt-Col) in Saddam's army, who went into exile and joined the anti-Saddam opposition movement. He belongs to a major tribe that backs the insurgency.⁴¹ It is not yet clear if he can bring Sunni insurgents back into the fold. This depends in part on the extent to which he is considered compromised by association with the occupation.

When we focus on the nature of civilian institutions in Iraq we can see that the Ministry of Defence and Ministry of Interior are weak civil institutions, understaffed and hampered by a hazy division of responsibility and roles between the US and Iraqi authorities. Clear roles and Iraqi chains of command need to be established, the military leadership needs to be vetted, and the military and security structures need to gain greater legitimacy in the eyes of the populace. They need to be perceived as Iraqi rather than a "puppet of the coalition"; loyalty of the military and security structures need to be wedded beyond the local level to the state; and the military and security structures must exhibit impartiality amongst the competing tribal and ethnic mosaic. This must occur in the context of immediate security needs and poorly developed broader civil oversight mechanisms:

the media is immature and inexperienced and so unlikely to be able to play a substantial oversight role; civil society has little history of involvement in security and defence matters, certainly in the post-1968 period.

Conclusions: Modelling Iraqi Civil-Military Relations

The Cottey, Forster and Edmonds generational model of democratic CMR development is useful as a starting point for considering CMR in Iraq, though it needs to be adapted. Our analysis suggests a three-stage model of CMR that might be applicable to other states in which prior structures have totally collapsed and very little heritage from the political and economic and security sectors can be retained. In the post-communist and soviet experiences, by contrast, some existing political and military structures were continued and adapted. In Iraq the Ba'athist Party was dissolved and the military and security structures disintegrated. The Iraq model - which we may call the 'Tabula Rasa Occupation Model' - may be applied to states that have suffered humanitarian catastrophe or civil war or have been occupied by external powers. In these states, new civil and military structures must be built in tandem and from scratch. Importantly, foreign occupation is critical to initiating civil and military structures and the period of occupation uniquely shapes the nature, scope and evolution of these structures and institutions, and shapes the nature of their inter-relationship. There are very few case studies that have examined these phenomena and so the issue is undertheorized. In the three-phase or generation CMR model, the first phase takes into account CMR in the occupation phase. The second phase is characterised not by the constitution of structures but by their functioning and the third phase by the exercise of democratic oversight over these structures and institutions.

In the occupation phase, the way in which foreign powers design and structure nascent institutions is critical. This period ends when external powers transfer legitimacy to the internal structures they have created. In other occupations the context within which the new civil and military structures were created was similar, but the process was ordered differently. In Germany and Japan after WWII occupation powers oversaw the creation of civil institutions from scratch. They first fostered political institutions, parties and structures which then assumed sovereignty. These civil authorities then drafted constitutions and later established In Germany for example, the first post-war president military structures. (Adenauer) was elected in 1949 and the Bundeswehr was only created in 1955. After 1989, all central and east European states had to some degree continuity in elites' military formations. Former Soviet states had continuities in communist elites who assumed political power and structures (security institutions were 'nationalised'). The nearest analogue to the Iraqi experience would be Bosnia-Herzegovina (BiH). But even in this state, which after the Dayton Accords became a protectorate, there was continuity in both civil and military structures (entity level parliaments and armies continued to exist). The challenge was to create state-level structures such as a Ministry of Defence and unified General Staff.

In Iraq the de-Ba'athification and dissolution of the military-security structures allowed the emergence of a security vacuum. In response, five military structures were first reconstituted, then the coalition appointed executive authorities to help oversee and legitimise them and then a civilian legislature. This sequencing is unprecedented and is not a replication of Germany or Japan (civil institutions then military structures) or BiH (military and civilian structural continuity where the challenge was reform and unification).

In Iraq the military structures and formations were created ahead of the civil institutions. This was unique. What impact will this unique CMR pathway have on military role and function? The nature and threat posed by the growing insurgency appears to have solidified ties between the executive power and the military-security structures, in particular between a Shia Prime Minister (the president is a symbolic figure) and a Shia Minister of Interior. In the trade-off between effectiveness and legitimacy it appears that the executive has opted for effective military structures at the expense of strong democratic oversight or legitimacy. This choice can be attributed directly to the insurgency.⁴²

A central and obvious point is that the experience and legacies of the prior regime and the experience of the 'regime change' event itself, as well as the early post-regime change period, all shape the nature of CMR in the new Iraq. Iraq shares an authoritarian past, and a 'regime change' experience with other states. It also shares the challenges of civil-institution oversight of its military-security sector with other states too - the Cottey *et al* first generation agenda. But what is different is the nature of the occupation period and the order and manner in which military and then civil institutions were constructed. This experience, then, should shape CMR in a distinctive way – exactly how will become more apparent as time passes.

Thus, existing theories of civil-military relations do not account for the unique impact of the occupation period in Iraq on the nature and shape of the subsequent evolution of civil-military relations. Indigenous civil and military structures become responsible for an agenda and pathway over whose creation hitherto they exercised little or no authority. The uncertain security environment creates conditions of dependency, civil institutions on military structures. At a conceptual level the differences are apparent. For central and east European states in the immediate post-regime change period the watchwords were transparency and democratic accountability, oversight, monitoring mechanisms - all providing democratic legitimacy. In Iraq there was oversight and monitoring, but the CPA exercised it rather than indigenous and democratically elected Iraqi civilian authorities and so democratic legitimacy from the outset was missing. The operating principles were military efficiency/utility and addressing immediate security concerns.

If democratic efforts in Iraq fail, a US administration that views international relations through the prism of *realpolitik* would argue that a pro-Western illiberal democracy or even a repressive authoritarian regime represent an acceptable alternative outcome. These regimes, heavily dependent upon strong and effective Iraqi security forces, would act as a brake against state collapse. They would challenge the ability of terrorist groups to consolidate on Iraqi territory and then destabilize neighbouring states, such as Jordan, Kuwait, Bahrain, Qatar, the UAE and Saudi Arabia. However, although a pro-Western Iraqi puppet regime ruling through coercion rather than popular consent might gain traction in the short to medium term, over the longer term it would more likely than not fail, and be swept aside by an even more radical, fundamentalist and chaotic alternative than the one that the imposition of such a regime sought to avoid. The desired end state and preferred US exit strategy are not contested; but the CMR realities on the ground as yet promise little and prospects for a soft landing transition to sustainable post-Saddam democratic governance are still extremely weak.

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See: David C Hendrickson & Robert W Tucker, 'Revisions in Need of Revising: What Went Wrong in the Iraq War', *Survival*, Vol 47, No 2, Summer 2005, pp7-32

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