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## NATION BUILDING

### Biting the Bullet in Afghanistan and Iraq

**D**URING MOST OF ITS FIRST TWO YEARS IN OFFICE, the Bush administration did little to follow up on its initial interest in finding alternatives for military forces in peace operations. Despite the early indications from Condoleezza Rice, Secretary Powell, and others that the United States might look for civilian alternatives to reliance on the military, the administration did little to improve U.S. capacity to provide nonmilitary solutions to the problem of achieving postconflict security. Instead, the administration took a step backward and dismantled the limited framework for bureaucratic decision making created by its predecessor. As in previous administrations, the first National Security Presidential Directive (NSPD-1) signed by the president established a new bureaucratic framework and interagency process for dealing with issues related to national security and foreign affairs. The directive assigned to Rice, as the administration's national security adviser, the traditional powers of that post as chairperson of the Principals Committee and head of the National Security Council staff. Also, in accordance with established practice, NSPD-1 abolished the organizational innovations and cancelled the presidential directives of the previous administration.<sup>1</sup>

The need for this kind of periodic bureaucratic housecleaning is obvious—even more so with the Bush national security

team's arrival at the Old Executive Office Building, right next to the White House. During its eight years in office, the Clinton administration had issued 75 Presidential Decision Directives and constructed a labyrinth of 102 Interagency Working Groups (IWGs). NSPD-1 nullified the directives, abolished 46 of the IWGs outright, and reorganized the remaining 56 as sub-groups of 21 new Policy Coordinating Committees (PCCs). The role of the PCCs was to serve as the focal point for interagency coordination of national security policy, provide analysis and recommendations for more senior committees in the policy process, and ensure timely implementation of decisions made by the president. Six of these committees would deal with geographic regions (for example, Africa, Asia, and Europe), the other fifteen with functional issues (such as human rights, arms control, and so forth). Issues related to the implementation of ongoing peace operations were consigned to the PCCs dealing with the relevant geographic regions.<sup>2</sup>

### WHAT EVER HAPPENED TO PDD-71?

Among the casualties of this interagency reorganization was the Peacekeeping Core Group established by the Clinton administration to coordinate issues related to the conduct of peace operations and the three Presidential Decision Directives concerned with peacekeeping policy.<sup>3</sup> While imperfect in design and often ignored in practice, the three peacekeeping directives provided a bureaucratic framework and policy process for "complex contingencies" that sought to ensure the active involvement of all relevant government agencies. The three directives were not abolished outright but were consigned to a category of directives that required revision after further study. The residual functions of the IWG that had been established to oversee PDD-71 implementation were relegated to the new PCC on democracy, human rights, and international operations.<sup>4</sup>

Failure to explicitly renew or replace the Clinton administration's directives left the Bush administration without clear policy guidance on how the U.S. government should address

peacekeeping. This was particularly true concerning issues related to justice and reconciliation that fell within the purview of PDD-71. In the absence of the directive, the new administration did not have a clear policy concerning what assistance the United States should provide toward restoring public order, law enforcement, justice, and the rule of law in postconflict environments. There was no indication of what agency, office, or individual was responsible for providing leadership or how interagency programs should be coordinated. There was also no policy guidance on funding responsibilities. This proved problematic for an administration that had announced its intention to re-examine U.S. programs and priorities.<sup>5</sup>

In the policy vacuum created by the administration's failure to renew or repeal PDD-71, implementation of the instructions contained in the directive was left to the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL). This responsibility included expending the \$10 million that had been appropriated by Congress in FY 2001 and provided to State for that purpose. The problems that had been encountered in implementing PDD-71 at the end of the Clinton administration continued. In the new administration, inattention from the NSC staff was accompanied by a similar lack of interest from senior officers in the State Department, which was unable to resolve the gridlock of interagency differences. Implementation of the directive was left in the hands of a small group of midlevel INL officials who were responsible for managing the U.S. civilian police program.<sup>6</sup>

Acting largely on their own authority, these officials in INL took a number of useful steps toward CIVPOL reform. To improve accountability, U.S. CIVPOL contingent commanders were given greater authority to supervise and impose discipline on American police officers in the field. A system of personnel evaluations was also developed so that the State Department could create a record of the performance of individual officers. INL also took a number of actions to emphasize the fact that U.S. CIVPOL were participating in a government program, despite being hired by a commercial contractor. U.S. CIVPOL

officers were honored in ceremonies, given medals, and sent letters of appreciation and commendation from the State Department to bolster a sense of pride and professionalism. To improve the quality of personnel, efforts were made to increase the percentage of active duty police officers and otherwise improve the caliber of officers participating in the CIVPOL program. A former deputy IPTF commissioner in Bosnia was hired to develop a program for expanding outreach to U.S. police departments and to involve the State Department more directly in recruiting policemen for CIVPOL service.<sup>7</sup>

To increase awareness of the U.S. CIVPOL program, representatives of U.S. police departments were invited to Washington for a briefing on the positive experience their officers would gain from serving in UN police missions. As a recruiting aid, INL produced an attractive color brochure describing the CIVPOL program that was mailed to police departments and distributed by INL staff at the national conferences of law enforcement associations. INL established an Internet web site ([www.policemission.com](http://www.policemission.com)) that was maintained by DynCorp, where police officers interested in CIVPOL service could learn about the program and complete an online application. To improve responsiveness, the State Department planned to create a "ready roster" of police officers who would be prepared to depart on short notice. INL prepared specific job descriptions as the first step in recruiting police officers for the roster. Yet it decided not to create the roster until the competition of the commercial contract for supporting the CIVPOL program was completed in 2003. Creation of the roster would be the responsibility of the service provider under the new contract.<sup>8</sup>

INL also hired an experienced police training coordinator to better prepare American police officers selected for CIVPOL duty. Among his first tasks was to improve the current orientation program. As an incentive for active duty police officers, INL sought to have the course accredited by the Police Officers Standards and Training organization so that it would satisfy the training requirements police officers must meet to qualify for promotions. In addition to INL's efforts, the U.S. CIVPOL pro-

gram benefited from a growing number of officers who volunteered for second and third deployments following an initial one-year assignment. It also was helped by the growing presence of active duty police officers who were able to take leave from their departments. The seeding of U.S. CIVPOL contingents with experienced veterans and active duty officers increased the professionalism and improved the performance of U.S. contingents.<sup>9</sup> State Department efforts and the involvement of more experienced and better-qualified officers did little, however, to reverse the tendency of American CIVPOL to identify with the commercial firm that hired them rather than with the U.S. government. Even with increased State Department involvement, the average CIVPOL officer had little contact with U.S. government officials outside of their predeparture orientation program and their initial in-country briefings. Strengthening the authority of the U.S. contingent commanders (who also were contractors) did little to improve the State Department's ability to exercise effective supervision over U.S. CIVPOL officers in the field.

### THE PROBLEM OF CIVPOL ACCOUNTABILITY

This lack of direct State Department supervision and the resulting inability to ensure accountability was evidenced by a slowly growing scandal resulting from allegations of misconduct, corruption, and involvement in human trafficking in the Balkans. On May 29, 2001, the *Washington Post* reported that accusations of criminal behavior and sexual impropriety against UN police officers, including Americans, had been hushed up by UN officials and that offenders had been sent home without further investigation or punishment. According to the newspaper, David McBride, the deputy commissioner of the IPTF and the most senior U.S. CIVPOL officer in Bosnia, had resigned in August 1999 after an IPTF internal disciplinary panel concluded that he had violated the UN code of conduct for police in peace-keeping missions. The panel charged that McBride had accepted favors from Bosnian Croat authorities, including gifts, hotel accommodations, a car, and a free cell phone, which created the

appearance of a conflict of interest. McBride returned to the United States, claiming he had been the victim of character assassination by UN officials who disagreed with him on policy issues. The *Post* also reported that another American IPTF officer, Peter Alzugaray, had been fired by DynCorp following allegations of sexual misconduct resulting from his relationship with a thirteen-year-old Bosnian girl. In these cases and several others involving misbehavior, there was no follow-up by the State Department or U.S. law enforcement agencies after the CIVPOL officers returned to the United States.<sup>10</sup>

While these cases of misconduct were troubling, the most serious allegations concerned the involvement of IPTF officers, including Americans, in the growing problem of human trafficking and forced prostitution in Bosnia. According to UN reports, Bosnia was the destination for six thousand to ten thousand women from central Europe and the former Soviet republics who were brought there for illicit purposes.<sup>11</sup> While some women willingly emigrated in order to participate in the sex trade, most were lured from economically depressed areas, primarily in Moldova, Romania, and Ukraine, by false promises of jobs as secretaries, domestic workers, nannies, and barmaids. These women had their passports taken away and were physically abused. They were brought to the Balkans and sold as chattel to work in brothels in Bosnia and Kosovo. Prices ranged from \$230 to \$2000 with "ownership" often changing hands several times before the women reached their final destination. A major center for this trade were the nightclubs in the Arizona Market near Brcko. Girls appeared naked on stage at "sex slave auctions," where they were sold to the highest bidder after a teeth check and physical inspection. The buyers (usually women) were representatives of the owners of bars and brothels frequented primarily by internationals. Money paid for the women was considered a debt that had to be repaid before they could regain their freedom.<sup>12</sup>

The systemic basis for the trafficking problem was the criminal relationships between organized crime, local politicians, and Bosnian police. Much of the trafficking was overt and was car-

ried out with at least the passive complicity of local law enforcement officials. Local police stations routinely issued work permits to nightclub owners for “foreign dancers” and “waitresses,” an obvious ruse that the police simply ignored. There was also compelling evidence of corrupt local officials and police tipping off bar owners of impending raids. According to the United Nations, nearly three hundred nightclubs in Bosnia were involved in trafficking and forced prostitution. When queried about the lack of enforcement, local officials tended to dismiss the problem as one caused by the international presence—foreign women servicing a predominantly foreign clientele.<sup>13</sup>

In late November 2000, six IPTF officers, including two Americans, resigned rather than face disciplinary action for exceeding their authority in a November 13, 2000 raid on three nightclubs suspected of employing trafficked women as prostitutes. While the police action liberated thirty-three women who had been forced to engage in prostitution, the IPTF officers were reprimanded for exceeding their authority, which was limited to monitoring and advising the local police. The officers’ resignations, according to the head of the Bosnian UN mission, Jacques Klein, resulted from the fact that they did not have executive authority and had failed to involve local police officers in the raid. In a statement to reporters, Klein denied the allegation of the local nightclub owner that the IPTF officers knew about the women because they had frequented his establishment and had previously engaged in improprieties.<sup>14</sup>

On June 22, 2001, a former American IPTF officer, Kathryn Bolkovac, filed a civil lawsuit in the United Kingdom against DynCorp, claiming she had been dismissed from the U.S. contingent of the IPTF for investigating allegations of sexual misconduct in Bosnia by her fellow officers. In the lawsuit, Bolkovac accused DynCorp of wrongful dismissal, sexual discrimination, and violation of the UK’s whistle-blower laws. In July 2002, a British court ruled in favor of Bolkovac, finding that DynCorp had acted improperly when it dismissed her.<sup>15</sup> In Bosnia, Bolkovac served first as a human rights investigator and then as head of the IPTF Gender Office, a unit responsible for

advising the local police on gender-related offenses, including human trafficking. Bolkovac said she discovered it was common practice for IPTF officers to frequent brothels and that some officers were actively assisting in the trafficking by forging documents, transporting women, and tipping off bar owners about raids. Other officers, Bolkovac said, had “purchased” women, some as young as fourteen years old, for their personal use and kept them in their apartments. When her efforts to raise the issue with her superiors were rejected or ignored, Bolkovac put her allegations in an e-mail message to her UN supervisors, IPTF colleagues, and DynCorp entitled, “Do Not Read This If You Have a Weak Stomach or a Guilty Conscience.”<sup>16</sup>

Almost immediately, Bolkovac was removed from her position in the Gender Office and reassigned to a clerical job in another division. Twelve days later, she was dismissed by DynCorp on grounds that one year earlier she had falsified a time sheet, claimed unwarranted per diem expenses, and taken unauthorized leave to attend her daughter’s state basketball championship game in Nebraska. Michael Stiers, the deputy IPTF commissioner and senior U.S. police officer in Bosnia, said Bolkovac was dismissed because “she had behaved unprofessionally in her quest to help trafficked women and had lost sight of the IPTF’s main priority: ending the ethnic violence that threatened to unravel the country’s fragile peace.”<sup>17</sup>

The following December, the *Washington Post* carried another article alleging that UN officials in Bosnia had quashed an investigation into whether IPTF officers were directly involved in the trafficking and enslavement of women. According to the newspaper, David Lamb, an American IPTF human rights investigator, was subjected to official interference and threats of violence when he investigated allegations that six IPTF officers had recruited Romanian women, purchased false passports for them, and sold the women to brothel owners in Bosnia. Threats were also directed against Lamb’s colleagues from Canada and Argentina when they attempted to follow up on his findings. In June 2001, the newspaper stated, Mary Robinson, the UN’s High Commissioner for Human Rights,

had requested an inquiry by the UN Office of Internal Oversight into allegations of UN police involvement in sexual trafficking. The office sent two investigators from New York to Bosnia, but the oversight team found no grounds for further investigation. Yet they did not talk to Lamb, his colleagues, or Kathryn Bolkovac. Following the team's departure, Jacques Klein stated in a letter to the OSCE that it would be a mistake to focus on the IPTF's involvement in human trafficking, as it would divert attention from organized crime and corrupt local officials who "perpetrated the trade and allowed it to flourish."<sup>18</sup>

According to Klein, there was no concrete evidence that members of the IPTF had engaged in trafficking, the "importation of women for immoral purposes." The United Nations had no authority to prosecute members of the IPTF; it could only repatriate them with a request that their own governments take appropriate action. Klein said the overwhelming majority of IPTF officers were morally responsible. Of the nineteen officers then under investigation by the UN for misconduct, most were accused of nothing more serious than drinking on duty or filing inaccurate reports. As for cracking down on prostitution, IPTF was at a disadvantage because Bosnian laws concerning prostitution were different in the RS and in all ten cantons in the Bosnian Federation. Under the various statutes concerning "public order and peace," prostitution was generally defined as a "minor," but not a "criminal," offense. It was, therefore, something less than a misdemeanor and offenders were usually subject only to a small fine. Local laws did, however, provide stiffer penalties of between five and ten years in prison if prostitution was combined with other offenses such as assault, rape, or kidnapping or if it involved minors.<sup>19</sup>

While the IPTF did not have executive authority and had to rely on the local police for law enforcement, the United Nations did initiate the only effective program to control trafficking of women in Bosnia. Under the leadership of an indomitable French woman, Celhia de Lavarene, the IPTF Special Trafficking Operations Program (STOP) sought to guide and monitor the local police, rescue women from sexual bondage, and keep UN

personnel and other internationals out of trouble. In its first year of operation, STOP conducted 557 raids on 215 establishments that employed trafficked women and closed 120 of them. It interviewed 1,770 women and assisted 164 with repatriation. It also prosecuted sixty bar owners and traffickers and obtained fifty-nine convictions.<sup>20</sup> According to an IPTF spokesman, only fifteen of the ten thousand CIVPOL officers that had served in Bosnia had been repatriated for misconduct. Nine of these, however, were Americans, six of whom were involved in sexually related incidents.<sup>21</sup>

In the spring of 2002, concern about the alleged involvement of UN police in trafficking in women and sexual misconduct reached the halls of Congress. On April 24, the House Subcommittee on International Operations and Human Rights held a hearing on “UN Peacekeepers’ Participation in the Sex Slave Trade in Bosnia: Isolated Case or Larger Problem in the UN System?” According to the chairperson, Representative Ileana Ros-Lehtinen (R-Florida), it was the responsibility of Congress to investigate reports that UN officials in Bosnia had sought to prevent investigations and cover up allegations of IPTF involvement in human trafficking. Ros-Lehtinen noted that the UN officials had denied such allegations and then admitted in the same statements that IPTF officers had used young girls’ services, sometimes against their will. Congress had an obligation, she said, to address the participation of Americans in such activities and the response from U.S. government agencies. One would hope, she said, that it would not be necessary to tell American DynCorp contractors they could not “buy and sell women,” but that it appeared “we need to send the message that such behavior will not be tolerated.”<sup>22</sup>

Speaking on behalf of the administration, Ambassador Nancy Ely-Raphel, director of the State Department’s Office to Monitor and Combat Trafficking, reviewed the steps the department had taken to address the problem. According to Ely-Raphel, State had adopted a “zero tolerance policy” with respect to involvement of U.S. CIVPOL officers in immoral, unethical, and illegal behavior. All American CIVPOL officers were now briefed

prior to their departure from the United States that involvement in such activities, including sexual misconduct, would result in immediate dismissal and repatriation. Failure to report such behavior on the part of fellow officers would also result in termination. In such cases, officers would have to pay their return plane fare, forfeit their completion of service bonus, and become ineligible for future missions. After receiving the briefing, CIVPOL officers signed a "DynCorp letter of agreement" pledging not to engage in human trafficking and acknowledging that they would be dismissed if they violated the agreement. Ely-Raphel said there had been no complaints against U.S. CIVPOL since these procedures were implemented, but that previously there had been six cases of sexual misconduct involving American police officers. These officers were not tried in Bosnia because members of the IPTF are immune from prosecution under an agreement between the United Nations and the Bosnian government. If misconduct is discovered, IPTF officers are sent home for prosecution.<sup>23</sup>

Concerning the cases of misconduct by American CIVPOL officers, Ambassador Ely-Raphel said the two most serious ones had been referred by State to the Department of Justice for possible prosecution. No action was taken, however, because the Justice Department determined that U.S. courts did not have jurisdiction and there was no law that would allow them to be tried in the United States. To remedy this problem, the Criminal Division of the Department of Justice was considering drafting an amendment to the Military Extraterritorial Jurisdiction Act of 2000, which covered American citizens working for U.S. military forces abroad. The proposed amendment would extend federal jurisdiction to all U.S. government employees and civilian contractors working abroad in a law enforcement capacity. If adopted, this provision would enable the U.S. government to prosecute American CIVPOL officers for sexual misconduct and involvement in human trafficking. As for the United Nations, Ely-Raphel expressed confidence in the work of the Office of Internal Oversight Services, which she said had "become a highly effective oversight body, helping to instill a culture of accountability and management effectiveness" in UN programs.<sup>24</sup>

During the hearing, Ambassador Ely-Raphel's positive assessment was challenged by a panel of nongovernment witnesses who said they saw little effort by the United Nations or the U.S. government to deal with the problem. Martina Vandenberg of Human Rights Watch pointed out that a "de facto blanket of complete impunity" covered American and foreign IPTF officers. Under the Dayton Accords, IPTF officers could not be prosecuted in Bosnia, nor were they likely to face prosecution under the criminal laws of their own countries. This was the case in the United States, where, Vandenberg said, multiple Human Rights Watch requests filed under the Freedom of Information Act had failed to unearth any evidence of prosecutions of American CIVPOL officers for crimes committed abroad. Vandenberg said the fact that IPTF officers enjoyed immunity from prosecution was deeply troubling to all of those who were attempting to establish the rule of law in Bosnia.<sup>25</sup> David Lamb, the former IPTF human rights investigator, repeated the charges he made earlier that senior UN officials responded to his efforts to investigate IPTF involvement in human trafficking with indifference at best and with intimidation at worst. Lamb said donor governments were responsible for their personnel, and the U.S. State Department shared responsibility for failing to control this illicit activity. Lamb accused the department of "purposefully distancing itself from U.S. CIVPOL by hiring DynCorp as the middleman and making no attempt to know anything about the activities of American IPTF officers."<sup>26</sup>

The Bush administration's disinterest in the U.S. civilian police program was part of its aversion to peacekeeping in general. When it assumed office, the administration expressed profound skepticism about the value of U.S. military deployments in support of peacekeeping operations. Moreover, its commitment to the nonmilitary dimensions of peacebuilding was uncertain. After September 11, the administration acknowledged that U.S. support for postconflict stabilization and development could have important implications for regional stability. At the same time, the administration continued to resist a significant role for U.S. troops in peacekeeping operations. The first real

test of the Bush administration in dealing with the problem of establishing postconflict security was Afghanistan.

## POSTCONFLICT SECURITY IN AFGHANISTAN

Following the defeat of the Taliban and its al Qaeda allies, the starting point for rebuilding Afghanistan was the Agreement on Provisional Arrangements in Afghanistan Pending Re-establishment of Permanent Institutions—the Bonn agreement—signed by representatives of the Afghan people on December 5, 2001.<sup>27</sup> The agreement established an Interim Authority to run the country and provided the basis for an interim system of law and governance. In Annex I, the parties called for the deployment of an international military force to maintain security in Kabul. In response, UN Security Council Resolution 1386 of December 20, 2001 authorized the creation of an International Security Assistance Force (ISAF) for six months to assist the new Afghan government.<sup>28</sup> ISAF deployed in January 2002 and by summer had five thousand troops from nineteen countries. ISAF's responsibility was limited to providing security in the capital, where it conducted routine patrols with local police. The international force operated separately from Operation Enduring Freedom, the U.S.-led military mission, which was focused on destroying the remnants of the Taliban and al Qaeda. To ensure coordination, U.S. Central Command was given formal operational authority over ISAF, and U.S. military activities took precedence over ISAF operations. ISAF's purpose was to provide a "breathing space" during which the Afghans could create their own security forces and judicial system. On January 13, 2002, a Joint Coordination Committee was established, composed of ISAF, the United Nations, and the Interim Authority's defense and interior ministers; its role was to ensure close cooperation among those responsible for the security sector.<sup>29</sup>

The UN model for intervention in Afghanistan was vastly different from the prototype used in Kosovo and East Timor. In those missions, the United Nations established an interim authority that was responsible for civil administration and for

guiding the local population toward democratic self-government. In Afghanistan, the UN sought to limit international involvement and to encourage the Afghans to assume responsibility for their own political reconciliation and economic reconstruction. Under the leadership of the SRSG, Ambassador Lakhdar Brahimi, the UN advocated a “light international footprint”—a euphemism for minimal international oversight and material assistance—despite initial promises of billions of dollars in foreign largess. This was particularly true concerning the international community’s approach to ensuring internal security and assisting the Afghan police.<sup>30</sup>

The Bonn agreement did not provide a role for the United Nations in monitoring or training the Afghan police, nor did the Security Council authorize a CIVPOL mission. The UN CIVPOL Division did send a CIVPOL officer to Kabul to provide liaison between the SRSG and the Interim Authority on police matters. In May, UN secretary-general Kofi Annan dispatched four additional CIVPOL advisers. Their duties were to—

- ✦ Advise the SRSG and coordinate with other international agencies and member states on police and security issues, including support for the Afghan police.
- ✦ Advise the Interior Ministry and Afghan police officials.
- ✦ Assist a German police team and its Afghan counterparts in recruiting and training the local police.
- ✦ Assist the commander of the Kabul police with strategic and operational planning and provide advice and assistance on handling day-to-day police matters.<sup>31</sup>

According to the Bonn agreement, responsibility for maintaining security throughout the country rested with the Afghans. The Interim Authority, particularly Interior Minister Mohammad Yunis Qanooni, recognized that international assistance would be required to create a new Afghan national police. Given Afghanistan’s size and population, creating a national police force represented a far greater challenge than anything the international

community had ever attempted. While the United Kingdom (later Turkey) assumed the lead for ISAF, Germany was asked by the Afghans to take responsibility for training and equipping the local police. This request was based on the Afghans' positive experiences with German police assistance programs prior to the Soviet intervention.<sup>32</sup> On February 13 and March 14–15, 2002, representatives from eighteen potential donor countries met in Berlin to discuss international contributions to the Afghan police assistance program. The Germans developed an initial plan for police training and announced the commitment of \$70 million toward renovating the police academy in Kabul, providing eleven police instructors, refurbishing Kabul police stations, and donating fifty police vehicles. The first team of German police advisors arrived in Kabul on March 16 and the German Coordination Office was opened on March 18, 2002. U.S. State Department representatives attended the Berlin meetings and subsequently assisted the Germans with planning the police mission. The United States also considered providing bilateral assistance to the Afghan police.<sup>33</sup>

Even before the U.S. intervention in Afghanistan, the Afghan Northern Alliance began training a police force as part of its long-term plan for occupying Kabul. Training took place at a police academy near the village of Dashtak in the Panjshir Valley. The majority of the Northern Alliance's two thousand-member police force were ethnic Tajiks, but the police academy's director and some of its cadets were from other ethnic groups. At the academy, recruits were taught eighteen subjects over a three-year period, including law, basic investigation techniques, criminology and human rights, plus martial arts and military drill. According to the academy's deputy director, a veteran Afghan police officer, it was important to send police rather than soldiers to maintain order in Kabul.<sup>34</sup>

When the Northern Alliance occupied Kabul, some four thousand police from the alliance were deployed. They were only partly trained and had only a few vehicles, little communications equipment, and a few dilapidated or damaged stations. They did, however, cooperate with ISAF and helped reduce the

number of armed militia fighters in the city. The police were still organized on the Soviet-era model—with a two-track system of career officers and temporary conscripts that served for two years as patrolmen as an alternative to joining the military. While officers were trained at the academy, conscripts were untrained and often mistreated by their superiors. Without waiting for international assistance, the Afghans reopened the old police academy on the outskirts of Kabul. The academy had spacious wooded grounds, the remains of a large swimming pool, and the ruins of several buildings. A class of ninety-two cadets that transferred from the Northern Alliance police academy lived and took classes in the one habitable structure in the complex. The Afghans wanted to create a new professional police service, replacing conscripts with career noncommissioned officers who would receive a year of training. According to Interior Minister Qanooni, the Interim Authority intended to train an initial force of thirty-two hundred police (one hundred from each province) with the long-term goal of creating a force of seventy thousand officers.<sup>35</sup>

During his first visit to Washington in January 2002, Hamid Karzai, the leader of the Afghan Interim Authority, was profuse in his public praise for U.S. assistance in defeating the Taliban and for the promise of U.S. material assistance in rebuilding the country. Privately, Karzai expressed concern about growing insecurity outside of Kabul, which was delaying development and frightening away relief agencies, prospective investors, and returning refugees. In response, President Bush announced that the United States would help train a new Afghan army and police force and offered \$297 million in American food, development and refugee aid, and investment credits. The president acknowledged the need to prevent Afghanistan from sliding back into the type of lawlessness that occurred after the Soviet withdrawal and said U.S. troops would “bail out” the ISAF if it got into trouble.<sup>36</sup>

In subsequent speeches at West Point and the Virginia Military Institute, the president appeared to embrace a major U.S. role in rebuilding Afghanistan, similar to the one General George C. Marshall devised for rebuilding Europe after World

War II. In a midmorning speech to the institute's cadets, Bush warned that military force alone could not bring peace and that stability in Afghanistan required the reconstruction of roads, schools, hospitals, and businesses. Bush said, "General Marshall knew our military victory had to be followed by a moral victory that resulted in better lives for individual human beings." The president's remarks raised hopes that the United States had finally recognized that weak and unstable states could threaten U.S. security and that political and economic reconstruction (that is, "nation building") was required to prevent them from becoming a spawning ground for terrorism.<sup>37</sup>

Hope that the president's speech marked a major change in administration policy did not survive lunch. At 11:30 A.M. on the same day, Secretary of Defense Rumsfeld told a Pentagon press conference that the president did not envision using American forces as part of ISAF, nor did the United States support the expansion of ISAF outside of Kabul. Rumsfeld said he was opposed to using Americans for peacekeeping because of the limited size of the U.S. military and the fact that soldiers should not perform nonmilitary jobs. As for U.S. policy toward Afghanistan, Deputy Secretary of Defense Paul Wolfowitz said the United States should help build a national army and police force, use international peacekeepers to preserve security in Kabul, and send small teams of U.S. Special Forces to work with the regional warlords. To do more, he said, would risk ignoring Afghanistan's history of regional power holders and intervening too actively on behalf of the central government. The U.S. goal, Wolfowitz said, was to create conditions so that Afghanistan would not revert to the kind of terrorist haven it became after the Soviets' departure.

The concerns created by the Defense Department's limited vision were reinforced by the growing gap between the administration's rhetoric about assisting Afghan recovery and the reality on the ground. Pledges of billions of dollars of international economic assistance failed to materialize. Tensions between rival warlords boiled over into armed clashes between their supporters. Even after his selection as president by the national

grand council (*loya jirga*), Karzai remained “little more than the mayor of Kabul” who was protected by ISAF, which did not venture outside the capital. Most Afghans believed that without major international help, Karzai’s government could not establish internal security, which was the key to rebuilding the country.<sup>38</sup>

The growing instability in Afghanistan led to mounting concern in Congress that the administration was “seizing defeat from the jaws of victory” by its refusal to support peacekeeping and nation building in Afghanistan. Senator Joseph Biden, chairman of the Senate Foreign Relations Committee, sent a letter to President Bush urging expansion of ISAF and its deployment throughout the country. Biden also proposed shifting \$130 million in counterterrorism funding to support peacekeeping in Afghanistan.<sup>39</sup> Senator Chuck Hagel (R–Nebraska), another member of the Senate Foreign Relations Committee, said the administration was “adrift” and was “only doing enough in Afghanistan to stay in the game.” According to the *Washington Post*, congressional staffers and some administration officials believed “U.S. policy was hamstrung by President Bush’s aversion to broad-based nation building and his refusal to expand the role of ISAF. The resulting policy—high on rhetoric and low on engagement—amounted to a gamble that things would work out.” In Afghanistan, growing anxiety about deteriorating security was emphasized by President Karzai’s decision to replace his Afghan security force with U.S. Special Forces personnel.<sup>40</sup>

America’s European allies shared congressional discomfort over the administration’s aversion to peacekeeping and the growing insecurity in Afghanistan. The Europeans balked at U.S. suggestions that they should take responsibility for peacekeeping in Afghanistan. They also took exception when the United States indicated that the next step in its war against terrorism would be a military assault to drive Saddam Hussein from power in Iraq. Within six months after the September 11 attacks, the sense of solidarity between the United States and Europe had dissipated and the transatlantic allies were at odds over a broad range of issues. When President Bush visited Europe in March 2002, he was greeted by a barrage of criticism

of U.S. policies on Afghan peacekeeping; global warming; nuclear proliferation; weapons of mass destruction; the Middle East; and the president's branding of Iran, North Korea, and Iraq as an "axis of evil." In contrast to September 12, when the French newspaper *Le Monde* declared, "We are all Americans now," the European media depicted the United States as a unilateralist, selfish, insular, bellicose, and gun-happy "hyperpower" that was determined to have its own way, regardless of the consequences. Europeans viewed the U.S. absorption with homeland security and global terrorism as obsessive—at a time when NATO expansion, European integration, and globalization required U.S. attention. Even long-time American friends like EU commissioner for external affairs Chris Patten were moved to advise that Washington could deal effectively with terrorism, organized crime, drugs, human trafficking, environmental degradation, poverty, and regional insecurity only through engaging in multilateralism.<sup>41</sup>

European exasperation with the United States reached a crescendo on June 30, 2002, when the United States vetoed a UN Security Council resolution extending the mandate of the UN mission in Bosnia. The U.S. cast its veto because the Security Council refused to grant the forty-six American police officers serving in the IPTF immunity from prosecution by the International Criminal Court (ICC), which was scheduled to come into existence on July 1. The ICC was established with initial American support as a court of last resort for prosecuting war crimes, human rights violations, and genocide. In explaining the U.S. position, UN ambassador John Negroponte said the U.S. did not oppose the UN mission in Bosnia but wanted to demonstrate its concern that American peacekeepers might be brought before the tribunal. Defense Secretary Rumsfeld warned that the United States might not join future peace operations without a grant of blanket immunity from the ICC. President Bush said the prospect of American soldiers being dragged into court was "very troubling."<sup>42</sup>

In response, European members of the Security Council criticized the U.S. veto as "extraordinary, unnecessary, and an

attempt to misuse the council to rewrite a treaty.” Secretary-General Annan warned that the United States was putting the entire UN peacekeeping system at risk when the type of politically motivated prosecution the U.S. feared was “highly improbable.” In fact, there were only 677 American police, 34 military observers, and one soldier currently serving in UN peacekeeping missions, so the potential for the ICC to prosecute Americans was extremely limited. In Europe, NATO ambassadors were called into emergency session to consider the ramifications of the U.S. action. The president of the EU issued a statement regretting the American decision and reaffirming the EU commitment to the ICC.<sup>43</sup> At home, the *New York Times* warned editorially that U.S. actions “could unravel UN peacekeeping, destroying a mechanism that had quieted conflicts and spread a burden that might have fallen on American troops alone. It is bad enough that the Bush administration is trying to undermine the ICC. It should avoid damaging international peacekeeping as well.”<sup>44</sup>

Stung by the outpouring of criticism, the United States relented and on July 12 voted in favor of UN Security Council Resolution 1423, which extended the mandate of the UN’s Bosnian mission until December 31, 2002.<sup>45</sup> During the twelve days of hectic deliberations required to resolve the dispute, the EU bravely offered to step in immediately and take over the Bosnian police mission. In fact, the EU was completely unprepared to assume responsibility for monitoring the police and judicial system in Bosnia. Members of the EU advance team had just begun working with their IPTF counterparts and reportedly were overwhelmed by the complexity of the UN mission. After learning that UN vehicles and equipment had been procured from non-EU countries, the EU decided to purchase new vehicles and equipment, which would not arrive until September. Further, the EU program was predicated upon the IPTF completing the final phase of its mission implementation plan, which would not happen until December. If the UN mission had ended abruptly, the IPTF would have been required to immediately repatriate its complement of 1,552 officers and close down operations in 254 loca-

tions. It also would have had to remove or dispose of \$60 million in material assets. The incident left the United Nations and the Europeans badly shaken. It also left them wondering whether the Bush administration's paranoia regarding the ICC and aversion to peacekeeping had blinded American officials to the negative impact of their single-minded pursuit of U.S. foreign policy objectives on the international community.<sup>46</sup>

By the first anniversary of the attacks of September 11, observers on both sides of the Atlantic were wondering whether the Bush administration's true intentions had been articulated in a blunt statement by Richard Haass, the State Department's director for policy planning. Haass said, "The principal aim of U.S. foreign policy is to integrate other countries and organizations into arrangements that will sustain a world consistent with U.S. interests and values."<sup>47</sup> In fact, the administration's policy of "unilateralism" seemed increasingly at variance with the post-World War II "grand strategy of American foreign policy to create an international order based upon a tightly woven fabric of common values, shared understandings, and mutual obligations." President Bush had campaigned for the presidency by calling for a shift away from the Clinton administration's emphasis on multilateralism toward the pursuit of U.S. national interests and the rebuilding of the nation's military. The problem was that "the belief system the president brought into office—which condemned Clinton as a serial intervener and sought to withdraw from U.S. overcommitments to peacekeeping and nation building—was in direct conflict with the reality Bush was handed on September 11." The United States was attempting to lead a global coalition in a war against terrorism at the same time it appeared to ignore the interests of the global community it was ostensibly fighting to defend.<sup>48</sup>

The inevitable legacy of U.S. military action against regimes that harbored terrorism would be postconflict environments where the U.S. would have to engage in peacekeeping and nation building in order to create sustainable security and ensure the survivability of new democratic governments. In late 2002, the Pentagon responded to the continuing deterioration

in the security situation in Afghanistan by shifting the focus of U.S. military operations toward greater involvement in civil affairs and reconstruction. American troops began providing humanitarian assistance and took on road and school construction. U.S. forces also assumed a policing role by ensuring that disputes between regional leaders did not end in violent confrontations.<sup>49</sup> In December, the Defense Department initiated a program to establish eight to ten Provincial Reconstruction Teams (PRTs) at bases near major cities throughout Afghanistan. The first three pilot teams were assigned to Bamyan, Kunduz, and Gardez. Each of these sixty-member contingents would be commanded by a senior U.S. military officer and consist of personnel from Special Forces, Civil Affairs, Army Engineers, the State Department, the Agency for International Development, and other coalition forces. The PRTs would provide assistance in rebuilding local infrastructure and ensuring local security, but would not perform police functions. Officially they would remain part of Operation Enduring Freedom and would not be part of ISAF or designated as peacekeepers.<sup>50</sup> The experience gained from this tentative engagement in nation building would be directly applicable if the Bush administration carried through on its announced intention to disarm Saddam Hussein and achieve a regime change in Iraq.

### THE POSTCONFLICT CHALLENGE IN IRAQ

At the beginning of 2003, the United States faced an unprecedented security challenge. It arose from a global terrorism based on intolerant ideologies, the willingness of adherents to sacrifice their lives, and their determination to use weapons of mass destruction (WMD).<sup>51</sup> The United States was in the second phase of the war in Afghanistan. Coalition military forces and their Afghan allies had driven al Qaeda and the Taliban from Afghanistan, but the leadership had survived. Small groups of al Qaeda and Taliban fighters continued to harass U.S. forces from safe havens in the lawless tribal border area of Pakistan. An ongoing global search for al Qaeda operatives was punctuated by terrorist

attacks in Asia, Africa, and the Middle East and periodic alerts of new attacks in the United States. Concurrently, the Bush administration sounded an alarm concerning the threat posed by an old enemy, President Saddam Hussein of Iraq. In a television address to the nation on October 7, 2002, President Bush warned that Iraq “possesses and produces chemical and biological weapons. It is seeking nuclear weapons. It has given shelter and support to terrorism and practices terror against its own people. While there are other dangers in the world, the threat from Iraq stands alone because it gathers the most serious dangers of our age in one place.”<sup>52</sup>

In truth, Saddam Hussein had provided the United States with a long list of reasons for seeking a regime change in Iraq. In addition to invading Kuwait and precipitating the Gulf War, he had invaded other neighboring states, killed masses of Kurds and Iranians with poison gas, administered a brutal police state, accumulated chemical and biological weapons of mass destruction, and attempted to build nuclear weapons. He had murdered or taken revenge against anyone who might stand against him, including his two sons-in-law. He had also sought to assassinate a former American president, President Bush’s father. While Saddam’s links to al Qaeda and international terrorism remained open to question, he had conducted terrorist operations abroad and could provide extremist organizations with weapons of mass destruction.<sup>53</sup> Saddam was not insane, but he had repeatedly demonstrated that he was capable of bizarre actions, miscalculations, and egregious judgment. There were no constraints on his behavior within the Iraqi political structure. He was also willing to take enormous risks and to allow his country to absorb extensive damage and loss of life in his attempts to become the leader of the Arab world.<sup>54</sup>

In Iraq, Saddam Hussein exercised power through a sophisticated security structure and a vast network of informers, violence, and extreme brutality in dealing with dissent. He also skillfully balanced competing forces within the country, playing on ethnic and religious rivalries and using co-optation and financial inducements. He had concentrated decision making

within a tight circle of family, close relatives, his Bani al-Nasiri tribe, and those from his hometown, Tikrit. Beyond this ruling group, he relied upon patronage, tribal allegiance, ethnic affiliation, and economic leverage. The core of this system was a pervasive security apparatus with the primary units supervised by his youngest son. At the same time, all state structures had been corrupted and transformed into instruments of support for one-man rule. The UN's sanctions regime and its Oil-for-Food Program allowed Saddam to decide which domestic and international firms were awarded contracts. This unintended consequence of UN efforts to ease the suffering of Iraq's people gave Saddam unprecedented control over the country's economy and enabled him to reward the loyal regime supporters. It also enabled him to direct lucrative contracts to firms in France, Russia, and China in a successful effort to build support on the Security Council. At the same time, regime-sanctioned smuggling provided lucrative incomes for Saddam's relatives, the Baath party elite, and corrupt businessmen. Iraq's impoverished middle class could only watch as a class of unsavory nouveau riches emerged to flout their fortunes made on the black market. "This combination of ruthlessness, an all-intrusive security and intelligence apparatus, close kinship and tribal connections, and an elaborate system of co-optation based on reward and punishment enabled the regime to withstand internal and external challenges."<sup>55</sup>

To ensure his rule, Saddam established an interlocking network of military and civilian security organizations with different official missions but with overlapping and redundant functions concerned with intelligence gathering and internal security. These security services were accountable to Saddam through the regime's National Security Council, which he chaired. Their redundant responsibilities and vaguely defined relationships ensured that plots against the regime were likely to be detected and that the various agencies would compete with each other. The result was a pervasive and encompassing system that converted Iraq into a police state. According to former CIA analyst Kenneth Pollack, "Everyone in Iraq must assume that he or she is surrounded by security agents, informants, surveillance devices,

and would-be snitches. The result is that few Iraqis can summon the courage to take even the first step toward opposition, and most live their lives in constant fear.”<sup>56</sup>

In Saddam’s Iraq, the following civilian security organizations were created to preserve his rule.

*Special Security Directorate (SSD: al-Amn al-Khas).* Under the leadership of Saddam’s youngest son, Qusay Saddam Hussein, the SSD’s five thousand members were from the president’s Tikriti clan and were hand picked by Qusay from other parts of the security apparatus for their loyalty. The SSD’s responsibilities included protecting the president and his immediate family and securing the presidential palaces. It also supplied security details for other senior officials, both providing protection and reporting on their activities. The SSD was charged with the regime’s most sensitive security tasks, such as concealing the WMD program, evading the embargo on sensitive technologies, and supervising the military forces that were responsible for protecting the president. The SSD included the Presidential Guard, the Palace Guard, the Special Republican Guard, and the Republican Guard, all of which reported to the head of the SSD.

*General Intelligence Directorate (Jihaz al Mukhabbarat).* Between 1973 and the Gulf War, the Mukhabbarat was headed by Saddam’s brother, and its powers increased significantly. After the war, it lost influence and personnel with the rise of the SSD headed by Saddam’s son. The Mukhabbarat’s purview was all-inclusive, but its primary missions were foreign espionage and intelligence collection, supervision of Iraqi embassy personnel, covert action, assassinations, and terrorist operations. Domestically, its responsibilities included suppression of Kurdish and Shiite opposition, monitoring foreign embassies, and surveillance of all other intelligence and security agencies, government ministries, the Baath Party, and the Iraqi military.

*General Security Directorate (GSD: al-Amn al-‘Amm).* The GSD was the oldest and largest of the security services. Its primary concern was internal security, and its operatives were located in every jurisdiction and kept abreast of everything that transpired within their area. GSD personnel were responsible for detecting

dissent among the general public and monitoring the daily lives of Iraqi citizens, especially prominent personalities. A good part of the GSD's mission was intimidating the population. Its heavy-handed operatives were responsible for most of the official harassment suffered by Iraqi citizens.

*Baath Party Security Agency (BPS: al-Amn al-Hizb).* The ruling Baath party had an internal security apparatus that oversaw the activities of Iraqis through party security branches in organizations such as universities, factories, and trade unions. The BPS was responsible for security in all party offices, monitoring the activities of party members, and security activities not directly related to the state.<sup>57</sup>

*Iraqi National Police (INP: Shurta).* Below these security agencies were the national police and border guards who were responsible for law enforcement. Under the monarchy, the INP force had grown to 23,400 personnel by the 1958 revolution. Established with the assistance of British advisers, the INP was under the jurisdiction of the Interior Ministry and performed routine police functions. The INP included representatives from all ethnic groups and religious denominations. In the 1960s, police academies were established to improve training. The INP had positive relations with the public and enjoyed a reputation for professionalism, political neutrality, and honesty. After 1968, the Baath party enacted legislation that led to the militarization of the INP and its close association with the army. By the beginning of 2003, the force strength of the INP was approximately sixty thousand.<sup>58</sup>

Over time, as Saddam consolidated power, the INP was increasingly marginalized and its responsibilities for internal security and protection of the regime were subsumed by the various security organizations. The INP remained responsible for law enforcement, but the persuasiveness of the regime's security apparatus and its brutal methods meant that crimes were more likely to be committed by regime operatives than criminals. In many cases, the INP was prevented from investigating criminal activity under orders from the security services. After the Gulf War, the INP suffered from years of neglect and deprivation. The INP

suffered from repressive political leadership, which discouraged initiative and efforts to modernize the force. Under the impact of sanctions and the resulting decline in living standards, members of the INP were forced to turn to petty corruption.

### **Planning for the postwar period**

On February 11, 2003, less than two months before U.S.-led coalition forces would enter Iraq, the Bush administration made its first formal statement concerning its plans for postwar Iraq. In testimony before the Senate Foreign Relations Committee, Marc Grossman, undersecretary of state for political affairs, and his Defense Department counterpart, Douglas Feith, provided a general outline of the administration's thinking. Grossman said the president had not made a final decision about how the United States would proceed, but he had provided clear guidance that the U.S. should be prepared to meet the humanitarian, reconstruction, and administrative challenges that would follow the "liberation" of Iraq. According to the undersecretary, the administration was planning a three-stage transition to a future democratic Iraq—

1. Stabilization, where an interim coalition military administration would ensure security, stability, and public order for a period of up to two years.
2. Transition, where authority would be passed to Iraqi institutions.
3. Transformation, where a democratically elected Iraqi government would govern Iraq on the basis of a new constitution drafted by representatives of the Iraqi people.<sup>59</sup>

To ensure the United States could meet its responsibilities, Undersecretary of Defense Feith said, the president signed National Security Presidential Directive 24 on January 20, creating the Office of Reconstruction and Humanitarian Assistance (ORHA) at the Pentagon. ORHA was responsible for detailed preplanning and for nation building in Iraq. In the event of war, Feith said, most of the people in this "expeditionary" unit would

deploy to the region where they would supervise humanitarian assistance and relief operations. ORHA was headed by Lieutenant General Jay Garner, (U.S. Army, ret.), who in 1991 had played a leading role in Operation Provide Comfort, the post-Gulf War response to the humanitarian crisis created by Saddam's attacks on the Kurds. Garner reported through Feith to Secretary of Defense Donald Rumsfeld. ORHA was staffed by personnel on detail from State, Treasury, Energy, AID, Agriculture, and Justice, including experts on police training and judicial reform. It was responsible for three operations, each under a civilian coordinator: humanitarian relief, reconstruction, and humanitarian assistance. A fourth coordinator was responsible for communications, logistics, and the budget. Feith said the United States would try to share the postwar burden and would encourage participation by coalition partners, the UN, NGOs, and others. The U.S. goal was to transfer authority to the Iraqis as soon as possible. Feith said the United States would not, however, "foist burdens on those who were not prepared to carry them."<sup>60</sup>

Undersecretary Grossman noted that the State Department had been working with Iraqi exile organizations on the Future of Iraq Project—an ambitious endeavor involving seventeen working groups on topics ranging from transitional justice and democratic principles to education and energy. Among the results of this effort, Grossman said, was the drafting, in Arabic, of six hundred pages of proposals for the reform of Iraqi criminal and civil codes; the trial of Saddam Hussein; and reform of the police, courts, and prisons. While the Iraqi diaspora was a "great resource," Grossman made clear the United States would not create a provisional Iraqi government or simply hand power to the Iraqi exile organizations. He said the U.S. goal was the creation of an Iraq that was a democratic, unified, multiethnic state that would be at peace with its neighbors and devoid of weapons of mass destruction and ties to terrorism.<sup>61</sup>

Although Grossman's statement provided some initial insight into the Bush administration's intentions, the general nature of his comments sent a message that planning for post-

Saddam Iraq was still very much a work in progress. This unleashed criticism from Congress and the media that the administration was unprepared to managing a postconflict situation in Iraq that was likely to be chaotic and dangerous for coalition forces. On February 20, administration officials briefed reporters on a “finalized blueprint” for managing post-war Iraq. Under this plan, the commander of U.S. Central Command, General Tommy Franks, would head a U.S. military administration that would remove the Saddam regime, dismantle its terrorist infrastructure, and run the country until Iraq’s WMD were located and neutralized. In the immediate aftermath of the fighting, U.S. military teams would deliver emergency humanitarian aid under a program directed by General Garner. This effort would demonstrate to Iraqis that they were better off under U.S. military rule than under Saddam. In addition, the military regime would patrol Iraq’s borders and ensure the country remained a unitary state that was free of interference from its neighbors, particularly Iran.<sup>62</sup>

When conditions stabilized, Franks would hand over control to an American civilian administrator (a former state governor or ambassador) who would direct reconstruction. Administration officials indicated that they had developed several contingency plans for the second and third phases of the transition process, but they wanted to wait until they could assess conditions on the ground before making decisions. Among the possibilities was a plan for turning authority over to an interim UN administration that would oversee the transition to an Iraqi government. In any case, responsibility for food and humanitarian aid would be handed off to the UN World Food Program, which would utilize the distribution network that had been created by the Oil-for-Food Program.<sup>63</sup> For its part, the UN Department of Peacekeeping Operations was already engaged in contingency planning for creating an Afghanistan-style UN political office that would be able to help administer Iraq and deliver humanitarian assistance. In January, the United Nations issued an appeal for international donors to provide \$37 million to finance initial preparedness for Iraq.<sup>64</sup>

On February 21, less than a month before the invasion, Garner convened the first joint meeting of military and civilian planners for a two-day “rock drill” at the National Defense University in Washington D.C.<sup>65</sup> Military planning had been underway since the previous summer, but Garner’s staff had been preparing for postconflict reconstruction for just one month. Despite the administration’s rhetoric, Garner was dismayed to discover that an overwhelming amount of work remained to be done. Although the president had directed DOD to lead the planning for the postconflict period, preparations continued in bureaucratic “stovepipes,” with little coordination among agencies. In particular, ORHA ignored the findings of the State Department’s \$5 million Future of Iraq Project. Thomas Warrick, the project’s director, and a number of other State Department nominees were pointedly not invited to join the ORHA staff. Instead, planning at DOD proceeded under a group of former generals brought back from retirement.<sup>66</sup>

Perhaps the biggest difference between Defense and State over postwar Iraq concerned the role of the Iraqi exile community. At Defense, supporters of Iraqi National Congress (INC) chairman Ahmed Chalabi argued that the United States should hurry up and create an Iraqi government under his leadership. In contrast, the State Department and CIA believed that ordinary Iraqis would rebel against any U.S. attempt to install a government composed of Chalabi and other expatriates. With war approaching, the Bush administration announced that the role of expatriate Iraqis would be limited to providing advice through a twenty-five-member “consultative council” that would be appointed by the United States. Iraqi expatriates would also be asked to form a commission to advise on judicial reform and the drafting of a new constitution. State Department officials made clear that any attempt by Iraqi exile groups to form a provisional government would not be tolerated.<sup>67</sup> Meanwhile, DOD began predeployment training of several hundred Iraqi exiles, mostly from the INC, at a military base in Taszar, Hungary. According to a Pentagon spokesman, the intention was to create a force of Iraqis that could assist coal-

tion forces with nonmilitary duties in Iraq. Their one-month orientation program would not include military training, but it would prepare them to serve as liaison officers, guides, and translators for coalition forces. The Iraqis received training in first aid, self-defense, landmine identification, and how to use protective equipment in the event of an encounter with chemical or biological weapons. Major General David Barno, the commander of the training program, said they might also serve as police in liberated areas.<sup>68</sup>

At the end of February 2003, the United States was clearly headed toward military intervention in Iraq. On February 23, the United States, the United Kingdom, and Spain introduced a draft UN Security Council resolution stating that Iraq had ignored its “final opportunity” to disarm. The resolution reminded the Security Council that Resolution 1441 had warned Iraq of “serious consequences” if it failed to end its WMD programs and destroy existing stocks of nuclear, chemical, and biological weapons and long-range missiles. The proposed resolution did not provide explicit authorization for U.S. military action, yet American diplomats claimed that a statement in the resolution that Iraq was in “material breach” of previous UN resolutions would provide the United States with enough “legal cover” to justify intervention.<sup>69</sup> On February 25, President Bush served notice that he was prepared to go to war in Iraq even without passage of a new UN resolution. The president expressed irritation at opposition in the Security Council from Germany and France and at Saddam’s efforts to buy time with new promises of cooperation with UN weapons inspectors. American envoys delivered a similar message of U.S. determination in meetings with leaders in European capitals and in Moscow.<sup>70</sup>

In a televised speech at the American Enterprise Institute in Washington on February 26, President Bush provided the first comprehensive view of U.S. aspirations for a post-Saddam Iraq. According to the president, a “liberated” Iraq would show the power of freedom to transform the Middle East by bringing hope and progress to the lives of millions of people. Bush noted that rebuilding Iraq would not be easy and would require

sustained commitment from the United States and other nations. The U.S., the president said, would “remain in Iraq as long as necessary, but not a day more.”<sup>71</sup> Meanwhile, the American and British troop buildup in the Persian Gulf topped two hundred twenty-five thousand. These forces included five carrier battle groups and Stealth and B-52 bombers deployed to bases close to Iraq. Press reports indicated that U.S. Special Forces were already engaged in operations inside the country. British and American aircraft had begun strikes beyond the “no-fly zone” aimed at crippling Iraq’s air defenses.<sup>72</sup>

### **Establishing the Rule of Law in Iraq**

On the eve of U.S. military action to remove Saddam Hussein, there were myriad warnings from inside and outside the government that postwar Iraq would be difficult, confusing, and dangerous for everyone involved. Since the 1950s, regime changes in Iraq had been significantly bloodier than those in other Arab states.<sup>73</sup> From inside the Bush administration, the CIA and other intelligence agencies were persistent in warning that postconflict reconstruction would be more difficult than achieving a military victory. The CIA predicted that Iraqis were likely to resort to “obstruction, resistance, and armed opposition,” and that pro-Saddam groups were likely to attempt to sabotage reconstruction efforts.<sup>74</sup> In addition, Army Chief of Staff General Eric Shenseki warned that an occupation force of at least three hundred thousand soldiers would be needed to pacify Iraq.<sup>75</sup>

From outside the government, the Council on Foreign Relations, the Center for Strategic and International Studies, and the U.S. Institute of Peace warned that Iraq’s recent history gave every indication that extreme violence would erupt immediately following the end of hostilities.<sup>76</sup> Following the Gulf War, returning Iraqi soldiers had ignited massive uprisings among the majority Shiites in the south and among the Kurds in the north. Rampaging crowds executed Baath party and government officials and took revenge for past injustices on members of the Sunni minority that has ruled the country since independence. A similarly violent uprising occurred in December

1998 following Operation Desert Fox, a four-day American and British air campaign that targeted biological weapons facilities and mostly empty Republican Guard barracks.<sup>77</sup>

Based on this experience, coalition military units would have to adjust quickly from combat to peacekeeping operations to avoid a new outbreak of ethnic, religious, and tribal strife. Without a total commitment by coalition forces to maintaining public order, it was likely that Iraq's ethnic and religious factions would again descend into a much deeper and more powerful vortex of revenge taking that would leave large areas of the country in chaos. If such a breakdown in public order occurred, neighboring states could be expected to intervene to support their proxies, protect their predominant ethnic kin, and promote their interests. Failure of coalition forces to control widespread civil disturbances would also prevent international humanitarian assistance agencies and nongovernmental relief organizations from reaching those in need. Intervention forces might also have to deal with areas affected by the release of chemical or biological weapons and to aid those affected.<sup>78</sup>

In the initial phase of the postwar transition, the U.S.-led coalition would be responsible for restoring public order, providing security, and ensuring effective law enforcement as part of its obligations as an occupying power under the 1949 Fourth Geneva Convention.<sup>79</sup> The intervention force would require substantial military personnel who were trained to interact with civilians and provide basic public services, including Civil Affairs officers, military police, medical units, and combat engineers. Troops trained in border control would also be needed to ensure that criminals and terrorists did not enter the country, and that war criminals and WMD did not leave Iraq.<sup>80</sup> Establishing the rule of law would require a two-phase process. First, the coalition would need to dismantle and disband the interlocking network of internal security services that were used to control the country. Second, the coalition would need to rehabilitate, retrain, and reform the Iraqi National Police (INP) so it could assume responsibility for local law enforcement. Given Iraq's population and size, the coalition would need the assistance of the INP to maintain public order.

Iraqi police officers could perform this function if they received international supervision, technical assistance, new equipment, and extensive retraining to make the difficult transition to community-oriented policing in Iraq's new democratic society.

Unlike previous peace operations, it was clear the U.S. could not depend on its allies to provide the military police, civilian constabulary, civil police, judicial personnel, and corrections officers in Iraq. Neither Great Britain nor Australia, the principal coalition partners, had constabulary forces, and the UK lacked a national police force. It was also unlikely that constabulary and civil police forces would come from NATO, the EU, or the OSCE—organizations that had staffed police missions in the Balkans. After September 11, NATO was quick to help defend the United States; NATO troops participated in the war in Afghanistan and staffed the ISAF. France and Germany, however, opposed military action to remove Saddam Hussein, and there was no indication that the European members of the Atlantic Alliance would provide constabulary and police this time if the United States intervened in Iraq.<sup>81</sup> As war approached, it seemed as if the United States would have to rely on its own resources to ensure postconflict stability in Iraq.

### **Postconflict Chaos in Iraq**

Inexplicably, almost nothing was done to prepare for the inevitable outburst of civil disorder that began as U.S. military forces entered Baghdad on April 9. Remarkably, senior DOD officials assumed that, despite the trauma of war and the removal of the Saddam regime, coalition forces would inherit a fully functioning modern state with all of its institutions intact. They also believed the Iraqis would welcome American troops as liberators and that Iraqis would join coalition forces in quickly neutralizing the Baath party, Saddam Hussein's security services, and other opponents of the new order. Pentagon planners assumed that Iraqi police and the regular Iraqi army would remain on duty and would quickly assume responsibility for local security. This would enable coalition forces to tackle regime holdouts and remaining pockets of military resistance.

At the same time, Iraqi technocrats would take responsibility for managing the country's government ministries, public utilities, and other vital institutions. Instead, Iraqi security forces and all government authority simply vanished when Task Force 4-64 of the Second Brigade of the U.S Army's Third Infantry Division reached the center of Baghdad.<sup>82</sup>

In scenes reminiscent of the sacking of Panama City and the burning of the Sarajevo suburbs, U.S. military forces stood by and watched as mobs looted Baghdad's commercial district, ransacked government buildings, and pillaged the residences of former regime officials. The only exceptions were the Petroleum Ministry and the Palestine Hotel, which housed foreign journalists, where U.S. troops protected buildings and preserved their contents. As described by the *Washington Post's* Anthony Shadid,

Baghdad descended into lawlessness. Scenes of mayhem were repeated across the city. Hospitals and embassies were looted, as were ministries, government offices, Baath party headquarters, and private residences. Ambulances were hijacked, as were public buses that ran their routes until the very moment of the government's collapse. Cars barreled the wrong way down streets deserted by traffic policemen. . . . Mohammed Abboud, piling a pickup truck ten feet high with booty, declared: "It's anarchy!"<sup>83</sup>

Once it became clear that the small number American soldiers in Baghdad were either unable or unwilling to intervene, public exuberance, joy at liberation, and economic opportunism quickly darkened into a systematic effort to strip the capital's stores and public institutions of everything of value. Families from Saddam City, the Baghdad slum inhabited by two million impoverished Shiites, and gangs of men armed with assault rifles worked their way through government ministry buildings, removing their contents, tearing out the plumbing and wiring, and then setting the buildings on fire. Looters ransacked Iraq's main medical center, the Al-Kindi Hospital, and the wards of Baghdad's other hospitals, which were jammed with victims of

the U.S. bombing campaign. The mobs removed patients from their beds and carried away medical equipment that had been in use. Even the city's psychiatric hospital, the colleges of medicine and nursing, and the Red Cross headquarters were not spared. So complete was the pillaging that the International Committee of the Red Cross said the city's hospitals were unable to treat war wounded and other victims of the conflict. By night, families armed themselves and barricaded their homes to protect them from the "Ali Babas," the gangs of thieves that freely roamed the city.<sup>84</sup>

In the vast industrial parks south of the capital, mobs ransacked factories and warehouses, returning home in a parade of cars, trucks, and wheelbarrows, piled high with stolen goods. In heavy-equipment parking lots, thieves jump-started tractors and bulldozers and drove them away. More ominously, looters also ransacked and destroyed much of Iraq's nuclear facilities and industrial plants, which were suspected of housing or producing WMD components. With only twelve thousand soldiers to police a city of four and a half million, the U.S. military was unable to prevent these critical sites from being pillaged systematically by gangs of thieves and vandals. In many cases, the destruction looked like the work of professionally trained saboteurs intent on ensuring that U.S. authorities would never be able to determine what the facilities had actually manufactured.<sup>85</sup>

Mobs of looters and more sinister forces also attacked Baghdad's major cultural centers. During the initial wave of chaos, crowds burst into the National Museum of Antiquities, looting and destroying its irreplaceable Babylonian, Sumerian, and Assyrian collections. Most of the looters were local people bent on letting off steam, but there were also elements with a more sinister purpose: according to officials at the UN Economic, Scientific, and Cultural Organization (UNESCO), the pillaging was the work of organized criminal gangs that bribed museum guards and minor officials for keys to the vaults holding the most valuable works of art. UNESCO director-general Koichiro Matsuura said the looting was well planned by professionals who stole priceless historical and cultural items that could be sold

by highly organized trafficking rings to collectors in Europe, the United States, and Japan. U.S. attorney general John Ashcroft told an Interpol meeting in Lyon, France that a “strong case could be made that the theft of artifacts was perpetrated by organized criminal groups who knew exactly what they were looking for.”<sup>86</sup> Initial reports that the museum’s entire collection of one hundred seventy thousand items was lost proved exaggerated, but careful accounting by the United States and international experts determined that at least six thousand artifacts had been removed by thieves who knew the value of the items.<sup>87</sup> Looters and arsonists also attacked the Iraqi National Library and Iraq’s principal Islamic library, destroying their priceless collections of manuscripts and archives. The National Library housed a copy of all the books published in Iraq, plus all doctoral theses. It also had books from the Ottoman and Abbasid periods dating back a millennium.<sup>88</sup>

As a result of years of neglect and the recent wave of widespread looting, Baghdad’s fragile infrastructure ceased to function: electricity failed, potable water stopped flowing, and telephone service ceased. Shops closed and Iraqis began to run short of basic necessities. Women were afraid to leave their homes, as stories of daylight kidnappings and rapes swept the city. Murders, muggings, and robberies went unreported by residents who could find no one in authority. Hundreds of Baath party members and informants were gunned down by former victims who were working from lists taken from security service headquarters. Into this void stepped a variety of opportunists, self-appointed officials, Sunni sheiks, and Shiite clerics who attempted to seize control of towns, government ministries, hospitals, universities, and other institutions. The situation became so chaotic that General David McKiernan, commander of U.S. forces in Iraq, issued a statement reminding Iraqis that the coalition “retained absolute authority.” The same day, American soldiers arrested Muhammad Mohsen Zobeidi, the self-appointed “mayor” of Baghdad.<sup>89</sup>

U.S. military efforts to restore order and control lawlessness were hindered by a growing number of armed attacks on American soldiers. Baath party loyalists, remnants of the security

services, former soldiers, Islamic extremists, and Arab terrorists ambushed military convoys, sniped at soldiers standing guard duty, and attacked isolated outposts with increasing sophistication and deadly result. At the same time, U.S. military spokesmen and soldiers alike made clear their lack of enthusiasm for performing law enforcement functions. In response to demands from Iraqis that the United States restore order, Brigadier General Vincent Brooks, U.S. Central Command spokesman, said the U.S. military would help rebuild civil administration but expected the Iraqis to assume responsibility for public order. "At no time," Brooks said, "do we see [the U.S. military] becoming a police force."<sup>90</sup> In a similar vein, Major General David Petraeus, commander of the 101st Airborne, told reporters, "We should discourage looting, but we're not going to stand between a crowd and a bunch of mattresses." Other American commanders said they lacked the personnel and the mandate to interfere with Iraqi civilians. Individual soldiers bluntly told reporters that they were neither trained nor equipped to do police work. In Baqubah, soldiers of the 588th Engineering Battalion, 2nd Brigade, 4th Infantry Division were trained in weapons demolition and bridge building, but they were ordered to use their M113 armored personnel carriers like squad cars to patrol the city. As one soldier explained, "By the time we get there, the bad guys are gone."<sup>91</sup>

With fires still burning in government ministries and the National Library, U.S. military authorities appealed publicly for Iraqi police to return to duty. On April 14, 2003, joint patrols of American soldiers and Iraqi police tentatively made their initial appearance on the streets of the capital. Iraqi police were not permitted to carry weapons, and the appearance of some officers produced outrage from citizens who claimed they were guilty of corruption and other abuses under Saddam Hussein. U.S. military Civil Affairs officers attempted to weed out the thugs while trying to encourage additional officers to join their colleagues.<sup>92</sup> Military commanders explained that rebuilding the police was one of the tasks assigned to General Garner and his staff of civilian administrators. Security conditions prevented Garner and a small advance team from reach-

ing Baghdad until April 21, twelve days after U.S. forces arrived in the city. The remainder of his three-hundred-member staff arrived some days later.<sup>93</sup>

ORHA's plan for Iraq's reconstruction was based on the assumption that Garner's team would find government ministries intact. Instead, ORHA's "ministry teams" found that seventeen of twenty-one of Iraq's ministries had "simply evaporated." American officials found the burned out shells of public buildings, their contents looted and their staffs scattered, frightened, and demoralized. ORHA was prepared to handle oil fires, masses of refugees, the release of chemical and biological weapons, and mass starvation. The U.S. military, however, had followed a battle plan that called for pinpoint bombing, the immediate seizure of the oil fields, the bypassing of urban centers, and a rapid advance to Baghdad to neutralize WMD. As a result, there was no large-scale destruction of infrastructure, no widespread urban fighting, and no refugee crisis or other disasters for which ORHA had planned. Instead, there was a complete breakdown in public order and collapse of public services, problems that Garner's team was ill equipped to handle.<sup>94</sup>

Only a small number of Garner's staff had experience in previous peace operations and still fewer had ever visited Iraq. Almost none spoke Arabic. At their heavily guarded headquarters in one of Saddam Hussein's palaces, ORHA personnel found little or no office equipment and no provision for interoffice communication by e-mail or telephones. Staff members could communicate only by visiting one another's office; they could not call out from the palace without going outdoors to use a satellite telephone. Living accommodations were primitive, with many people sharing a single room; many ORHA staff members were unaccustomed to the one-hundred-and-twenty-degree heat of a typical Iraqi late spring day, and there was often no electricity to run air conditioners or fans.<sup>95</sup>

### **A New Start on Reconstruction**

On May 1, 2003, President Bush stood on the deck of the USS *Abraham Lincoln*, an aircraft carrier returning to California

from the Persian Gulf, and proclaimed that major combat operations were over in Iraq and that the U.S.-led coalition had achieved victory. Bush told the five thousand Naval personnel gathered on the flight deck that “no terrorists will gain weapons of mass destruction from the Iraqi regime because that regime is no more.” The president said that difficult work remained in Iraq but that the U.S. would stay until it was finished.<sup>96</sup> Six days later, on May 7, the president attempted to reverse the deteriorating situation in Iraq by appointing former ambassador L. Paul Bremer III to replace General Garner. Bremer had previously served as head of the State Department’s Office of Counterterrorism and ambassador to the Netherlands; he had also worked for Kissinger Associates in New York. Unlike Garner, Bremer reported directly to Secretary Rumsfeld and enjoyed the support of Secretary of State Powell. Bremer came with a deserved reputation for decisiveness. In commenting on this aspect of Bremer’s character, senior Pentagon adviser Richard Perle said Bremer was aggressive by “foreign-service standards” but that he himself had “seen hummingbirds that were aggressive by foreign-service standards.”<sup>97</sup>

Bremer’s arrival in Baghdad brought both a more telegenic public image and a new dynamism to what was now called the Coalition Provisional Authority (CPA). Among his first acts was to ban those who had held one of the top four ranks in the Baath party from holding government jobs, reversing ORHA’s policy that banned only the most senior Baathists from public service. The CPA’s decision answered criticism from some Iraqis that former Baathists were being allowed to remain in power. Yet it deprived the Iraqi government of up to thirty thousand senior bureaucrats, many of whom had either been forced to join the party or did so to avoid harassment. This broad-brush vetting removed an entire level of senior leadership from government ministries—including the police—and created bitterness, mistrust, and confusion; it also further slowed the restoration of government services.<sup>98</sup> The deteriorating security situation was exacerbated even more by the CPA’s decision to disband the Iraqi army and to order those few soldiers who had

remained in their barracks to return home. This action was taken without promise of pay or of a future in the new Iraq. Within days, crowds of former soldiers staged angry protests in front of CPA headquarters. Disbanding the military added approximately four hundred thousand unemployed young men to an already volatile situation and increased the security challenges facing the U.S. military and the Iraqi police. Disenfranchised former government officials, police, and soldiers were potential and ready recruits for anti-American groups and organized crime.

In a June 11, 2003 report on conditions in Baghdad, the International Crisis Group stated that Iraq's capital was in "distress, chaos, and ferment." Two months after the termination of major combat operations, the CPA had failed to provide personal security, restore essential services, or establish a positive rapport with the Iraqi public. The report noted that Iraqis had seen their public institutions destroyed by uncontrolled looters and saboteurs; they were not safe on the streets or in their homes, as the number of murders, revenge killings, rapes, carjackings, and armed robberies continued to rise without an effective coalition response. It was "conventional wisdom," the ICG report said, that the Americans had blundered by failing to protect vital institutions and impose public order in the first days of the occupation: "The subsequent failure to impose order once the extent of the problem became clear can only be considered a reckless abdication of the occupying power's obligation to protect the population." The report concluded that general lawlessness not only posed a constant danger to Iraqi citizens but also inhibited the restoration of the cities' destroyed infrastructure.<sup>99</sup>

In Baghdad, Bernard Kerik, a former New York City police commissioner and the CPA's senior police adviser, was severely handicapped in providing an effective response to the problem of general lawlessness. Kerik's teams consisted of twenty-six American police advisers from the U.S. Justice Department's ICITAP program. These veterans of previous peace operations were responsible for conducting a nationwide needs assessment and developing a plan of action while reconstituting

the Iraqi police, customs, immigration, border patrol, fire departments, and emergency medical services.<sup>100</sup> This assignment proved to be something of a “Mission: Impossible,” given the lack of financial resources and the magnitude of the challenge.

The Iraqi National Police force was the only institution in Saddam’s interlocking network of intelligence and security services to remain intact at the end of the war. Yet the INP was at the bottom of the bureaucratic hierarchy and clearly suffered from years of mismanagement, lack of resources, and few professional standards. ICITAP’s assessment team found that the INP’s sixty thousand members had little understanding of basic police skills. While most of its officers were graduates of a police college, its noncommissioned officers had little formal education. Under Saddam Hussein, the INP had been militarized, and its doctrine, procedures, and weapons were completely unsuited to policing in a democratic society. Iraqis saw the INP as part of a cruel and repressive regime and described its officers as brutal, corrupt, and untrustworthy. Furthermore, the police infrastructure was heavily damaged or completely destroyed by looters and arsonists following the collapse of the regime. Iraqi police officers who had remained at their posts until U.S. forces entered Baghdad took their personal weapons and went home. Rampaging mobs destroyed police stations, stole police vehicles, and walked away with weapons and equipment. Police returned to find their stations gutted or reduced to a pile of smoldering ruins.<sup>101</sup>

The assessment team concluded that the INP would require substantial international assistance to make the transition to a modern, community-oriented, and democratic police force. Given the INP’s record, a thorough vetting of its personnel was required to remove Baath party loyalists and those who were guilty of human rights abuses and corruption. Second, those who survived the vetting process would require retraining, new weapons, and new equipment, plus a probationary period under the supervision of international police advisers who could monitor their performance. The ICITAP team prescribed a robust training program in basic police skills for all ranks and courses in police management and administration for the officer

corps. To direct this effort, the team called for the deployment of more than sixty-six hundred international police advisers, including three hundred and sixty professional police trainers who would be assigned to the police college and other training sites, and one hundred and seventy advisers on border control functions.<sup>102</sup> To help meet this need, the State Department contracted with DynCorp to recruit one thousand American police and a limited number of former prosecutors, judges, and corrections officers. DynCorp located the personnel, but, as of the end of July 2003, the CPA had not decided whether to accept the ICITAP advisers' recommendations; hence, the project was put on hold. As for the remaining fifty-five hundred police, including ten constabulary units with a total of twenty-five hundred officers, the ICITAP assessment assumed that they would be provided by other countries. Unfortunately, U.S. diplomatic initiatives to encourage other countries to contribute forces produced only meager results.<sup>103</sup>

Despite the difficulties encountered in reconstituting the Iraqi police, the CPA announced plans to expand the role of Iraqis in establishing postconflict security. On July 20, 2003, General John Abizaid, the newly appointed head of U.S. Central Command, announced that the United States would create an Iraqi "militia-like civil defense force," which would operate initially with coalition forces and, eventually, alone. The new force of thirty-five hundred personnel would be organized into ten battalions, each of which would be "sponsored" by a different U.S. military unit. The force would be more heavily armed than the Iraqi police but would not be armed or trained to operate like an army. This new force would join the nearly nine thousand members of the Iraqi Facility Protection Service, a new security-guard force that would replace U.S. soldiers in protecting Iraq's public buildings and other vital sites. Creation of these new Iraqi units would remove Americans from dangerous sentry posts and increase the likelihood that attacks on coalition forces would also result in Iraqi casualties. Meanwhile, the number and sophistication of assaults on U.S. forces continued to mount. On the day of General Abizaid's announcement, the number of

Americans killed since President Bush had declared an end to combat operations reached thirty-six. It also seemed clear that the one hundred and fifty thousand American troops remaining in Iraq would continue to be there for some time.

Against a background of Iraqi discontent and growing congressional concern in the United States, the Pentagon asked a team of outside experts from the Center for Strategic and International Studies (CSIS) to assess the security situation and the reconstruction effort in Iraq. In a report issued on July 17, 2003, the CSIS team concluded that the Coalition Provisional Authority was isolated from Iraqis, lacked adequate personnel and financial resources, and faced growing anti-Americanism in parts of the country. The team warned that the window of opportunity for achieving successful postwar reconstruction was rapidly closing and that the next three months would be crucial, particularly for addressing the problem of security. Although the Iraqis would ultimately have to assume responsibility for their own security, the CSIS team pointed out that it was unrealistic to expect the newly reorganized and retrained Iraqi police to successfully handle determined groups of hardened and well-organized insurgents. The new Iraqi security forces would remain dependent on coalition forces for the foreseeable future. In this regard, there was an urgent need for international police advisers, trainers, and monitors to work with the Iraqis.<sup>104</sup>

Despite the lessons from more than a decade of postconflict stability operations, the U.S. government was almost as poorly equipped to address the public order challenge in Iraq as it had been in Bosnia and Kosovo. During that period, the U.S. military made major investments in improving the combat efficiency of its forces based on the experiences of the Gulf War and the interventions in the Balkans—an effort that was obviously worthwhile, as the U.S. military quickly defeated the Iraqi forces and captured Baghdad with minimum losses. Yet no similar effort at efficiency on the postconflict side was made by relevant U.S. civilian agencies and executive-branch departments; they simply had not adopted postconflict stability as a core mission.

Instead, the State and Defense Departments treated each new mission as if it were the first and as if it were going to be the last. No single department had responsibility for stabilization and no one at the planning table could present a coherent view of what the United States could offer or of what it would cost. Such contingency planning—or even lack thereof—was particularly true in the areas of restoring public security and establishing the rule of law. The United States did not have civilian constabulary forces; it still relied on commercial contractors for civil police, judicial experts, and corrections officers, although it was doubtful that contractors could meet the huge challenges of postwar Iraq. Justice Department programs for training indigenous police and prosecutors (but not judges and corrections officers) still relied on ad hoc State Department project funding that would have to come from supplemental budget requests to Congress.

During its two terms in office, the Clinton administration conducted a new postconflict peace operation every two years. The Bush administration quickened the pace, intervening in a new country every 18 months, despite its aversion to nation building. As a major study by the RAND Corporation pointed out, postconflict stability operations and nation building were an “inescapable responsibility of the world’s only superpower.” Once the U.S. government admitted that fact, there was much it could do to improve its ability to conduct such operations.<sup>105</sup>