

U.S. ARMY CIVIL AFFAIRS AND POLITICAL TRANSFORMATION IN
OCCUPATION: LUSTRATION AND RECASTING SOCIETY

A thesis presented to the Faculty of the U.S. Army
Command and General Staff College in partial
fulfillment of the requirements for the
degree

MASTER OF MILITARY ART AND SCIENCE
Art of War

by

MATTHEW A. GEORGE, MAJ, ARMY
B.A., The University of California, Los Angeles, California, 2000

Fort Leavenworth, Kansas
2017

Approved for public release; distribution is unlimited. Fair use determination or copyright permission has been obtained for the inclusion of pictures, maps, graphics, and any other works incorporated into this manuscript. A work of the United States Government is not subject to copyright, however further publication or sale of copyrighted images is not permissible.

REPORT DOCUMENTATION PAGE				<i>Form Approved</i> <i>OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.					
1. REPORT DATE (DD-MM-YYYY) 09-06-2017		2. REPORT TYPE Master's Thesis		3. DATES COVERED (From - To) AUG 2016 – JUNE 2017	
4. TITLE AND SUBTITLE U.S. Army Civil Affairs and Political Transformation in Occupation: Lustration and Recasting Society				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S) Matthew Aaron George, Major				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) U.S. Army Command and General Staff College ATTN: ATZL-SWD-GD Fort Leavenworth, KS 66027-2301				8. PERFORMING ORG REPORT NUMBER	
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION / AVAILABILITY STATEMENT Approved for Public Release; Distribution is Unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT The relative performance of the U.S. Army toward political transformation and deprogramming during occupation warfare by re-casting society and lustration of key public and private influencers through de-Ba'athification in Iraq in 2003 was not effective as compared to denazification efforts in Germany from 1944-1946. The discontinuous performance occurred because senior Iraq war planners and leaders did not appreciate the importance and sensitive nature of political transformations in post-war stability efforts to consolidate gains. Consequently, leaders missed an opportunity to leverage the Civil Affairs Regiment's access to the population, relationships with the interagency, and understanding of the human domain to affect political transformation. Additionally, the command structure was inappropriate to execute a program of such complexity. These oversights created a missed opportunity to integrate Civil Affairs units into political transformation. Nonetheless, U.S. Army Civil Affairs forces, at times without guidance, supported and executed political transformation activities toward liberal democratization. Also, central to the episode was the leadership of CA leaders at all echelons, as well as that of General Lucius D. Clay in Germany and L. Paul Bremer in Iraq, the respective occupation administrators.					
15. SUBJECT TERMS Civil Affairs, Military Government, Lustration, Vetting, Political Transformation, de-Ba'athification, denazification, Iraq, Germany					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT (U)	18. NUMBER OF PAGES 184	19a. NAME OF RESPONSIBLE PERSON
a. REPORT (U)	b. ABSTRACT (U)	c. THIS PAGE (U)			19b. PHONE NUMBER (include area code)

Standard Form 298 (Rev. 8-98)
Prescribed by ANSI Std. Z39.18

MASTER OF MILITARY ART AND SCIENCE

THESIS APPROVAL PAGE

Name of Candidate: Major Matthew A. George

Thesis Title: U.S. Army Civil Affairs and Political Transformation in Occupation:
Lustration and Recasting Society

Approved by:

_____, Thesis Committee Chair
Louis A. DiMarco, Ph.D.

_____, Member
LTC James B. Love, MMAS

_____, Member
LTC David S. Collins, M.A.

Accepted this 9th day of June 2017 by:

_____, Director, Graduate Degree Programs
Prisco R. Hernandez, Ph.D.

The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

U.S. ARMY CIVIL AFFAIRS AND POLITICAL TRANSFORMATION IN
OCCUPATION: LUSTRATION AND RECASTING SOCIETY, by Major Matthew A.
George, 184 pages.

The relative performance of the U.S. Army toward political transformation and deprogramming during occupation warfare by re-casting society and lustration of key public and private influencers through de-Ba'athification in Iraq in 2003 was not effective as compared to denazification efforts in Germany from 1944-1946. The discontinuous performance occurred because senior Iraq war planners and leaders did not appreciate the importance and sensitive nature of political transformations in post-war stability efforts to consolidate gains. Consequently, leaders missed an opportunity to leverage the Civil Affairs Regiment's access to the population, relationships with the interagency, and understanding of the human domain to affect political transformation. Additionally, the command structure was inappropriate to execute a program of such complexity. These oversights created a missed opportunity to integrate Civil Affairs units into political transformation. Nonetheless, U.S. Army Civil Affairs forces, at times without guidance, supported and executed political transformation activities toward liberal democratization. Also, central to the episode was the leadership of CA leaders at all echelons, as well as that of General Lucius D. Clay in Germany and L. Paul Bremer in Iraq, the respective occupation administrators.

ACKNOWLEDGMENTS

The goal of writing a thesis of the length and caliber required to fulfill an Army Officer's obligation to the service is important and weighty, and not to be undertaken lightly. The love and support of my wife Jennifer were the driving force that kept me charging ahead in difficult times. My sons, Jackson and Elias, provided invaluable comic relief, and equally important, a pat on the back at just the right time.

I would like to extend my deepest gratitude to the countless military professional who spent the time to mentor and teach me about the history of the Civil Affairs Regiment, both the distant and recent past. This journey has given me a new perspective on the Regiment and its long and storied history. The importance of the work it has accomplished since Generals Wickersham and Hilldring cannot be overstated, and has laid the foundation for what we have today.

My fearless thesis committee, led by Dr. Louis DiMarco, provided tremendous tutelage. Arguably, Dr. DiMarco should be an honorary Civil Affairs hero for his contributions, both academically and professionally on behalf of the Regiment and the development of its history. Lieutenant Colonels James B. Love and David Collins pushed, pulled, and dragged me through the "kill-zone" of thesis work. Their honest and scathing feedback was invaluable.

Lastly, I would like to thank Dr. Dean Nowowiejski for providing the best mentorship I have received in my ten-year Army career. I am tremendously appreciative of the time he spent with his Art of War Scholars, developing us into fine warrior-scholars. The Academic Year 2017 cohort is among the finest group of officers in the military. Many of them will go on to do truly amazing things for the Country.

TABLE OF CONTENTS

	Page
MASTER OF MILITARY ART AND SCIENCE THESIS APPROVAL PAGE	iii
ABSTRACT.....	iv
ACKNOWLEDGMENTS	v
TABLE OF CONTENTS.....	vi
ACRONYMS.....	ix
CHAPTER 1 INTRODUCTION	1
Importance of this study	4
Germany: 1944-1947	6
Iraq: 2003-2004.....	7
How to compare the Two Programs: Denazification vs. De-Ba’athification	10
Mechanics of the Study and Historiography.....	11
CHAPTER 2 TAXONOMY OF PEACEBUILDING TASKS RELATIVE TO OCCUPATION AND REGIME CHANGE	15
Introduction.....	15
Common definitions and context.....	17
Academic and conceptual definitions	19
International Organizations.....	22
US Government Interagency Organizations	23
US Army and Joint Doctrine: A Review	25
Later Doctrine	28
Doctrine going into Iraq.....	29
Current Doctrine	31
Civil Affairs and Civil Military Doctrine	34
Disposition of Troops and Command Structure	36
How to assess the results of the programs: Performance versus Effects	39
Conclusions.....	40
CHAPTER 3 DENAZIFICATION OF GERMANY	42
Introduction.....	42
Prewar Planning and Organizational Preparation, 1939-44.....	45
Evolution of Doctrine from Policy to the “Handbook”	46
Organization and Training – Civil Affairs Division	49
Organization and Staff Relationships	50

Notable Partners in Denazification: The Office of Strategic Services and the Counter Intelligence Corps	51
Operations Commence: Crossing the Rhine, the Siegfried Campaign of 1944 Through the Defeat of Germany, May 1945.....	54
Denazification during the Early Phases	54
Denazification of Government and Judicial System.....	56
Recasting Society Through Education.....	60
Denazification of the Police and Germany Constabulary	62
A Shift in the Command and Control of Military Government Units–The Clay Era...	63
Early Frictions with Denazification	66
Summer 1945 through Transition to Germans	69
Denazification Protocols Become Official – The Expansive Period	74
Organizational Changes	74
Reporting.....	76
Denazification of Government and Judicial System.....	78
Recasting Society through Informal Education: German Youth Activities.....	80
Recasting of Society through Formal Education: Lustrating then Reforming Schools	83
Transition of Denazification, Lustration and Vetting to Germans	85
Results	87
Conclusion	88
 CHAPTER 4 DE-BA’ATHIFICATION IN IRAQ, 2003.....	91
Introduction.....	91
Strategic Context.....	95
Prewar Planning and Organizational Preparation, 2001-2003.....	96
Early Policy Level Discussions	96
State Department Planning: Future of Iraq Working Group.....	99
U.S. Military Planning: US Central Command and 3rd US Army	102
Underpinnings of de-Ba’athification	104
Notable Partners in De-Ba’athification: The Free Iraqi Fighters and Re-emergence of the Counter-Intelligence Corps.....	113
Pre-War Training	114
Operations Commence: Major Combat Operations and the Capture of Baghdad to the Establishment of the Coalition Provisional Authority: April 2003 – May 2003 ..	116
The Setting	116
Organization.....	118
De-Ba’athification During the Early Phase	122
Coalition Provisional Authority to Transition to Iraqis: May 2003 – November 2003.....	130
Establishment of the System: Iraq De-Ba’athification Council.....	132
Civil Affairs and the Coalition Provisional Authority	137
Reporting.....	139
De-Ba’athification: Government, Judiciary, and Health	141
Recasting Society through Education: Iraqi Schools.....	144

Transition of De-Ba’athification to Iraqis	145
Results.....	147
Conclusions.....	149
CHAPTER 5 CONCLUSIONS AND RECOMMENDATIONS	151
Introduction.....	151
Political Transformation	151
Planning	152
Organization.....	154
Leadership.....	158
Conclusions.....	159
BIBLIOGRAPHY	162

ACRONYMS

ADRP	U.S. Army Doctrinal Reference Publication
ADP	U.S. Army Doctrinal Publication
ATP	U.S. Army Techniques Publication
CA	Civil Affairs
CACOM	Civil Affairs Command
CENTCOM	United States Central Command
CFLCC	Combined Forces Land Component Command
CIA	Central Intelligence Agency
CIC	Counter-Intelligence Corps
CJCMOTF	Combined Joint Civil Military Operations Task Force
CJTF	Combined Joint Task Force
CMOC	Civil Military Operations Center
CORDS	Civil Operations and Revolutionary Development Support
CPA	Coalition Provisional Authority
DoD	United States Department of Defense
DoS	United States Department of State
FM	U.S. Army Field Manual
FIF	Free Iraqi Fighters
JCMOTF	Joint Civil Military Operations Task Force
JCS	Joint Chiefs of Staff
JP	U.S. Military Joint Publication
MG	Military Governor
NATO	North Atlantic Treaty Organization

NGO	Non-Governmental Organization
OIF	Operation Iraqi Freedom
OMGUS	Office of Military Government United States
ORHA	Office of Reconstruction and Humanitarian Assistance
PKSOI	U.S. Army Peace Keeping and Stability Operations Institute
SHAEF	Supreme Headquarters Allied Expeditionary Force
UN	United Nations
USAID	United States Agency for International Development
USACAPOC	United States Army Civil Affairs and Psychological Operations Command
USASOC	United States Army Special Operations Command
USFET	United States Forces, European Theater
USIP	United States Institute of Peace

CHAPTER 1

INTRODUCTION

The relative performance of the U.S. Army toward political transformation and deprogramming during occupation warfare by re-casting society and lustration of key public and private influencers in Iraq in 2003 was not effective as compared to Germany from 1944-1946. The discontinuities in performance existed because national policy makers did not ensure that military leaders understood the political aims going into the conflict in Iraq. Furthermore, war planners did not appreciate the importance and sensitive nature of political transformations in post-war stability efforts and how these efforts may contribute to the consolidation of gains after combat operations, reflective of a shift in post-Cold War policy and U.S. military culture towards faster, more technologically influenced wars to leverage smaller formations in combat.¹

Consequently, they did not plan early enough for the deep political transformation that the U.S. Government ultimately pursued after the invasion, as the original model for the war in Iraq of liberation changed to that of an occupation on the fifth week of the war.²

U.S. Central Command did not establish an appropriate command and support relationship between the Civil Affairs Regiment and the Coalition Forces Land Component Command units during the occupation in 2003 and beyond, thereby missing

¹ Michael R. Gordon and Bernard E. Trainor, *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, (New York: Pantheon Books, 2006), 26

² Major combat operations commenced on 20 March 2003, and the occupation effectively started with Ambassador L. Paul Bremer's announcement of de-Ba'athification orders on 16 May 2003—to be discussed in detail in chapter 4.

an opportunity to fully leverage the Civil Affairs Regiment's full capabilities. These capabilities included its access to the population, understanding of the human domain, and habitual relationships with the interagency. Furthermore, Civil Affairs forces are trained to be more aware of the socio-cultural nuances of relevant populations, a practice that senior leaders and policy-makers did not necessarily demonstrate in the Iraq war planning, as they did during the World War II planning efforts.³ Nonetheless, in both Germany and Iraq, Civil Affairs professionals were uniquely positioned to observe, support, and execute lustration and social reconstruction efforts.

Significant to the episodes was the experience and active leadership of General Lucius D. Clay in Germany, and L. Paul "Jerry" Bremer in Iraq. The requirement for unified command and effort in peace building and occupations is vital, and it starts with the leader. Through a comparative historical analysis utilizing a case study methodology, this paper seeks to determine how U.S. Army Civil Affairs and Military Governance professionals supported the depoliticizing processes. Additionally, this paper will determine what commonalities comprised success in the operations, and how the U.S. Army could frame future political transformation in peacebuilding endeavors.

After the conclusion of major combat operations, the U.S. has historically pursued peacebuilding operations. Despite the *jus ad bello* for going to war, lustration of the former political regime has played a significant role in the strategic messaging of war aims. Furthermore, the transformation of the prior regime to a new government is often

³ Christopher J. Lamb and Megan Franco, "How systems Attributes Trumped Leadership," in *Lessons Encountered: Learning from the Long War*, ed Richard D. Hooker, et al, 165-276 (Washington, DC: National Defense University Press, 2015,) 222-23.

necessary to ensure lasting peace and set the conditions for national reconciliation.⁴ As such, U.S. government policy may mandate a political transformation from one style of government to another or one ruling party to another in pursuit of liberal democratization.

Implicit in the political transformation process, is that of political or psychological deprogramming from the tyrannical and authoritarian regime toward one that represents the needs of the populace through social inclusion and liberal democratic ideals.⁵ During the Allied occupation in post-World War II Germany from 1945 through 1947, transformation meant changing the Nazi-German *weltanschauung*.⁶ For Coalition Forces in post-war Iraq in 2003, this meant helping the Iraqi people shed their Ba'athist past under the rule of Saddam Hussein. The goal was the transformation from a regime that favored the minority Sunni population at the expense of the Shia and Kurdish, to an inclusive government, representative of the fabric of its constituency, and founded on democratic ideals.

⁴ Bruce W. Dayton and Louis Kriesberg, *Conflict Transformation and Peacebuilding* (Oxon: Routledge, 2009), passim; US Institute of Peace and U.S. Army Peacekeeping and Stability Operations Institute, *Guiding Principles for Stabilization and Reconstruction* (Washington, DC: U.S. Institute of Peace Press, 2009), passim; for a history of nation building from World War II through the second Iraq war in 2003, see James Dobbins, et al, *After the War: Nation-Building From FDR to George W. Bush* (Santa Monica, CA: RAND Corporation, 2008), 2, passim.

⁵ Tony Smith, *America's Mission* (Princeton, NJ: Princeton University Press, 2012).

⁶ *Weltanschauung* is the fabric of German national ideologies from towards governance and war, the way in which they leveraged national economic means, and the behavior of military and civilian leaders all working towards the national strategy. See Williamson Murray and Mark Grimsley, "On Strategy," in *The Making of Strategy*, ed Williamson Murray and MacGregor Knox (Cambridge: Cambridge University Press, 1994), 12.

Importance of this study

Civil Affairs and Military Government forces are uniquely positioned to provide support to, and also ameliorate the effects of, lustration, transitional justice, and societal reconstruction during U.S. foreign-imposed regime change.⁷ The nature of the CA Regimental doctrinal mission and employment place these forces in key liaison positions between supported military commands and interagency stakeholders, and the government and populace of a nation or state in which the military conducts operations. Throughout U.S. military history of occupations, CA forces have been at the center of support to political transformation and deprogramming efforts through lustration, transitional justice, and societal reconstruction efforts, both directly and indirectly.⁸ However, despite the important position of the CA Regiment as related to political transformation efforts, academic literature is sparse outside of a handful of published doctrine to be discussed in chapter 2. This study fills this gap.

When evaluating the literature of the denazification efforts by the CA Regiment in Germany after World War II, the preponderance of the body of knowledge surrounds the

⁷ In the case of Military Government regarding World War II Germany, the period doctrinal publication, Field Manual 27-5, *United States Army and Navy Manual of Military Government and Civil Affairs*, defines ‘military government’ as the authority of military over an occupied population, by virtue of occupation, and in accordance to the limitations of international law. The designated theater commander is the initial military governor unless they deem appropriate to delegate the authority, War Department, Field Manual 27-5, *United States Army and Navy Manual of Military Government and Civil Affairs* (Washington, DC: War Department, 22 December 1943), 1.

⁸ Stanley Sandler, *Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775-1991* (Fort Bragg: U.S. Army Special Operations Command History and Archives Division, 1994), passim; Kathleen Hicks and Christine Wormuth, *The Future of US Army Civil Affairs* (Washington, DC: Center for Strategic and International Studies, February 2009), 1-10.

application of military government efforts to introduce liberal democratic ideals to the weltanschauung. Beyond the primary sources of after action reports and periodic summaries of operations from the occupation period, there has been little to no synthetic analysis of how the CA Regiment contributed to and facilitated social reconstruction and political transformation.

Regarding de-Ba'athification in Iraq, the body of knowledge and scholarly thought is focused on the decisions to de-Ba'athify Iraq, specifically at the office of the President of the United States, his advisors, and the Office of the Secretary of Defense. The Coalition Provisional Authority (CPA) administrator, L. Paul "Jerry" Bremer, has received much attention and recrimination. Bremer is oft associated with the decision to de-Ba'athify Iraq because of his role in carrying the message to the Iraqi people and the U.S. military, as well as position as the agent of execution of the program. Furthermore, his fractious relationships with the military, the interagency, and other strategic partners limited his effectiveness. This makes one question why he was selected as the first administrator of Iraq, considering he had little experience to inform this experience.⁹ This paper does not evaluate the decisions at the highest levels of U.S. government to de-Ba'athify Iraqi society, as the subject is well published. This study instead examines how the CA Regiment could have been better integrated into the planning and execution of the de-Ba'athification program, contrasted against the Regiment's World War II experience. A more thorough integration would have provided the CPA and U.S. military leadership

⁹ L. Paul Bremer, *My Year in Iraq*, (New York, NY: Simon and Schuster, 2006) passim.

with more fidelity into the program, the outcomes, both intended and unintended, and the status of the Iraqi people.

In terms of the study of political transformations as a subset or component of peacebuilding, there is a body of literature by academia, interagency, and U.S. Army doctrine that, to varying degrees, assesses the concepts of social reconstruction and transformation. Many references with regards to the military speak to generalities of how to plan campaigns and major operations to address these peacebuilding efforts. The CA Regiment should have a leading role in the planning and execution these efforts, as they are inextricably linked to occupation and peacebuilding, both of which are inarguably within the CA Regiments' wheelhouse.¹⁰

Germany: 1944-1947

In the case of post-World War II Germany, CA and Military Government forces directly supported lustration former Nazi influencers from the government, and vetted key public influencers to thoroughly denazify Germany, and sever both the political party and the culture of Nazism from the social fabric of postwar German society and government. CA forces supported denazification policy aims by adhering to very detailed and specific guidance for all U.S. forces and military governors. The intricacies of the program had to be negotiated to ensure the intent of the program was met while also rebuilding and reconstituting German society in accordance with policy objectives. By

¹⁰ United States Army John F. Kennedy Special Warfare Center and School. *FY 2017 Academic Handbook*. (U.S. Army Special Warfare Center and School, 2017), 9-13.

contrast in Iraq, the CA collective efforts toward social reconstruction and lustration were more nuanced.

When the Civil Affairs forces crossed into German territory with their supported maneuver commanders in September 1944, CA and Military Government operations occurred concurrently. The work of the CA teams and detachments were vital to the success of the occupation, especially in terms of the distribution of relief supplies and support to displaced populations. However, the focus of this work will examine the efforts of the military governors specifically, which were the CA officers and detachments that administered and occupied German cities and towns, and denazified German society during the post-war Allied occupation.¹¹

Iraq: 2003-2004

Critics abound as to the appropriateness and effectiveness of the de-Ba'athification, within the context of stability, reconstruction strategies, and execution. These critics assess that the plan to de-Ba'athify was flawed on several accounts. Detractors argue that the Army lacked a substantive and viable reconstruction plan that accounted for the Ba'athist problem. Additionally, there is some question as to whether social dynamics at the national, subnational, tribal, and local levels informed the program executors. Pre-War planning efforts also contributed to a complicated war effort. These included stove piping of planning groups and directives. Additionally, incomplete policy guidance from the highest levels of the Department of Defense set the conditions

¹¹ G-5 Section, Headquarters 12th Army Group, A.E.F., *After Action Report of Civil Affairs and Military Government in "Overlord" and "Eclipse" Operations 1944-45*, (12th Army Group, 1945.) 2-3.

for a misalignment of strategy ends, ways and means. Planning groups from CENTCOM to CFLCC understood the mission to entail liberation and peace operations for a limited duration, and that the U.S-led Coalition would leverage existing Iraqi military and government structures. When the Office of the Secretary of Defense issued the de-Ba'athification orders through the CPA in May 2003, thereby transforming the liberation to an occupation, the number of troops in theater were insufficient to execute peacebuilding operations effectively.¹² The appropriateness of the transitional approach in peacebuilding in Iraq is outside of the purview of this study. Instead, this study reflects the missed opportunities in the execution of these programs with regards to the CA Regiment, arguably the appropriate tool for political transformation at the local and regional levels.¹³

The Coalition Provisional Authority de-Ba'athification aims were conceptually revolutionary in nature, like Germany, yet were weak in detailed planning and execution guidance to Coalition military units. Under the umbrella of de-Ba'athification, CA leaders and staffs, tactical teams, and supported commands lustrated Iraqi institutions, vetted government officials to limit Ba'athist influence in the new government, and

¹² Original troop projections by CFLCC planner Colonel Kevin Benson calculated 300,000 service members, between the offensive and stability forces required to achieve an 11:1,000 ratio of service members to Iraqis, considering a population of 25.5 million; see Benson quotes in Donald Wright and Timothy Reese, *On Point II: Transition to the new Campaign-The United States Army in Operation Iraqi Freedom, May 2003-January 2005*, (Fort Leavenworth, KS: Combat Studies Institute Press, 2008), 74.

¹³ United States Army John F. Kennedy Special Warfare Center and School. *FY 2017 Academic Handbook*. (U.S. Army Special Warfare Center and School, 2017), 9-13; for doctrinal support to the assertion that CA has primacy over these tasks, see Headquarters, Department of the Army, Field Manual, (FM) 3-57, *Civil Affairs Operations* (Washington, DC: Government Printing Office, 2011), chapter 1.

supported transitional justice in an ad-hoc manner, because of the unclear or unwritten guidance and a lack of directives and recommendations from CPA leadership. While this dearth of guidance may have been an attempt to empower subordinate maneuver commanders with the freedom to demonstrate individual initiative, this situation instead set the condition to where Iraqis, former Ba'athists and others alike, did not have a clear understanding of their standing in society. This lack of unified action exacerbated the Stability Operations (Phase IV) that followed combat operations in April 2003, and inflamed the tense sectarian and social landscape already present in Iraq long before the execution of combat operations in 2003.¹⁴

In Iraq, Civil Affairs elements conducted a variety of missions from the theater to the tactical levels. CA staff officers worked at each echelon of command including US Central Command, US Army Central-Coalition Forces Land Component Command, Combined Joint Task Force-VII that commanded the various maneuver divisions, the subordinate divisions themselves, as well as at Brigade Combat Teams (BCT). CA Teams operated at the tactical level in villages and towns, in support of Special Operations and Conventional Forces. Concurrently, CA officers served in the Office of Reconstruction and Humanitarian Assistance and later, the Coalition Provisional Authority.

¹⁴ James Dobbins et al *Occupying Iraq: A History of the Coalition Provisional Authority*, (Santa Monica: RAND Corporation, 2009), passim; Stuart Bowen, *Hard Lessons: The Iraq Reconstruction Experience*, (Washington, DC: Government Printing Office, 2009.), 3-6; Robin Moore, *Hunting Down Saddam*, (New York, NY: St. Martin's Press, 2004), 3-8.

How to compare the Two Programs: Denazification vs. De-Ba'athification

In contemporary military doctrine, operations and programs are measured by the balance of performance of directed tasks, and the achievement of desired effects on the operational environment.¹⁵ Because there was not a deliberate and comprehensive U.S.-led de-Ba'athification effort, there was little to any reporting of de-Ba'athification operations, statistics, and effects. With the understanding that CA units and supported maneuver elements were not tasked with this effort, evaluation of CA contributions to de-Ba'athification must proceed from anecdotal evidence, self-reporting of activity through autobiographical monographs and books, and author interviews. Had de-Ba'athification comprised either military objectives or a full-fledged Line of Effort, this research endeavor would yield more definitive results. This lack of information contrasts with the US Army experience in Germany in the Allied occupation, where the planning and execution of denazification were deliberate and actively managed, replete with the detailed reporting of the successes and failures of the program. Therefore, more information exists to help understand the operation in Germany.

As such, a comparison between the two programs is untenable from a statistical, mathematically-drive, scientific evaluation. Despite some superficial similarities between the programs in name and reference, the differences between the programs were stark, even from the onset of the planning. As such, a comparison of the two must be more

¹⁵ The achievement or success in conducting tasks are measured by 'Measures of Performance,' while success in changing behaviors of actors or conditions in the operational environment are assessed through 'Measures of Effectiveness.' See Headquarters, Department of the Army, Army Doctrinal Publication (ADP) 5-0, *The Operations Process* (Washington, DC: Government Printing Office, 2012), 14-15.

qualitative than quantitative, and really reflects the resilience of the CA Regiment and some key specific leaders, who overcame operational and bureaucratic obstacles to achieve their missions.

Mechanics of the Study and Historiography

An understanding of liberal democratization through social reconstruction, lustration and transitional justice, the examination of US Army doctrine, professional military writing, and the extant academic scholarship must be examined. Chapter II crosswalks the concepts through a synthetic study of military and academic scholarship, with an eye to the contemporary body of knowledge of the contemporary periods under review. Among the key sources of information are US Army Doctrinal Publications Field Manual (FM) 27-5, *Civil Affairs and Military Government*, contemporary documents from the World War II era. From the Iraq era, FM and Army Doctrinal Reference Publication (ADRP) 3-07, *Stability*, and FM 41-10 *Civil Affairs Operations* inform this study as to what CA Soldiers understood from a doctrinal perspective. Additionally, Bruce Dayton and Louis Kriesberg's *Conflict Transformation and Peacebuilding*, the Roger Mac Ginty's edited compilation of essays from the *Routledge Handbook of Peacebuilding* provide the academic perspectives on the topic of political transformation during peacebuilding. Several works authored and sponsored by the United States Institute of Peace and the US Army's Peacekeeping and Stability Operations Institute provide the US governmental stances on these topics in a more expansive way than the Army Doctrine alone.¹⁶

¹⁶ Note: The U.S. Army Peacekeeping and Stability Operations Institute is the agent for U.S. Army Doctrine for Stability, formerly known as "Stability Operations."

Chapter 3 engages an exhaustive study of how CA and Military Government forces conducted political transformation through lustration and vetting of key Nazi influencers, while developing school curriculum and youth programs that facilitated liberal democratic ideals. General Lucius D. Clay, the initial Deputy Commander of the Supreme Headquarters Allied Expeditionary Force (SHAEF) for Military Government, then Commander of the Office of Military Government U.S. (OMGUS), was a central figure to this episode. His success in interpreting and applying the denazification directives from President Roosevelt then Truman, as well as his skill in effecting change amidst the inefficient command structures in the U.S. Forces in the European Theater underscored his importance.

Key primary sources include General Clay's personal papers, memoirs, and professional writings, as well works by his biographer, Jean E. Smith. These include *The Papers of Lucius D. Clay* and *Decision in Germany*. Additionally, Clay published a series of periodic operational reports during his tenure with the Office of Military Government entitled the "Monthly Report of the Military Governor," "Summary of the Report of the Military Governor," to inform his command and the U.S. populace as to the status of governance and denazification in Germany. These reports were representative of the deliberateness with which U.S. military planners and executors approached the program of social transformation. Lastly, the *U.S. Army in World War II* "green book series" publication, *Civil Affairs: Soldiers Become Governors* by Harry Coles and Arthur

Implicitly, some of their more salient and important concepts have flowed through to the various Stability Doctrinal publications; see the Bibliography for a comprehensive listing of important sources.

Weinberger, as well as *The U.S. Army in the Occupation of Germany*, by Earl Ziemke helped round out an understanding of this important episode in history.

In chapter 4, this study examines the political machinations and decisions that led to the de-Ba'athification program in Iraq, and traces the threads of development of the program to the Coalition Provisional Authority administrator, Ambassador L. Paul "Jerry" Bremer, while also evaluating Bremer's effectiveness as a leader. The chapter then seeks to determine how the intent and key tasks, if any, flowed through to the CA Teams and supporting Civil Military Operations Centers at the tactical level. Additionally, this chapter demonstrates that in the absence of orders, CA forces still operated under the framework and intent under the umbrella of de-Ba'athification, while supporting maneuver commanders in the field.

Key source documents in chapter four include the operations plans Cobra II, the Stability plan for post-war Iraq. Other sources include the personal papers of Ambassador Bremer, Douglas Feith, the Undersecretary of Defense for Policy and Plans during the period, and the biography of Lieutenant General Jay Garner, Bremer's predecessor at the Office of Reconstruction and Humanitarian Assistance. The equivalent to the Center of Military History "Green Books Series" from World War II are the Combat Studies Institute publications, *On Point* and *On Point II*, which recount the planning and execution of Operation Iraqi Freedom through 2005. To round out the government sources, several RAND Corporation studies and the report of the Special Inspector General for Iraq Reconstruction (SIGIR), Stuart Bowen, are featured. Most importantly, however, are the author interviews with CA officers and other key leaders who were personally close to the planning and execution of de-Ba'athification efforts. As a

preponderance of the mission reporting from the Iraq War is still classified, these discussions provide a deep insight into the operators' experience.

CHAPTER 2

TAXONOMY OF PEACEBUILDING TASKS RELATIVE TO OCCUPATION AND REGIME CHANGE

War itself is at heart a civil-military operation.¹⁷

— C. Lord and John Brinkerhoff, et al,
Civil Affairs: Perspectives and Prospects.

Introduction

Historically, U.S. national policy during military occupations has been to pursue regime change with the ultimate objective of democratization.¹⁸ More specifically, U.S. military occupations in Germany and Iraq reflected direct rule occupations. Under this framework and according to international law, the U.S., Allied, and Coalition forces administered governance from the national to the local levels, while also controlling public services, the judiciary and the education sectors.¹⁹ Throughout the history of the U.S. Military employment of transitional military authority to directly administer an

¹⁷ C. Lord and John Brinkerhoff et al., *Civil Affairs: Perspectives and Prospects* as quoted in Stanley Sandler, *Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775-1991* (Fort Bragg, NC: U.S. Army Special Operations Command History and Archives Division, 1994).

¹⁸ James Dobbins et al., *America's Role in Nation Building: From Germany to Iraq* (Santa Monica, CA: RAND Corporation, 2003), xiv. Louis A. DiMarco, *Restoring Order: The U.S. Army Experience with Occupation Operations, 1865-1952*, PhD diss, (Manhattan: Kansas State University, 2010), v, passim.

¹⁹ According to the Fourth Convention of the Geneva Conventions of 1949, and the 1907 Hague Regulations; see the United Nations at http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf and the International Committee of the Red Cross for more information, <https://www.icrc.org/eng/resources/documents/misc/634kfc.htm>.

occupied nation, there have been several instances where American policymakers opted to purge the prior regime's political party. These political purges, known as lustration, require vetting to limit the influence of the prior regime, then recasting society through educational reform to fundamentally change a nation in pursuit of liberal democratic ideals. Lustration was an essential component of denazification in Germany and de-Ba'athification in 2003 Iraq, and included activities that were within the doctrinal purview of the CA Regiment. This study will utilize U.S. Army definitions of lustration, transitional justice and recasting of society. These definitions are germane to the study of the performance of U.S. Army CA units toward denazification and de-Ba'athification, and demonstrate the linkage between these activities and CA Regiment doctrine and capabilities.

The examination of lustration and recasting of society in this chapter will start at the conceptual and academic levels to set common definitions. Especially revealing are United Nations, the United States Institute of Peace, and the Peacekeeping and Stability Operations Institute (PKSOI) concepts. The consensus of thought and study at PKSOI are reflected in U.S. Army Doctrine, as PKSOI has purview over the *Stability* family of doctrinal publications, where these concepts are described. U.S. Army and Joint Doctrine provides advice on the execution of lustration and recasting, as well as how to measure the outcomes of these activities. Lastly, this chapter will explore recommendations of the type of command structure required to achieve the objectives relative to the relationship of CA Regiment forces and the maneuver commands.

Common definitions and context

According to Army Field Manual 3-07 *Stability*, Transitional Justice is the effort to hold those responsible for human rights abuses under the former deposed regime accountable for their actions. While this effort can include redesigning the justice system, selecting new judges, and purging remnants of the old regime from the legal system, most CA activity focuses on identifying former regime elites who were guilty of crimes worthy of tribunals and criminal prosecution. In U.S. Army Doctrine, lustration is a component of transitional justice.²⁰

Lustration refers to the banning and purging society of the remnants of the former governing and political systems. This definition generally refers to purging local through national governance of members of the former regime political party, and includes actions to prevent their participation in governing into the future.²¹ This paper expands the activities of lustration to include education as well. This includes removing teachers and school administrators who were especially politically biased towards the prior regime, while also editing school materiel and textbooks to remove propaganda. While recasting society to conform to liberal democratic ideals is an expansive topic, this study focuses on the educational system as described above. Once entities from the prior

²⁰ Headquarters, Department of the Army. Army Field Manual (FM) 3-07, *Stability Operations*, (Washington, DC: Government Printing Office, 2014), 2-2.

²¹ Department of the Army, Field Manual 3-07 *Stability Operations*, 2-2.

regime have been removed from positions of influence, new officials must be vetted to ensure the institutions are free from prior regime influence.²²

To further frame this discussion, it should be noted that post-conflict lustration, vetting, transitional justice, and recasting of society toward a new political order, according to U.S. Army doctrine, are tasks associated with peacebuilding operations, a subset of stability operations.²³ The policy decisions of the appropriateness of lustration and vetting in support of democratization are beyond the scope of this paper. However, the democratization efforts are U.S. Army doctrinal peacebuilding tasks, and are also represented in academia, the United Nations and the U.S. Institute of Peace.

Two of the most notable, important examples of programs to lustrate former regime and political party members then recast society, were denazification in World War II Germany, and de-Ba'athification in post-war Iraq. There are other similar historic examples including Japan, Italy, and Afghanistan, however Germany and Iraq were arguably the most difficult and contentious.²⁴ While the tasks associated with these activities are expansive, this study focuses on recasting of society through the educational system, and reshaping the political landscape by lustrating and vetting of key leaders of the prior deposed regime. While there is a plethora of means with which the U.S. Government may pursue these activities, this chapter provides the conceptual and

²² Department of the Army, Field Manual 3-07 *Stability*, passim.

²³ Ibid.

²⁴ Interventions in Panama, Grenada, Lebanon and the Dominican Republic were designed to depose and replace the existing regimes, but not fundamentally shift or alter society. See James Dobbins, et al, *America's Role in Nation Building: From Germany to Iraq*, xiv.

doctrinal foundations of the occupation tasks, and links these tasks to the CA Regiment, arguably the most qualified to achieve the desired end state.

Understanding the concepts of lustration and recasting of society in post-war occupations is central to the CA and Military Government experiences in post-war Germany and Iraq. As the component of the U.S. Military most qualified to operationalize these programs, CA forces were, and continue to be, specially trained to address the societies and environments that require transitional justice and reconciliation, and then negotiate the tasks associated with lustration and recasting of society. During denazification and de-Ba'athification, Civil Affairs and Military Governors achieved many of the stated objectives, while sometimes working in spite of them to achieve larger and more overarching goals. To better understand concepts of political transformation, a multitude of lenses will be applied.

Academic and conceptual definitions

Formal education plays a central role in building social ideologies, and is a way to redefine relationships amongst members of indigenous populations and institutions. Through education, both formal and informal, a society is recast to either widen or resolve cleavages between socio-ethnic and political groups, which has corresponding effect on the capacity for peace and stability. Furthermore, formal educational institutions can model the desirable attributes through influence.²⁵ Whether the goals are to re-establish the pre-war norms, or introduce a new paradigm, CA forces are uniquely

²⁵ Patricia Maulden, "Education and Learning," in *Routledge Handbook of Peacebuilding*, ed. Roger Mac Ginty, (Oxon, U.K.: Routledge, 2013), 288-9.

positioned as a link between the military, popular institutions, the U.S Interagency, and non-governmental organizations to effect change in the educational realm.

Throughout the late 20th Century and through 2010, the prevailing academic definition of lustration was as a component of transitional justice and political purging during national transitions in post-Communist Europe. These activities were often described within the context of internally-imposed execution, as a means for a state to purge its own political system. An oft-noted example is Poland, where lustration, more so than truth commissions and tribunals, was the nation's most prominent transitional justice mechanism.

Lustration may be required to facilitate transitional justice, reconciliation and recasting of society, or to skew the reconciliation process in favor of one maligned political party over another.²⁶ This situation was the case in Iraq under the Iraqi de-Ba'athification Council, an outcropping of the Coalition Provisional Authority's de-Ba'athification proclamations. There is a perception that Ahmad Chalabi, the exiled Iraqi and key figure of the Iraqi National Congress, influenced U.S. policymakers to lustrate and conduct political purges in Iraq to achieve retribution for past inter-tribal and inter-ethnic grievances between the majority Shi'a, Sunni and Kurdish factions. The conditions surrounding de-Ba'athification will be assessed in chapter 4.²⁷

²⁶ Monika Nalepa, "Lustration as a trust-building mechanism? Transitional Justice in Poland," in *After Oppression: Transitional Justice in Latin America and Eastern Europe*, ed Vesselin Popovski and Monica Serrano, (Tokyo, Japan: UNU Press, 2012), 333-4.

²⁷ W. Andrew Terrill, *Lessons of the Iraq De-Ba'athification Program for Iraq's Future and the Arab Revolutions*, 27; L. Paul Bremer, *My Year in Iraq: The Struggle to Build a Future of Hope*, (New York, NY: Simon and Schuster, 2006), 297.

Roman David, noted lustration scholar, provided a comprehensive academic assessment of lustration and vetting. David's definitions expanded the concept to include lustration by exogenous or an occupation force during externally or foreign-imposed regime change. In his award winning and seminal work, *Lustration and Transitional Justice*, he defined lustration in new terms. Ironically, he opened the work with an introduction by L. Paul Bremer, the head of the U.S. Coalition Provisional Authority in Iraq, and perceived agent of de-Ba'athification. David referenced Bremer's assertions that the U.S. must not renounce the de-Ba'athification program, even in the wake of the violence and instability that ensued because of the program. By evaluating lustration efforts in Chile, Iraq, South Africa and Eastern Europe, David proposed a few salient features of lustration programs that serve to transition societies from authoritarian regimes to democracies.²⁸

One of the footnotes David proposed is that when evaluating the personnel issues that come accompany "inherited regimes," the enforcing agent must understand the nature of the personnel apparatus, and the social implications of the choice to lustrate or not. The decision to not lustrate, or execute a transitional policy thereby accommodating the former regime, could have better outcomes if the decision to execute an active transitional policy is one-sided and creates undesired social effects. David illuminates that harsh and imprecise transitional policies may have irreversible effects on the

²⁸ Roman David, *Lustration and Transitional Justice: Personnel Systems in the Czech Republic, Hungary and Poland*, (Philadelphia: University of Pennsylvania Press, 2011), 1-3, passim.

populace and society, as was the case with the insurgency that was born out of U.S. de-Ba'athification policy. This situation of unintended harshness, coupled with the lack of resilience in Iraqi society, which was rife with tribal and deep-rooted cleavages, proved to be a bell that could not be unrung.²⁹

International Organizations

The United Nations (UN) has studied issues of lustration with considerable attention. In concert with the academic and military discussions above, the UN describes lustration and vetting as a component of the transition from conflict to peace. The tool from the UN High Commissioner for Human Rights The “Rule of Law Tool for Post Conflict States” describes post-war and post-crisis activities for execution by external executors of regime change. The UN tool describes the ultimate goal as removing actors and public institutions “who lack integrity.” Then, the goals are to identify individuals to rebuild institutions, who are capable and have integrity.³⁰ The identification of the nexus of the two was at times a nearly insurmountable obstacle for CA officers and military governors in both Germany and Iraq.

In a 2010 guidance note on related subjects, the UN Secretary-General Ban Ki-Moon of Korea, provided a planning and execution framework outlining the UN stance on issues such as vetting and institutional reform. A salient point is that public institutions that propagate conflict and oppression must be transformed, and incumbent to

²⁹ Ibid, 1-3

³⁰ High Commissioner for Human Rights, *Rule-of-Law Tools for Post-Conflict States: Vetting: An Operational Framework*, New York: United Nations, 2006, accessed 05 March 2017, <http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf>.

this process is the vetting of key influencers in governance and security sectors. Some of the key principles enumerated within the note are to ensure a comprehensive approach, address the root causes of conflict, and be mindful of children and women's rights.³¹ Both the School for Military Government in 1943 and the contemporary Civil Affairs Qualification Course at Fort Bragg, North Carolina educate in assessing the causes of instability.³² This demonstrates a congruence between professional military education, doctrine and policy with the UN body of thought on political transformation.

US Government Interagency Organizations

Not unlike Civil Affairs and Military Government texts and Field Manuals of the contemporary period, manuals from the mid-20th Century post-World War II period reflect the interagency and intergovernmental importance of CA activities. In the 1958 Field Manual *Joint Manual of Civil Affairs / Military Government, FM 41-5*, the importance of understanding the role of the U.S. Department of State in policy making and diplomacy is highlighted, as well as the importance of Civil Affairs and Military Governors, to formally, informally, and regularly liaise with the offices of the Department of State political advisors. While the enforcement of U.S. policy within the diplomatic framework is primarily the responsibility of the Joint Forces Commander, CA

³¹ General Secretary Ban Ki-Moon, "United Nations Approach to Transitional Justice," Guidance Note of the General Secretary, United Nations, March 2010, accessed on 07 March 2017
https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf.

³² United States Army John F. Kennedy Special Warfare Center and School. *FY 2017 Academic Handbook*. (Fort Bragg, NC: U.S. Army Special Warfare Center and School, 2017), 9-13.

staffs have the incumbent responsibility to support the commanders' awareness of policy and devise appropriate execution plans.³³

The U.S. Agency for International Development (USAID) catalogued a body of research work on lustration and political transformation. The USAID Fair Justice Project provides insight into how the Ukraine conducted internal political purges as well as other research projects in support of the USAID Responsibility Accountable Democratic Assembly Program.³⁴ Additionally, the USAID Strategy on Democracy, Human Rights and Governance, termed "DRG," provides assessment tools to assess political conditions. The "Social-Sector Political Economy Analysis and the DRG Strategic Assessment Framework tools support strategy development to mitigate the effects of authoritarian regimes during peace operations."³⁵ The USAID Office of Transition Initiatives, an important partner to the CA Regiment in the current operating environment, promotes democratization and supports peace operations through rapid funding initiatives.³⁶ While USAID does not have doctrine to the degree that U.S. Army possesses, the DRG strategy

³³ Headquarters, Department of the Army. Field Manual (FM) 41-5, *Joint Manual of Civil Affairs / Military Government*. (Washington, DC: Government Printing Office, 1958), 38.

³⁴ USAID, "National Public Opinion Survey on Democratic, Economic, and Judicial Reforms, Including Implementation of the Law on Purification of Government," (USAID Fair Justice Project, 2015), passim; USAID "Who Wants What in Lustration," (2015).

³⁵ U.S. Agency for International Development, *USAID Strategy on Democracy, Human Rights, and Governance*, (Washington, DC: USAID, 2013), passim.

³⁶ For more information, see USAID, "Political Transitions Initiative," <https://www.usaid.gov/political-transition-initiatives>, accessed 03 April, 2017.

provides a template for understanding the organization's contributions to unified action toward democratization and political transformation.

US Army and Joint Doctrine: A Review³⁷

The importance of education to influence populations, notably during occupations, has antecedents in a 1920 U.S. Army General Service School, General Staff College book. In his work *Military Government*, which largely reflects U.S. Military Governance experience in World War I, Colonel H.A. Smith emphasized the importance of executing occupation activities in accordance with the local customs, and influencing through education. Smith evoked Ambassador Brand Whitlock, the former U.S. Ambassador to Belgium during World War I, by quoting a vignette about Prussian General von Bissing.³⁸

Ambassador Whitlock describes the German occupation of Belgium in World War I, through observations of Prussian General von Bissing's administration of Belgian towns. Von Bissing's perspectives and reactions to the 'backward Belgians' reflected his own experience living in Barmen, Prussia. He made it his goal to make Belgians into little Barmenian Prussians. Whitlock further described the frame of mind of other occupation leaders likely all had, and described conceptually, "Spanish Barmens, Dutch

³⁷ For more information on U.S. Army doctrine as it related to Civil Affairs, see Thomas Geisinger, "Civil Affairs History and Doctrine: From Military Government to Interagency Partner," (Master's thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, June 2016).

³⁸ Smith, H. A. *Military Government*, (Fort Leavenworth, KS: The General Service Schools Press, 1920), 10.

Barmens, California Barmens, and Ohio Barmens.” Occupation forces can influence indigenous populations through education and by example.³⁹

An early 20th Century reflection of the need to understand the indigenous populations and institutions in the area of operations, Smith further expanded upon the requirement during occupation activities. This includes maintaining an awareness of the status of the populace and providing intelligence reporting to relevant stakeholders based on the understanding of the populace. Smith listed intelligence reports from military headquarters, reports of censorship, human intelligence collections, popular media reporting, and messaging by religious clergy as valuable and important sources of information.⁴⁰

The intellectual and doctrinal roots for U.S. military occupations reflective of interwar period authorship were present in two field manuals that Earl Ziemke affectionately termed the “Old and New testaments of Civil Affairs.” FM 27-10, *Law of Land Warfare* and the 03 July 1940 FM 27-5, *Military Government* delineated the significance of civil affairs activities in friendly and occupied territories. Additionally, the Civil Affairs School developed related handbooks of case studies to illuminate certain

³⁹ For Ambassador Whitlock quotes, see Ambassador Brand Whitlock, *Belgium: A Personal Record*, 650, as quoted in Colonel H.A. Smith, *Military Government*, (Fort Leavenworth, KS: The General Service Schools Press, 1920), 10.

⁴⁰ Ibid, 49-50.

conditions of interest, while denazification efforts and policies sparked analysis at the U.S. Army Command and General Staff College.⁴¹

In 1946, a group of U.S. Army Command and General Staff College students in the Analytical Studies Course wrote a paper entitled, “The Demilitarization of Defeated Nations.” While this paper initially addresses issues with disarmament and demilitarization, the students determined that any demilitarization effort must reflect an inclusive and expansive comprehensive approach by addressing politics, education and social reform, in addition to demobilization of the military. As denazification was referenced as a very short case study, clearly the paper reflected the very recent U.S. Army experience in Germany. In any event, the broader definition of what would one day be referred to as lustration and recasting of society had roots in the CGSC group discussion.⁴²

In the late 1950s, the Civil Affairs School in Fort Gordon, GA published a student text entitled ST 41-171, *Principles of Government*. Authored during the postwar period, the text informed Civil Affairs students as to the roots of the Westphalian model of the sovereign state, the nature of different economic and political systems, and the impacts of these two functions on the populace. The text recommended that the Civil Affairs officers

⁴¹ Earl Ziemke, “Civil Affairs Reaches Thirty,” *Military Affairs*, Vol 36, No 4 December 1972, 130-133.

⁴² Committee 19, Second Command Class, *Demilitarization of Defeated Nations*, Analytical Studies Course, (Fort Leavenworth, KS: Command and General Staff College, 1946), passim.

fully understand the nuances of the political and economic systems that drive the national fabric of the occupied society, as this understanding may inform decision-making.⁴³

Later Doctrine

The 1958 *Joint Manual for Civil Affairs / Military Government*, Field Manual 41-5, reflective of Korean War experience, articulates the circumstances and decision making of military governors of an occupying force. Should the local indigenous governor or administrator be assessed to be effective, said individual should continue to govern their constituents when possible. However, if the indigenous leader is “overtly hostile to the occupying force, or is so intimately associated with an organization opposed to the occupying force to that his removal is called for,” the occupying military governor reserves the right to remove said individual. The *Joint Manual for Civil Affairs / Military Government*, further states that there may be instances that for the sake of convenience and expediency, existing leaders may remain in power prior to vetting for continued service.⁴⁴ In much later chapters, the same manual informs the reader that after an armistice, there will be situations when government officials may need to be replaced. This again reaches back to the World War II experience, and specifically informs

⁴³ The text does not specifically reference the Treaty of Westphalia, but describes the post feudal, state-centric anarchic world of the modern era; Civil Affairs School, U.S. Army, Student Text 41-171, *Principles of Government*, (Fort Gordon, VA: US Army Civil Affairs School, unknown year, accessed 26 April 2017, <https://www.vietnam.ttu.edu/reports/images.php?img=/images/137/1370243001a.pdf>, 9.

⁴⁴ Departments of the Army, Navy and Air Force, Field Manual 41-5, *Joint Manual for Civil Affairs / Military Government*, (Washington, DC: U.S. Department of the Army, 1958), 19.

activities of lustration of government officials, although the manual does not use the term “political purge,” or such sweeping reference to denazification.⁴⁵

Doctrine going into Iraq

The US Army Doctrine Field Manuals that were in effect at the time of the Iraq war preparation and pre-mission training were the June 2001 FM 3-0 *Operations*, as well as the Civil Affairs Operations Field Manual, FM 41-10 of 2000. While FM 3-0 *Operations* clearly explained the Regiment’s contributions to understanding the human environment and supporting special operations and conventional forces during combat and stability operations, as well as discussions of how Army Service Component Commands support military governance in occupied territories, it did not crosswalk or link the two.⁴⁶ The Civil Affairs Field Manual 41-10 did provide a more robust description of requirements for occupation duties.

Field Manual 41-10 (2000), *Civil Affairs Operations* was not as prescriptive for how CA forces support the theater or otherwise designated commander in chief in the execution of occupation governance. This was likely reaction to US Army experience in Kosovo, Bosnia, and Panama, which precipitated internal disputes in the President Clinton Administration over the use of the military for limited and peacekeeping interventions and occupations. Doctrinal focus lay more with force protection measures than actual civil administration and governance. Retired Colonel Wally Walters, in a

⁴⁵ U.S. Army *Field Manual 41-5, Joint Manual for Civil Affairs / Military Government*, 1958, 29-32.

⁴⁶ Headquarters, Department of the Army *Field Manual 3-0, Operations* (Washington, DC: Government Printing Office, 2001), 1-7 (occupation duties), *passim*.

Strategy Research project at the U.S. Army War College, described the gap between mid-20th Century doctrine on occupations and that which emerged in the early 21st century, to be described later in this chapter, represented the “Post Cold-War Gap.”⁴⁷ While this degradation makes for a discontinuity in important aspects of CA doctrine, some key threads for administration and occupation did weave through to the pre-Iraq War doctrine.

Some of the key notes described in FM 41-10, Chapter Two, include developing an understanding of the adversarial government during and after combat operations, the degree to which the institution is effective at governing, and the degree to which it was complicit in crimes against the populace and the level of popular support it enjoys. If the commander in chief were to determine that the government in the occupied territory must be purged or overthrown, then CA forces may need to “replace all or selected personnel with other qualified people.”⁴⁸ Lustration and vetting are implicit steps in the last clause of the preceding directive.⁴⁹

⁴⁷ Wally Z. Walters, *The Doctrinal Challenge of Winning the Peace Against Rogue States: How the Lessons from Post-World War II Germany May Inform Operations Against Saddam Hussein’s Iraq*, Army War College Project, (Carlisle Barracks, PA: U.S. Army War College Strategy Research Project, 2002), 6.

⁴⁸ Headquarters, Department of the Army, Field Manual 41-10, *Civil Affairs Operations* (Washington DC: Government Printing Office, 2000), paragraphs 2-148 through 2-155.

⁴⁹ Ibid.

Current Doctrine

Joint doctrine, Joint Publication 3-07, *Stability* is less prescriptive than the related Army Publication, *Stability*. A subordinate publication, JP 3-07.3, *Peace Operations*, does not specifically address concepts of lustration, transitional justice or vetting.⁵⁰ However, the Peacekeeping and Stability Operations Institute, in cooperation with the Army War College and the Joint Chiefs of Staff published a series of five pre-doctrinal handbooks to support the joint force commander in executing a whole-of-government approach to unified action. Among the five volumes, is the *Military Support to Governance, Elections and Media*.

The PKSOI handbook for unified action, *Military Support to Governance, Elections and Media*, provides the joint force commander with a series of planning considerations, as well as tasks for “Support to Post-Conflict Governance.” These tasks are consistent with political transformation and lustration discussions described earlier in this study. Such tasks include the vetting of provincial and local government influencers to isolate those guilty of corruption, war crimes and similar transgressions against the populace or the state.⁵¹ Ironically, the handbook acknowledges that while the 1943 Field

⁵⁰ Joint Chiefs of Staff, Joint Publication 3-07.3, *Peace Operations*, (Washington, DC: Government Printing Office, 2012), passim; Joint Chiefs of Staff, Joint Publication (JP) 3-07, *Stability*, (Washington, DC: Government printing Office, 2016).

⁵¹ Peacekeeping and Stability Operations Institute, *Handbook for Military Support to Governance, Elections and Media*, Unified Action Handbook Series, Book Two, (Carlisle Barracks, PA: U.S. Army War College, February 2016), A-5.

Manual 25-5 *Military Government and Civil Affairs* is no longer in service, the historic doctrine “provides proven methods to conduct transitional military authority.”⁵²

The U.S. Army doctrinal Field Manual 3-07, *Stability*, describes *Peace Building* as a component of Peace Operations. Peace Building is comprised of post-conflict actions that may require the force to execute tasks associated with civil control and governance simultaneously with other primary stability tasks.⁵³ The manual also emphasizes the importance of working with host-nation and the interagency to prepare for the eventual transfer of governance to either a provisional U.S. civilian authority in the form of an ambassador or other civilian agency, or transition to the host nation control.⁵⁴ FM 3-07 further defines activities related to transitional justice and reconciliation.

The *Civil Affairs Operations* Field Manual 3-57 introduces the concept of reconciliation as the goal of “establish[ing] an end to conflict and renew a friendly relationship between disputing people or groups so the post-conflict government can represent them all.”⁵⁵ Reconciliation processes seek to repair and rectify relationships amongst potentially disparate groups, perhaps spanning generations, between private individuals as well as public institutions. Identifying the underlying and root causes of the

⁵² PKSOI *Handbook for Military Support to Governance, Elections and Media*, ii.

⁵³ Headquarters, Department of the Army, Field Manual 3-07, *Stability*, (Washington, DC: Government Printing Office, 2014), 1-10 and 1-22.

⁵⁴ Headquarters, Department of the Army, Field Manual 3-07 *Stability*, 2014, 1-4.

⁵⁵ *Ibid*, 2-2.

cleavages between factions and the sources of instability is a pre-requisite for successful reconciliation.⁵⁶

Field Manual 3-57 places transitional justice under the umbrella of reconciliation. Transitional justice activities are those that encompass the goals of seeking accountability and reconciliation to address historic societal cleavages including human rights abuses. The underlying mechanisms of transitional justice include lustration, truth and reconciliation commissions, and judicial processes. Of particular interest to this study, FM 3-07 defines lustration as, “banning members of the previous regime from holding public office.” While the aforementioned definition of lustration is apropos for describing aspects of the denazification program in post-World War II Germany and the occupation period in Operation Iraqi Freedom, there is a limiting factor with regards to the presentation of lustration as a component of reconciliation.

The nesting of the lustration under reconciliation activities and concepts implies that they occur only during reconciliation efforts. However, in the cases of Iraq and Germany, national reconciliation was not the initial goal of the denazification and de-Ba’athification lustration and transitional justice activities. These operations occurred because of Hitler’s Third Reich military operations against sovereign European nations, and Saddam’s Ba’athist government threatening its neighbors and harboring weapons of mass destruction.⁵⁷ By contrast, Joint Publication 3-07 explains that transitional justice

⁵⁶ Headquarters, Department of the Army, Field Manual 3-07, *Stability*, (2014), 2-2.

⁵⁷ Regarding Germany, see Combined Chiefs of Staff, “Combined Chiefs of Staff directive to General Eisenhower,” accessed 07 February 2017, <https://www.nps.gov/museum/exhibits/eise/allied.html>; regarding Iraq, see President George W. Bush Transcript of President G.W. Bush State of the Union Address, 29

may occur as part of a wider reconciliation process, but implies that this is not necessarily the case.⁵⁸ FM 3-07 does emphasize the importance of preserving the national documents and archives to provide the means to support vetting of local officials.⁵⁹

Civil Affairs and Civil Military Doctrine

Both the Joint Publication and Army Field Manual 3-57 describe Support to Civil Administration as activities that serve to restore local government, if necessary, through a transitional military authority. Some of the specific CA tasks to support concepts akin to lustration, transitional justice and recasting society, are described in the transitional military authority sections of the manual.⁶⁰ These include leveraging the Rule of Law sections' contributions to drafting governance decrees, codes and ordinances. The placement of lustration and political transformation tasks within the transitional military government section reflect a continued acknowledgement of the importance of these duties in military occupation.

As will be examined in later chapters, the method of announcing both de-Ba'athification and denazification in Iraq and Germany was through public

January 2002, accessed 07 February 2017, <https://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>.

⁵⁸ U.S. Joint Chiefs of Staff, Joint Publication 3-07, *Stability*, C-8.

⁵⁹ U.S. Army Field Manual 3-07, *Stability*, 2014, 2-15.

⁶⁰ Headquarters, Department of the Army, Field Manual 3-57, *Civil Affairs Operations*, (Washington, DC: Government Printing Office, October 2011), 2-19.

proclamations.⁶¹ An important change with the terminology reflected in FM 3-57 is that “military government ordnance(s)” now represent the promulgations of laws affecting the occupied territory subject to military authority.⁶² Additionally, the Rule of Law sections are also generally responsible for vetting and training of judges, and the establishment of transitional justice mechanisms.

Other functional specialties resident within the Reserve Civil Affairs formations include *Economic Stability, Infrastructure, Governance, Public Health, and Public Education*. With regards to the deliberate planning of recasting of society through educational and informational reform, as well as support to national governance activities, the corresponding six functional specialties at the Civil Affairs Command (CACOM) levels at the national or ministerial echelon of activities. Active Duty and Reserve Component Brigades and Battalions tend to operate in support of tactical maneuver formations, and therefore execute Support to Civil Administration at the local level. These units operate at echelons akin to the military governors of World War II, working in German villages and towns in the U.S. Zones of occupation.⁶³

U.S. Army Doctrine further distills tasks associated with lustration and vetting in Army Techniques Publication (ATP). 3-07.5, *Stability Techniques*. This publication references “Support to Identification” as a component of the “Establish Civil Security,”

⁶¹ See Chapter 3 for information on denazification; see chapter 4 for data on de-Ba’athification.

⁶² Headquarters, Department of the Army, Field Manual 3-57, *Civil Affairs Operations*, 3-18.

⁶³ Ibid, passim.

Stability task. Identification programs are important to ensure legitimacy of host-nation leaders in a variety of influential positions including governance, law enforcement, the military and other professions. Additionally, identification programs serve to identify those responsible for war crimes, atrocities, and belligerents.⁶⁴ ATP 3-07.5 also describes the importance of vetting officials and leadership across a wide array of professions in society, and emphasizes that effective host-nation leadership is the key to success in Stability Operations. Furthermore, similar to the 1943 version of FM 27-5 *Manual of Military Government and Civil Affairs* described in preceding sections, emphasizing the potentially temporary nature of host-national leaders' tenure in public positions is key.⁶⁵

Disposition of Troops and Command Structure

With regards to the possibilities for employment and disposition of civil affairs and military government forces, the 1943 *Military Government and Civil Affairs* doctrine described two dispositions of Civil Affairs troops. These were "Operational," and "Territorial."⁶⁶ The first, was how the Civil Affairs and Military Government units were employed both in the early days of the German occupation, as well as during the war in Iraq. The Operational option refers to a structure where local maneuver commanders maintain operational control over the civil affairs and military governors within their area

⁶⁴ Headquarters, Department of the Army, ATP 3-07.5, *Stability Techniques*, (Washington, DC: Government Printing Office, 2012), 2-19.

⁶⁵ Ibid, passim.

⁶⁶ Headquarters, European Command, *CIVIL AFFAIRS: Occupation Forces in Europe Series, 1945-46*. (Frankfurt am Main, Germany: European Command, Office of the Chief Historian, CARL 940.5338015 C582, 1947), 1-2.

of responsibility. There are inherent advantages to this situation, including unity of command and the facilitation of *horizontal* unity of effort within the area of responsibility by virtue of the interagency nature of civil affairs and military government work. Additionally, security coordination, especially during the combat phase of an operation, may be more successful with this command structure.

The territorial option for disposition of Civil Affairs and Military Government troops does lend to more effective unity of effort and command within the realm of civil affairs and occupation coordination, synchronization, and activities, across the entire theater of operations, facilitated by a more *vertical* unity of effort. If Military Government authority is delegated to a subordinate of the Theater Commander, as was the case in 1945 Germany under the Deputy Commander for Military Governance, Lieutenant General Lucius D. Clay, that individual can more effectively synchronize efforts across the entirety of the operation. The terms changed somewhat in the post-war doctrinal publications, but the concepts of the two types of employment of CA forces remained relatively consistent throughout history.

In the 1957 version of Army Field Manual 41-10, *Civil Affairs Military Government Operations*, the doctrine writers included extensive discussions of how command and support relationships could execute under a variety of conditions. During rapid or fluid phases of combat, the Field Manual recommends the “command support” execution of civil affairs and military government activities. The other form of CA support is through “area support,” which is appropriate for a static phase of combat or occupation, or for rural areas where there may not be a maneuver command. Area support is the arrangement that General Lucius Clay achieved from January 1946 and onward

through the end of military governance duties, and what many Civil Affairs leaders interviewed for this study advocated.⁶⁷ The thread of continuity of the distinctions between types of civil affairs support flowed through the 1962 doctrine, Field Manual 41-10, *Civil Affairs Operations*. By the 2000 version of FM 41-10, the language had changed from area support to “centralized” or “decentralized” support. The Centralized support relationship referred to attachment to a maneuver command, similar to the initial arrayment of CA forces under SHAEF in Germany, as well as during the entirety of Operation Iraqi Freedom. As in the case of “area support,” decentralized support referred to CA formations being tied to infrastructure or other key pieces of terrain, as was the case in Germany when Military Governors came under the purview of the Office of Military Government for each occupied area.⁶⁸

Army and Joint doctrine contemporary to the Iraq planning with regards to the disposition of troops and command relationships were JP 5-00.2 *Joint Task Force Planning Guidance and Procedures* (13 January 1999) and JP 3-57 *Civil Military Operations*. The threads of continuity with regards to “area support” troop dispositions, as well as the command of all CA and Military Government forces under Lieutenant

⁶⁷ General Lucius D. Clay was the Deputy Chief of Staff to General Eisenhower at the Supreme Headquarters Allied Expeditionary Force in Germany, so be discussed in chapter 3. Brigadier General James Owens was the G-3 operations officer for the 352nd Civil Affairs Command, the senior Civil Affairs command in Iraq, and he served from December 2002 through June 2004. Colonel Michael Hess was the military Chief of Staff to LTG Garner at ORHA, then initially to AMB Bremer at the CPA, to be discussed in chapter 4. For Clay, Lucius D. Clay, *Decision in Germany*; James Owens, telephone interview by author, Fort Leavenworth, KS, 10 January 2017; Michael Hess, telephone interview by author, Fort Leavenworth, KS, 31 January 2017.

⁶⁸ Headquarters, Department of the Army, Field Manual 41-10, *Civil Affairs Operations* (Washington, DC: Government Printing Office, 2000), chapter 2.

General Lucius D. Clay during the occupation in Germany was reflected in descriptions of the modern Joint Civil Military Operations Task Force (JCMOTF).⁶⁹ The JCMOTF concept is discussed in a later chapter.

How to assess the results of the programs: Performance versus Effects

When evaluating the success of any military operation, analysts frame the results in two ways. The first pertains the performance of the tasks associated with the programs, the other is to examine the effects of the effort. There is a distinction between performance and effects, which may appear nuanced on face value, yet are important differences. To evoke contemporary definitions, performance measures determine how well the organization, in the case of this study, Military Government and CA units, “performed” the task in question. Data points that would answer this question would appear as, “Number of Germans who filled out Fragebogen from 01 September 1945 through 01 January 1946.” Another data point would be, “Number and percentage of Iraqi schoolbooks screened for Ba’athist propaganda.” While perhaps trite, performance measures examinations serve their purpose in determining to what extent the initial objectives were met. In the case of Germany, detractors of the denazification program often turn to performance measures to suggest that the U.S. Army was too unprepared or under-resourced to meet the stated objectives of permeating the lustration, vetting and

⁶⁹ Joint Chiefs of Staff, Joint Publication 50-00.2, *Joint Task Force Planning Guidance and Procedures* (Washington, DC: Government Printing Office, January 1999), III-11.

societal recasting throughout all of society. However, the impacts of the programs were what was perhaps more important in terms of historical analysis.⁷⁰

The long-lasting effects of the programs are what the designers and planners envisioned. The questions surrounding measures of effects might read, “To what extent do Nazis still permeate the German educational system at a given point in time,” or “What was the increase in numbers of non-Ba’athist Shia Iraqis represented in local, provincial and National Iraqi government?” Achievement of a program’s desired effects can be elusive and complicated, as humans add complexities akin to Clausewitzian frictions.⁷¹ The disconnect between performance and effects of tasks can be attributed to not conducting the appropriate activity for the desired goal or end state condition, or because the correct task was executed inappropriately. While the U.S. Army’s experience in Germany reflects success, according to some, the experience in Iraq is reflective of conducting the task incorrectly. This failure in the planning, management and execution, specifically with regards to CA units, is within the scope of this paper.

Conclusions

Lustration and recasting society through educational reform to ultimately change a nation in pursuit of liberal democratic ideals, were essential components of the U.S. Military execution of the denazification policy in Germany, and the de-Ba’athification

⁷⁰ Headquarters, Department of the Army, Army Doctrine Reference Publication (ADRP) 3-0, *Operations*, (Washington, DC: Government Printing Office, November 2016), 2-7.

⁷¹ Dorner, Dietrich. *The Logic of Failure: Recognizing and Avoiding Error in Complex Situations*. (New York, NY: Metropolitan Books, 1996), passim.

program in Iraq. The centrality of U.S. Army Civil Affairs execution agent to conduct illustration and recasting of society has precedent in doctrine. CA Regimental access to relevant populations, training in understanding societal drivers of instability, and linkages to the interagency reinforce this argument. However, it is incumbent upon policymakers and military planners alike to incorporate CA officers at all echelons of the planning process, as to ensure full utilization of the Regiment's unique capabilities.

Due to the delicate nature of concepts of reforming societies in post-war situations, this type of program must be managed actively to ensure unity of effort, achievement of desired end states, and a fair accounting of the progress of the program to paint a clear picture for commanders. When the tactical security situation allows, the chain of command of CA Regiment organizations including transitional military authority units must be streamlined. This will serve to enforce unity of command and ensure unity of effort and consistency across the formation while normalizing effects on the populace.

CHAPTER 3

DENAZIFICATION OF GERMANY

Introduction

Plans are worthless, but planning is everything.⁷²
— Dwight D. Eisenhower

Once a military operation, in which the commander exercises some or all executive, legislative or judicial authority, has been set in motion it is usually too late to give necessary thoughtful and detailed consideration to how the civil affairs aspect should be carried out within the context of our national policy objectives. To be effective, at the moment he is deployed, the CA officer must be provided guidance as to how he will take action in the various civil affairs functions in order that our policies will be respected and achieved. Such guidance is disseminated in the form of proclamations, laws, instructions to civil officials and orders for promulgation.⁷³

-U.S. Army Civil Affairs School, *Handbook for Military Government in Germany*, 1944

⁷² Dwight D. Eisenhower, “14 November 1957 Speech at the Defense Executive Reserve Conference,” in *Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1957*, National Archives and Records Service, Government Printing Office, accessed 12 February 2017, <https://www.archives.gov/federal-register/publications/presidential-papers.html>, 818.

⁷³ U.S. Army Civil Affairs School, Special Text 41-10-60, *Handbook for Military Government in Germany: Prior to Defeat or Surrender*, (Washington, DC: Government Printing Office, CARL N-16359.36, 1947). forward, I. This reference is a reproduction of a handbook that a World War II Civil Affairs Country Mission Team authored in support of Theater Plans, and served as an assessment of the “CA Situation.” It reflected policy and directives from the CCS 551, and incorporated “The Standard Policy and Procedure for Civil Affairs and Military Government Operations in Northwest Europe,” December 1944. Furthermore, instructions on the early pages also indicated that this text has or seniority over any possible contradictions within and with FM 27-5 or any similar text from the British War Office (Paragraph 25).

The U.S. military efforts in post-World War II Japan and Germany were arguably the “Gold Standard” of occupations. This was the case due to a variety of factors and pre-conditions, including the fact that Germany surrendered unconditionally and was a defeated nation, and that the U.S. Army had 1.7 million Soldiers to directly administer the roughly 17 million Germans (a 1:10 ratio). Perhaps most importantly, there was a thread of continuity between the planning and execution of the denazification effort.⁷⁴

Denazification, as a component of the greater goals for ultimate democratization and demilitarization of German society, was successful because policymakers and the military forged an early plan and closely executed the program. Important impacts of the deliberate plan were resourcing, training, organization, and execution. Central to the execution were the Civil Affairs and Military Government detachments who were the public face of the denazification program. The effective strategic communications regarding the dangers of the Nazi Regime and the U.S. and Allied goals to stamp out Nazism from German society facilitated shared understanding from the President to the Military Governors and Civil Affairs Division officers. Additionally, the deliberate and engaged approach by General Lucius D. Clay, a key leader in the denazification effort, and his employment of Civil Affairs and Military Governors to execute denazification drove resourcing and planning, while the execution facilitated a deep understanding of the nuances of program execution by the German people, and the society at large.

⁷⁴ Dobbins et al, in a comprehensive RAND study which examined postwar occupation and regime change; James Dobbins, et al *After the War: Nation Building from FDR to George Bush*,” xiii.

This chapter explores the threads of continuity, as well as the ebb and flow of the intensity with which the U.S. Military pursued denazification, and the extent to which the CA Division and later OMGUS supported the effort. After a short background of the strategic context, this chapter is organized around the major inflection points in the chronology of the program, during the planning, preparation, and execution phases, a system also known as the U.S. Army Operations Process. The planning phase began as early as 1941 at the Atlantic Conference, and for the purposes of this study, analysis of the execution phase ends with the handover to German Denazification Councils in 1946.

The major inflection points between these two chronologic bookends first reflects the 1st Army's early occupation operations in Aachen, September and October 1944, through March 1945, while the fighting persisted elsewhere. This period is described in CA reports as the "slow advance of military governance establishment," also the "combat period."⁷⁵ While conditions in western Germany exhibited the requirement to evoke the occupation conditions described in the Operation Eclipse outline plan, the final defeat by the Germans and V-E Day marked the full initiation of the Eclipse operations plan for occupation.

The next major policy shift occurred in the Spring and Summer of 1945, where the confluence of the April 1945 publishing of Joint Chiefs of Staff (JCS) 1067, the Tripartite meeting in Potsdam in August 1945, and Victory in Europe Day in May 1945.

⁷⁵ Joseph Star used the terms rapid, slow and static advances with regards to the Rhineland Campaign, to delineate the phases of establishment of Military Governance; Joseph R. Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, in the Provost Marshal General's School, Military Government Department, Training Packet Number 56, (European Command, Historical Division, 1950, CARL archives) ii.

In June 1945, as Occupation Operations commenced in a widespread manner, SHAEF was reorganized to U.S. Forces European Theater (USFET). The results of the Potsdam Conference in August 1945 represent the next major inflection point where denazification, which had been executed in a more ad-hoc manner prior, became fully implemented in a systematic manner according to the Tripartite agreement. Joseph Starr, the European Command historian responsible for many of the reports referenced in this chapter, termed the initial phase as the “rapid advance of military governance” through May 1945, upon the surrender of German Forces. The subsequent phase of May 1945 through the turnover of denazification to the German authorities, also termed the “semi-static phase,” is addressed in the last historical segment of this study.⁷⁶

Prewar Planning and Organizational Preparation, 1939-44

When President Roosevelt met with General Lucius Clay to in-brief Clay on his upcoming duties as Deputy Military Governor in the spring of 1945, Roosevelt revealed his deep-rooted opinion of the Nazis and Germans. Roosevelt reflected on his youth growing up and attending schools in Germany, and his “distaste for German arrogance and provincialism.”⁷⁷ Roosevelt’s preconceived opinions and notions of Germans and

⁷⁶ Joseph R. Star, *U.S. Military Government in Germany: From Late March to Mid-July 1945*, in the Provost Marshal General’s School, Military Government Department, Training Packet Number 56, (Historical Division European Command, 1950, CARL archives) i.

⁷⁷ Lucius D. Clay, *Decision in German*, (Westport, CT: Greenwood Press, 1950), 5.

their culture likely influenced policy and decision making throughout the pre-war planning period.⁷⁸

Evolution of Doctrine from Policy to the “Handbook”

As Civil Affairs Soldiers prepared to cross the Rhine and march into Germany, they carried with them the *Handbook for Military Government in Germany: Prior to Defeat or Surrender*.⁷⁹ The December 1943 version of the reference, issued under the authority of General Eisenhower, reflected policies towards occupation operations and activities outlined in the April 1944 document, Combined Chiefs of Staff (CCS) 551, “*Directive for Military Government in Germany Prior to Defeat or Surrender*,” which also inspired Operations Plans Talisman then Eclipse, all of which had conceptual linkages to the future policy, Joint Chief of Staff 1067.⁸⁰

According to policy enumerated in operations plan Eclipse and the School of Military Government Text ST 41-10-60, also known as the *Handbook for Military Government in Germany, Before Defeat or Surrender*, the Supreme Commander Allied Expeditionary Force (SHAEF) was responsible for establishing military government in

⁷⁸ Lucius D. Clay, *Decision in German*, 5.

⁷⁹ Civil Affairs Division Soldiers would eventually be termed Military Governors as occupation operations commenced in Germany; see Earl F. Ziemke, *The U.S. Army in the Occupation of Germany: 1944-1946* (Washington, DC: Center of Military History, U.S. Army, 1975), 45, passim; U.S. Army Civil Affairs School, U.S. Army Special Text 41-10-60 *Handbook for Military Government in Germany: Prior to Defeat or Surrender*, (Washington, DC: Government Printing Office, CARL N-16359.36).

⁸⁰ For a timeline of policy events, see Oliver Frederikson, *The American Military Occupation of Germany: 1945-1953*, Historical Division, Headquarters, United States Army, Europe, 1953, 189; see Earl F. Ziemke, *U.S. Occupation of Germany*, 99-105.

occupied Germany. This authority was to remain in effect until a successor organization or agency took over such responsibilities.⁸¹ Consequently, when the CA forces crossed into German territory with their supported maneuver commanders in September 1944, CA and Military Government operations occurred concurrently.

Central to the thrust of the *Handbook* with regards to political lustration and societal realignment, is a quote from General Eisenhower to the German people. In “Proclamation 1” Eisenhower set the conditions and expectations for the occupation for the German people in five concise paragraphs, the first directly addressed Nazism and its future in German society:

The Allied Forces serving under my Command have now entered Germany. We come as conquerors, but not as oppressors. In the area of Germany occupied by the forces under my command, we shall obliterate Nazism and German Militarism. We shall overthrow the Nazi rule, dissolve the Nazi Party and abolish the cruel, oppressive and discriminatory laws and institutions that the Party has created. We shall eradicate that German Militarism which has so often disrupted the peace of the world. Military and Party leaders, the Gestapo and others suspected of crimes and atrocities, will be tried, and, if guilty, punished as they deserve.⁸²

The term denazification only appeared once in the 1944 version of the *Handbook*, as a reference to a process, not yet a policy in name. However, the basic intent of the goals of political lustration remained consistent through the major combat phase until the Potsdam Agreement.⁸³ The introduction of the *Handbook* clearly outlined seven objectives that aligned with five major principles.⁸⁴ The revised 1944 version of the

⁸¹ U.S. Army, *Handbook for Military Government*, paragraph 1.

⁸² Ibid, chapter IV “Supreme Commander’s Area of Control,” Part I.

⁸³ Ibid, Chapter I, “Civil Administration.”

⁸⁴ U.S. Army, *Handbook for Military Government*, Part I, Introduction

handbook was approved by the Joint Chiefs of Staff, signed and distributed to all military government units by the SHAEF Chief of Staff, LTG Walter B. Smith in December 1944, three months after crossing the Siegfried Line.⁸⁵

The seven objectives all relate to the establishment of Military Government for the occupation of Germany. The seven primary objectives included the following objectives: 5c, “Apprehension of war criminals,” 5d, “Elimination of Nazism, Fascism, German militarism, the Nazi Hierarchy and their collaborators,” and 5g, “Preservation and establishment of suitable civil administration to the extent required to accomplish the foregoing objectives.”⁸⁶ The importance of the military governors’ roles with regards to the political purging of German society and government is clearly demonstrated, as mention of Nazism is central to the seven objectives. Within the five principles, the *Handbook* further delineated that no “active or ardent Nazi sympathizers” will be authorized to remain in office, and vital public services and “administrative machinery” shall remain intact to the extent that these are required to support the populace’s basic requirements, and non-Nazis are utilized in this regard.⁸⁷

In terms of denazification of the legal system, the political realignment included two components. These were purging of the judiciary, and suspending the constitution.

⁸⁵ Star, Joseph, U.S. Military Government in Germany: Operations During the Rhineland Campaign, in the Provost Marshal General’s School, Military Government Department, Training Packet Number 57. (European Command, Historical Division, CARL N-16359.35 1950), 47.

⁸⁶ U.S. Army, Handbook for Military Government in Germany, Part I, Introduction

⁸⁷ Ibid, Part I, Introduction.

U.S. Military Government detachments handled legal cases and executed tribunals until OMGUS re-established the German legal system in May 1945. The courts and tribunals handled both cases related to the vetting of Nazi personnel, as well as trials in support the rule of law and German laws.⁸⁸

Organization and Training – Civil Affairs Division

Secretary of War Henry Stimson established the Civil Affairs Division (CAD) in March 1943.⁸⁹ The Division was initially created to provide the Operations Department within the Department of War with advice on all things related to civilian matters, in support of the theater and military commanders, who achieve their assigned mission. Formally, the CA Division was directed to coordinate the handling of all occupied territories. Implicitly, this would occur at all echelons of command. As quoted in a Joint Chiefs of Staff Memo to the Secretary of War, “As long as military occupation exists, civil affairs are a responsibility of the commander concerned.”⁹⁰ The first commander, Major General John Hildring suggested expanding the role of the CAD to include military governance responsibilities, to which he initially met resistance.⁹¹ However, as

⁸⁸ Star, Joseph R. U.S. Military Government in Germany: Operations During the Rhineland Campaign, Training packet 56, 65.

⁸⁹ Harry Coles and Albert Weinberg, *Civil Affairs: Soldiers Become Governors* (Washington, DC: Center of Military History, U.S. Army, 1964), 68.

⁹⁰ JCS Memo 10 April 1943 as quoted in Coles and Weinberg, *Civil Affairs: Soldiers Become Governors*, 70.

⁹¹ Coles and Weinberg, *Civil Affairs: Soldiers Become Governors*, 71-72.

history would tell, his efforts were successful and the organizational roles vastly expanded.

In terms of training, the Joint Chiefs of Staff, the Provost Marshall's Office, and the fledgling CA Division built the organization, training and employed them into France, then Germany, all within the timeframe of only one year. Expectedly so, the War Department struggled with considerations of how to train the new CAD Soldiers, which according to a Provost Marshall's memo in 1942, would be largely entail a number of reservist specialists who would remain in an inactive status until their skills were required.⁹² These "Specialist Reserve Section, Officer Reserve Corps (ORC) soldiers, would form the crux of the CAD Military Government Teams, and would be those ultimately supporting and executing denazification at the local and regional levels.

Organization and Staff Relationships

In February 1944, in anticipation of the requirement to administer post-war Germany, the SHAEF CA Division reorganized as the primary staff office for CA, G-5. In addition to staff support to the commander through the G-5, the European Civil Affairs Division under SHAEF organized CA detachments to support maneuver unit operations.⁹³ The detachment members already positioned in England studies at a forward training school at a newly established Civil Affairs Center at Shrivenham, co-

⁹² ACoS G-1 to PMG Memo, as quoted in Coles and Weinberg, *Civil Affairs: Soldiers Become Governors*, 79.

⁹³ European Civil Affairs Division is sometimes abbreviated as ECAD; see Ziemke, *The U.S. Army in the Occupation of Germany*, 86.

located with an American Officer Candidate School. Besides further review of the doctrine and handbooks, FM 27-5 *Military Government and Civil Affairs*, students studied after action reports from the American Military Government for Occupied Territories detachments in Italy.⁹⁴

Notable Partners in Denazification: The Office of Strategic Services and the Counter Intelligence Corps

The Office of Strategic Service was formed in 1941 to provide the Joint Chiefs of Staff a dedicated intelligence service.⁹⁵ While the OSS operational teams were the most publicized component, it was the informational and intelligence services that were most valuable to the war effort. The relationship between the Civil Affairs Division and the OSS began in 29 June 1942. Major General Hilldring, the first divisional commander, praised the OSS and its efforts in support of the division with training, information, and later, operational support. Hilldring explained that the CA division received the “best support from any civilian agency...either in Washington or the European Theater.”⁹⁶

⁹⁴ Ibid, 62-8.

⁹⁵ Central Intelligence Agency, “What was the OSS?” Accessed 07 March 2017, <https://www.cia.gov/library/publications/intelligence-history/oss/art03.htm>.

⁹⁶ The early linkages between the two organizations began when the OSS was named the Coordinator of Information. Later, the Research and Analysis Branch of the OSS, shared the closest relationship with the Civil Affairs Division. This was built on OSS instruction at the U.S. Army School for Military Government, at the University of Virginia. The school commander, Brigadier General Cornelius W. Wickersham, expressed his appreciation of OSS expertise. Wickersham wrote to the head of the Research and Analysis Division in January 1943, “The association with the Office of Strategic Services had been so successful that I cannot refrain from expressing the hope that it will be continued.” The Research office also provided the Civil Affairs Division, and later Military Governors, with 40 of the 65 area study manuals utilized in preparation for operations in Germany; Sacquety, Troy, *The OSS and Civil Affairs Relationship*,”

In Germany, the OSS continued the trend of providing support to the Military Governors' efforts, specifically denazification, in significant ways and with different key players. According to the 1st U.S. Army's Intelligence Annex to the Operation Eclipse Plan for the occupation of Germany, the counter-intelligence directorates were charged with incorporating attached OSS elements into the intelligence cycle.⁹⁷ An influential figure that linked the OSS to OMGUS was warrior-scholar Brigadier General Walter L. Dorn.

Walter Dorn was an advisor to both Major General Adcock and Lieutenant General Lucius D. Clay. Professor Dorn, formerly a Columbia University Professor of History, worked with the Office of Strategic Service from 1941 through 1943, spent two years with the European Civil Affairs Division, then assumed advisory duties with Adcock and Clay in the Office of Military Government of Germany. Clay recruited Dorn to serve as the OMG denazification advisor.⁹⁸

Another important partner to the Military Government detachments responsible for denazification was the Counter-Intelligence Corps (CIC). The CIC supported denazification efforts to a varying degree, based on guidance from the supported field

Unpublished paper, (Fort Bragg, NC: United States Army Special Operations Command, Office of the Historian, 2015), emailed directly to author.

⁹⁷ Headquarters, 1st United States, *Intelligence Plan, Operation Eclipse*, "E Section Plan," (G-2 Intelligence Section, Headquarters, 1st United States Army, CARL N-13166, 1945), 1-2.

⁹⁸ Columbia Daily Spectator, "CU Historian Walter L. Dorn Dies of Stroke," Columbia University Newspaper, Volume CV Number 68, 20 February 1961, accessed 05 March 2017, <http://spectatorarchive.library.columbia.edu/cgi-bin/columbia?a=d&d=cs19610220-01.2.9#>.

armies and subordinate maneuver commands. In most cases, the Military Governors acted as informants to the CIC. The special relationship and proximity to the populace that the Military Governors enjoyed placed them in a particularly important position with regards to identifying the Nazis of the appropriate party affiliation to warrant arrest. In conjunction with the Military Police and the tactical infantry units, the CIC conducted most of the arrests of suspected Nazis.⁹⁹ In some situations, there was a perception that the CIC played a too dominant role in denazification.¹⁰⁰

A particularly notable Counter-Intelligence Corps operator was a young Private First Class of German-American decent, Henry Kissinger. During the early days of the major combat operations into Germany during the Siegfried Line Campaign, Kissinger supported the administration force in Krefeld. Later, during the occupation phase after the German surrender, then Sergeant Kissinger leveraged his German language skills and intimate awareness of the culture to root out suspected Nazis in the Bergstrasse district in Hesse.¹⁰¹ Kissinger was but one of many Counter-Intelligence Corps operators who supported denazification through service alongside and at times, within military government units.

⁹⁹ Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, in the Provost Marshal General's School, Military Government Department, (European Command, Historical Division, CARL N-16359.34), 28.

¹⁰⁰ Star, Joseph R. *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet 56, 75.

¹⁰¹ Walter Isaacson, *Kissinger: A Biography* (New York, NY: Simon and Schuster, 1992), 54.

Operations Commence: Crossing the Rhine, the Siegfried Campaign of 1944 Through the Defeat of Germany, May 1945

As the first elements of V Corps, 1st U.S. Army, crossed the Rhine River on 11 September 1944 headed for Aachen, attached European Civil Affairs Divisional Soldiers carried the 1943 version of the *Handbook for Military Government in Germany, Before Defeat or Surrender*. The directives within guided them with regards to early goals of the facilitation the distribution of relief supplies and supporting displaced persons and populations. This helped inform these detachments as to how to negotiate the early policy directives of CCS 551 and Operation Eclipse. The detachments strived to re-establish effective local governance as quickly and efficiently as possible, while abiding by President Roosevelt and General Eisenhower's intent to "denazify" Germany.¹⁰² The 12th Army Group G-5 After Action Report described Aachen as a "laboratory for military government," as military government operations were under constant and close scrutiny.¹⁰³

Denazification during the Early Phases

Within the military government framework, the Special Branch offices were the primary stakeholder for denazification of civilian government employees. The first such office was designated in October 1944, just after Allied forces captured Aachen. The Special Branches were responsible for the entire process of denazification in conjunction

¹⁰² The term "Denazification" does not appear to have come into widespread use at this point.

¹⁰³ Headquarters, 12th Army Group. *After Action Report*, 63.

with the maneuver commands. With support from the Counter-Intelligence Corps, Military Governors identified individuals who were required to register, screened applicants, and established tribunals with assistance from the military justice and tribunals branches of the military government apparatus. When the Military Governors identified suspected ardent Nazis, they referred the cases to Counter-Intelligence Corps.¹⁰⁴ Military Governors were adept at restoring essential public services. However, due to a lack of understanding of the denazification concepts, Military Governors were considered poorly prepared for the “revolutionary” denazification duties before them.¹⁰⁵

A component of civil affairs and military government operations, both in WWII and in contemporary doctrine, is the activity of registering the local populace to ensure adequate support is delivered, as well as to provide the supported command an awareness of the populace under occupation and within the area of responsibilities.¹⁰⁶ In the early days of the Rhineland Campaign, the military governors undertook this initiative without specific guidance from supported commands, as they understood their responsibility to be aware of the populace. These activities allowed them to properly execute the rationing

¹⁰⁴ Office of the Military Government, United States, “Denazification: Cumulative Review,” in *Report of the Military Governor, 01 April 1947 through 30 April 1948*, No. 34, (Frankfurt am Main, Germany: European Command, https://ia902700.us.archive.org/31/items/Denazification/OfficeOfTheMilitaryGovernmentForGermany-Denazificationen1948174P.Scan_text.pdf, 1948), 1

¹⁰⁵ William Griffith was a U.S. Army Officer in Germany and France, and was Chief of the Denazification Branch of OMG-Bavaria from 1947-48; see William E. Griffith, “Denazification in the U.S. Zone of Germany,” in the *Annals of the American Academy of Political and Social Science*, Vol 267 January 1950, pp 68-76, 68.

¹⁰⁶ FM 3-57 *Civil Affairs Operations*, passim; FM 27-5 (1943), passim.

programs. Additionally, this effort allowed them to track the whereabouts of Nazis within governed towns.¹⁰⁷

In terms of vetting of individuals within the 1st Army area of operations, Counter-Intelligence officers interviewed all registrants. Conversely, the 3rd Army took a more nuanced approach. They delegated much of the process to the military governors Special Branch of the Public Safety sections, which cross-checked the registrant against Counter-Intelligence lists. By working through the Military Governors, 3rd Army not only demonstrated an appreciation for the role and value of the Military Governors in the lustration effort, but in doing so, freed up the Counter-Intelligence officials to pursue other efforts.¹⁰⁸

Denazification of Government and Judicial System

The *Handbook* further tasked the Army Group Commanders with the execution of political realignment and lustration.¹⁰⁹ This included vetting and removal from office of Nazis, and subsequent replacement with non-Nazis. Non-Nazis were not available or capable of administering or supporting vital public services, American Military Governors would exert direct administration in place of a German counterpart.¹¹⁰

¹⁰⁷ Star, Joseph R. *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet 56, 63.

¹⁰⁸ *Ibid*, 63.

¹⁰⁹ U.S. Army, *Handbook for Military Government in Germany*, Part I, Chapter III, "Removal and Appointment of Individuals."

¹¹⁰ U.S. Army, *Handbook for Military Government in Germany*, Part I, Chapter III, "Removal and Appointment of Individuals."

In terms of the interpretation of the initial denazification policy set forth in Eisenhower's directives of 09 November, as described in the *Handbook*, the distinction between "ardent sympathizers" and "active Nazis" was murky at best. Military Governors were disallowed from bypassing or ignoring the directive, although the theory of occupation at this point was still within the framework of "indirect rule." This implies that if suitable Germans were not available to govern or support public service, then the Military Governor would assume governance duties. Predictably, this loose and non-descript policy caused confusion. The expectation going into Germany was that Military Governors would rule in an indirect manner, which implied that Military Governor officers would work in support of German leadership and institutions. Directives from General Eisenhower to the German government, outlined in the *Handbook*, included instructions for the bureaucracy to stay in place during the occupation period.¹¹¹

Noted World War II historian Earl Ziemke recounted the early days of the Rhineland Campaign with vignettes of the Civil Affairs Division-turned Military Government Detachment Officers supporting 1st Army Operations. Ziemke described efforts by the Detachment commanders to appoint local mayors in towns that were ravaged by warfare and often largely deserted. Furthermore, Ziemke recounted instances where the Military Governors' initial selection for replacement "buergermeisters," or

¹¹¹ Star, Joseph R. *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet 56, 40.

mayors, in Wuerselen and Stolberg were appropriate for the circumstances, but each had linkages to the Nazi party that rendered their continued service untenable.¹¹²

In the slow advance phase of governance from 1944 through March 1945, many military governors turned to non-traditional sources of individuals to fulfill local mayoral and administration roles. For instance, a schoolteacher was deemed the appropriate person to govern the town of Kornelimuenster, while Catholic priests were selected to govern Morsbach and Brinig. Catholic priests also assisted in appointment of local mayors and administrators by helping the military governors identify local community members whose appointment would not violate the denazification policy, or violate the trust of the people.¹¹³ While many Nazis deserted their posts from public safety, local administration and bureaucracy for fear of reprisal by U.S. Forces, and had additionally destroyed public records of Nazi participation and party affiliation, the Catholic Priests proved a valuable resource of information.¹¹⁴

According to an OSS report to the SHAEF G-5, an unnamed Military Government Major operating in the town of Wuerselen, struggled with identifying a viable candidate for mayorship. As the Major patrolled the village, he interviewed several potential candidates, but alas settled on “Herr” Reuters, a 58-year old former cashier at a local coal mine. The Major determined that Reuters would be the most appropriate selection, and was impressed with Reuter’s enthusiasm. Reuter’s tenure as mayor was

¹¹² Earl F. Ziemke, *The U.S. Army in the Occupation of Germany: 1944-1946*, 140-1.

¹¹³ Ibid, 140-1.

¹¹⁴ Ibid, 140.

short lived, however, as it was later determined that in 1937, he succumbed to pressure by the local Nazi Party office to pay initiation fees and dues or be fired from his modest job. His replacement, Herr Jansen, was reportedly not as effective and was not particularly motivated to be mayor, however was not a Nazi, and therefore deemed more appropriate according to U.S. policy. A similar episode occurred in Stolberg, where the arguably more capable and well-respected initial mayor, Dr. Ragh, was replaced by an unproven Dr. Deutzmann, who was not a Nazi.¹¹⁵ For the Military Government Detachment commanders, unbeknownst to them at the time, these experiences shaped an appreciation for the complexities of things to come, as Potsdam steadily approached.

Reports from Crailsheim indicated that beyond the difficulties in identifying qualified non-Nazi Germans to fill public offices, there might have been an element of coercive influence by still outstanding pro-Hitler elements. Military Government appointed public officials reported receiving death threats against them, which were signed by “The Werewolf.”¹¹⁶ In some cases, the previous German administrator was allowed to remain in their post. While some were successful in surviving the denazification vetting process, the mayors of Adenau and Geisenheim were arrested for previous Nazi activities.¹¹⁷ Similarly, some hastily appointed Military Governor-

¹¹⁵ Ibid, 140-1.

¹¹⁶ Star quoted a “Military Government in Cologne,” report, 15th U.S. Army, History division files, in Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, 22-3,

¹¹⁷ Star quoted a Military Government Weekly Field Report Number 43, 7 April 45. report, 15th U.S. Army, History division files, in Star, Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, 22-3.

approved mayors were removed from service after the vetting process took hold. These removals due to Nazi affiliation occurred in Bad Godesburg, Duehl, and Puchheim.¹¹⁸ According to LTC Ray Hickingbotham, an intelligence officer, the Catholic Church continued to provide outstanding insight into Military Government appointments of local administrators. Many Nazis simply vacated their posts in local administrations before or during the arrival of U.S. troops. However, a few attempted to remain in office.¹¹⁹ The Catholic Church and anti-Nazi groups helped to ameliorate this situation.

Once the military governor appointed the town mayor, it was the duty of that appointee to then select their German subordinates required to administer the area. Then, these principles would in turn hire those Germans they required to support local governance and public services. As these selections occurred at each level, the Military Governor would vet the individuals at each subsequent echelon for appropriateness of service based on denazification policy.¹²⁰

Recasting Society Through Education

In accordance with General Eisenhower's Proclamation No. 1, Allied commands, supported by Military Government detachments, suspended the German educational

¹¹⁸ Ibid, 23.

¹¹⁹ Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, 24; for more information on Hickingbotham, including his work with the CIA, see National Archives <https://aad.archives.gov/aad/record-detail.jsp?dt=893&rid=1358886>.

¹²⁰ Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, 28.

system.¹²¹ In accordance with the December 1944 Military Government Directive, all schools were to be closed or suspended, and all academic materials to be reviewed and purged of Nazi propaganda. SHAEF G-5 worked to identify solutions to furnish replacement textbooks, which would be the only authorized academic materiel. As results to find appropriate textbooks were unsuccessful, the G-5 at SHAEF through effective reach-back efforts, likely through interagency support, identified a set of 1933 pre-Nazi textbooks at the Columbia University Library, in New York. An initial batch of 5,000 were printed, with an additional 4,000,000 on order by the end of the summer.¹²²

Additionally, directives demanded that militarists and Nazis be purged from the ranks of the German education system. Among the first schools reopened were the schools in Aachen as late as June 1945.¹²³ Besides the effects of not educating any German youth for an entire school year of September 1944 through June 1945, the action of suspending the schools put thousands of schoolchildren in the streets. The Military Government courts experienced a notably high number of children as offenders in crimes. Some of these offenders were of the Hitler Jugend, the male German Youth association,

¹²¹ See Eisenhower Proclamation 1, annex 1; for military governor activities, see Joseph Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet Number 57.

¹²² Ibid, 112.

¹²³ Ibid 118-19.

and the Hitler Bund Deutscher Madel, or the League of German Girls.¹²⁴ However, the infamous Werewolf Movement were largely quiet.¹²⁵

Denazification of the Police and Germany Constabulary

Throughout early 1945, as the complexities of the directives regarding the decentralization, demobilization and denazification flowed through German towns and cities, Military Governors faced the problem of continuing to secure the populace against both local lawlessness. As Aachen was one of the earliest towns to be occupied, it served as a model for transitional security measures. In the fall of 1944 the initial police force in service when the 1st Army Forces arrived either abandoned their posts or surrendered to the American Forces, the responsibility for popular security fell to the maneuver commanders and military governors. Threats to public safety included residual SS units accused of looting and fomenting an insurgency against U.S. Forces. CA and Military Government detachments attempted to identify and quickly vet incorporate former police officials back into service to defend Aachen. As the spring of 1945 approached, military governors supported both their maneuver commanders and local German officials to

¹²⁴Beginning in the mid-1930s, Hitler youth groups were the largest social groups in the Nazi Party, as nearly all German youth were direct members or otherwise influenced by the organization. There was focus toward adolescents from ages 14-18. The girls' clubs were specifically treated differently, as their place in Nazi society was that of pro-creation, while the boys would carry the torch of Nazism and German pride. For more information, see Dagmar Reese, *Growing Up Female in Nazi Germany*, translated by William Templer (Ann Arbor, MI: The University of Michigan Press, 2006), 1-2, passim.

¹²⁵ Joseph Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet Number 57, 119.

understand the nuances of JCS 1067 and the Yalta Agreements, especially with regards to denazification and decentralization.¹²⁶

A Shift in the Command and Control of Military Government Units–The Clay Era

During the described “semi-static conditions,” military government detachments faced two different experiences with regards to their area of operations. The first condition is described as continual emplacement and displacement as they units remained attached to their supported maneuver command. As the maneuver commands left an area of responsibility to continue the advance, the CA units would pick up and likewise displace.¹²⁷ Similarly reported by CA Teams in the Iraq case study, this likely contributed to the inability for Military Governors and Civil Affairs Soldiers from developing a full understanding of their assigned area of operations, and frustrated relationships with the local populace.

The alternate experience during the semi-static conditions occurred when detachments paused in a town to establish governance. During this phase, it was not uncommon for maneuver units to continue the advance towards their SHAEF-assigned area of responsibility, while leaving Military Government detachments in place. Starr explains an instance when in the town of Koeln, five different divisions passed through until the deployment situation calmed and stabilized. This created a situation where the

¹²⁶ Headquarters, European Command, *CIVIL AFFAIRS: Occupation Force in Europe Series, 1945-46: Public Safety*, (Frankfurt-AM-Main, Germany: European Command, Office of The Chief Historian, CARL 940.5338015 c582, 1947) 8-10.

¹²⁷ Joseph Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet Number 57, 53.

local military governor, the division commander, promulgated rules, curfews and regulations that were at times discontinuous with those of the previous division commander. In these situations, Military Government detachments did what they could to normalize the impacts.¹²⁸ The most significant episode during this period, however, was the arrival of then Lieutenant General Lucius D. Clay on 15 March 1945.

In the spring of 1945, at General Eisenhower's request, Lieutenant General Lucius D. Clay was appointed to be General Eisenhower's deputy for Military Government at SHAEF. Remarkably, while Clay was well regarded and had a record of strong service under Eisenhower as an engineer, he had neither military governance training nor skill in the German language. Similar to his World War I predecessor, General Allen, Clay did not know the intricacies of the job he would soon assume. However, Clay was a highly intelligent and experienced engineer, with intense focus and an ability to learn quickly.¹²⁹ His initial meeting with President Roosevelt just before deploying to Germany was especially informative, as it provided him insight into the faith the Commander in Chief had in him, as well as the President's opinion of Germans.¹³⁰

The appointment of Lucius Clay brought with it a new era in military governance, as well as more nuanced interpretations of JCS 1067 and the directives therein. Aside

¹²⁸ Ibid, 53-4.

¹²⁹ Dean A. Nowowiejski, *The Diplomat and the Democrat*, (Ph.D. dissertation, Princeton University, 2008), 114, passim.

¹³⁰ Lucius D. Clay, *Decision in German*, 5.

from his simultaneous flexible interpretation of the directive and dismay with the severity and harshness of the document, Clay made significant strides in facilitating effective Military Government detachment operations, while shielding his detachments from frictions of the command and confusion over policy.

Upon his arrival, he worked tirelessly to ensure that his assignment at SHAEF reflected the importance of his role as the lead in military government. Instead of allowing his position to become subordinate to the SHAEF Chief of Staff, he ensured that his direct report was General Eisenhower, SHAEF Commander. In as much, he assumed duties as the Deputy SHAEF Commander, Military Government, while the Chief of Staff, then LTG Beddell Smith, became the Deputy for Military Matters.¹³¹

This realignment allowed General Eisenhower to focus on other issues within the theater, but it also raised the role of military governance to the position of prominence it deserved, and somewhat isolated it from maneuver operations. This was important because, in Clay's words, military governance issues "were not military issues. They were political."¹³² This also likely informed his decision later in 1947, when assigned as the USFET commander, to retain command of the Office of Military Government. Clay's biographer, Jean E. Smith, attributed this shift as a key contributor to the success of the U.S. Occupation of Germany.¹³³

¹³¹ Jean E. Smith, *Lucius D. Clay: An American Life*, 223.

¹³² Ibid, 227 for the quote, else, passim.

¹³³ Ibid, 225, also for line and block chart.

Among Clay's many advisors, he recruited several of them through a recruitment office at the Pentagon. Considering he was to fall in on a military headquarters, and his keen understanding of the complexities and inherent interagency requirements of military governance as a uniquely political form of military operation, Clay recruited several academics. Among these were college professors with whom Clay had either worked previously, or were familiar. Among this group, was Professor James K. Pollock of the University of Michigan, Political Science Department. CA officers who trained under Pollock at the University of Michigan-School of Military Governance satellite campus recommended Pollock to Clay. Among Pollock's other major contributions, was the plan to divide up the U.S. Zone of Occupation into four smaller zones, called *Landers*, as well as the coordinating body, the *Landerrat*.¹³⁴ Another notable civilian academic within Clay's inner circle was Professor Walter Dorn Clay's "Denazification advisor."¹³⁵

Early Frictions with Denazification

The unclear directives with regards to "lesser Nazi" continued to complicate Military Governance operations in the spring of 1945. While those ardent Nazis, who are appropriate candidates for transitional justice were easily identified, determining the extent to which "lesser Nazis" could continue in public office proved to be more problematic. Additionally, while the SHAEF directives during combat operations for denazification in March 1945 were not specific with regards to those Nazis who held

¹³⁴ Bentley Historical Society, University of Michigan, *James K. Pollock Papers*, extracted from <https://deepblue.lib.umich.edu/handle/2027.42/107669> on 04 March 2017.

¹³⁵ Jean E. Clay, *Lucius D. Clay: An American Life*, 231-232.

loose party affiliations, the 12th Army Group Staff opted to advance the policy to a more restrictive version.

Military governors under the U.S. 12th and 6th Army Groups identified a distinction between the Army Group interpretation and directives of denazification policies, with those from SHAEF. The SHAEF policies directed the exclusion of Nazis of a certain stature and party participation from government and public life, while allowing subordinate commanders and military governors to grant leniency towards “lesser Nazis.” The 12th Army Group interpretation of the policy included the requirement to release from service all Nazis, even those who were “lesser sympathizers.”¹³⁶ Consequently, the U.S. subordinate Army Groups intensified the denazification policies with verbiage that was more strict and directed the removal of all Nazis from positions of influence or trust.¹³⁷ This approach hamstrung military governance efforts to effect governance, and likely sowed the seeds for General Clay’s eventual splitting of the military government command from the authority of the maneuver commanders.

Joseph Star of the European History Division assessed that the nuanced yet significant divergence occurred because of the differing perspectives of the multinational command at SHAEF. Star asserts that while the American leadership took a more strict and harsh stance against the Nazis, the British leadership acknowledged the need for a more nuanced approach. This latitude promulgated by the British leadership

¹³⁶ Star, Joseph R. *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet 56, 78-82.

¹³⁷ Joseph R. Star, *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, 26-7.

acknowledged the need to balance the principles of denazification with the real requirements to administer and rebuild Germany.¹³⁸

Whatever the reason for the misalignment of priorities, the differing interpretations of the denazification policy led to a situation of inconsistent enforcement. The results of a series of surveys of military government detachments in July 1945, and the reports of an inspection team in the summer of 1945 supported this assertion. Military Government detachments reported that they would abrogate their duty to completely purge a political system or public service of all Nazis, if their efforts would remove key and vital technicians required to maintain public service and public order. Additionally, inconsistent interpretation of the directives from SHAEF, the *Handbook*, and the Army Groups contributed to the mixed results.¹³⁹ Additionally, some Military Government detachments were accused of relying too much on the Counter-Intelligence Corps to conduct the denazification research and background checks, where the assumption was that the detachments would conduct most of the vetting themselves. This was likely due to the differing utilization directives by maneuver commanders described earlier in this chapter. A July 1945 denazification policy revision rectified this situation.¹⁴⁰

¹³⁸ Ibid.

¹³⁹ Joseph Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet Number 57, 92-3.

¹⁴⁰ Ibid, 93.

Summer 1945 through Transition to Germans

The spring and summer of 1945 brought a series of expansive changes to the denazification program, which were largely driven by policy, and was marked by two major events. The first was the unconditional surrender by Germany to the Allies on 1 May 1945. Colonel General Gustav Jodl, the Chief of Staff of the Interim German Government, signed the instrument of surrender, which was later confirmed by the other German military chiefs on 09 May 1945. The information of the surrender was then broadcast by various means, all throughout Europe. This messaging certainly provided Nazi and non-Nazi Germans alike an understanding of what was to come.¹⁴¹ The policies set forth during the Yalta Conference in February 1945 were re-emphasized during the period between May and August 1945.

The Yalta Conference of February 1945 between Prime Minister Churchill, President Roosevelt and Marshall Stalin drafted a succinct, one paragraph listing of objectives. Among the many measures that included the demobilization and demilitarization of the German Armed forces, were the goals and aims regarding Nazism. See the quote below from the Yalta Conference Pronouncements:

“It is our inflexible purpose to...wipe out the Nazi Party, Nazi laws, organization and institutions...and remove all Nazi and military influence from public offices and from the cultural and economic life of the German people.”¹⁴²

¹⁴¹ Office of the Chief Historian, *The First Year of the Occupation: Occupation Forces in Europe Series, 1945-1946*. European Command, (Frankfurt-AM-Main, Germany, European Command, CARL REF 940.5338O15 E891), 2.

¹⁴² United States Department of State, “Communique Issued at the End of the Yalta Conference: Report of the Crimea Conference,” *Foreign Relations of the United States: Diplomatic Papers, The Conference of Berlin*, (Washington, DC: Office of the

While the totality of the U.S. Military and arguably the U.S. Government would support the measures enumerated as a result of the Yalta Conference, a large portion of the governance and what would eventually be called denazification would fall at the feet of the CA and Military Government detachments.¹⁴³ The second major event that marked the turning point in mid-1945 was the Potsdam Agreement, which amplified the messaging from the Yalta Conference.¹⁴⁴ General Clay reflected on the Yalta Conference as a watershed moment, where the tone and essence of the upcoming occupation and stances on Germany were truly codified.¹⁴⁵

The phase of the occupation that began with the Potsdam Conference is said to have marked the beginning of the mature phase of the occupation, both with regards to policy and organization.¹⁴⁶ The Potsdam Conference, from 17 July through 02 August 1945, was the diplomatic meeting between President Truman, Prime Minister Atlee, and Generalissimo Stalin, all of whom were the members of the Control Council. The ensuing Potsdam Agreement represented the output, which largely reflected U.S. interests represented during the Yalta Conference, established the post-defeat occupation zones of

Historian, US Department of State, 1945), accessed 13 January 2017, <https://history.state.gov/historicaldocuments/frus1945Berlinv02/d1417>.

¹⁴³ Office of the Chief Historian, European Command, *The First Year of the Occupation*, 48.

¹⁴⁴ Ibid, 92

¹⁴⁵ Lucius D. Clay, *Decision in Germany*, 13.

¹⁴⁶ Office of the Chief Historian, European Command, *The First Year of the Occupation*: 90.

Germany and the decentralization of the German Government. Furthermore, the conference introduced the four D's of the Allied Occupation. These were demilitarization, decentralization, decartelization, and denazification.¹⁴⁷

First issued in April 1945, then confirmed and re-issued in August 1945 after the Potsdam Conference, Department of State document number 769, "Directive to the Commander in Chief of United States Forces of Occupation Regarding the Military Government of Germany," set forth the policies under which the U.S. military governor would administer Germany in support of the Allied Control Authority, then the Control Council of Germany. While the provisions and directives for Economic Controls, Demilitarization, Suspected War Criminals, Political Activities, Control of Information, German Courts, the Police and other segments of society each received between two and four paragraphs of directives and recommendations, the Denazification section received 11 paragraphs. The wide sweeping directive on denazification addressed a wide range of topics from identification of members of the Nazi party and participation in just about all segments of society, to the disposition of finances and the arts and archives. At least by volume of words, the denazification section carried by far the most weight in the document.¹⁴⁸ Denazification efforts by each nation under the Allied Control Authority

¹⁴⁷ United States Department of State, Directive to Commander-In-Chief of United States Forces of Occupation Regarding the Military Government of Germany (Washington, DC: U.S. Department of State, 17 October 1945 CARL N-13279), *passim*.

¹⁴⁸ *Ibid*, *passim*.

conducted activities within the framework of the Internal Affairs and Communications Directorate, Public Safety Committee, Nazi arrest and Denazification Sub-Committee.¹⁴⁹

On 15 August 1945, General Eisenhower signed the U.S. Forces European Theater “Removal of Nazis and Militarists,” memorandum, and in turn distributed the directive to the Commanding Generals of 3rd U.S. Army– Eastern Military District, and the 7th U.S. Army – Western District.¹⁵⁰ This directive reflected General Eisenhower’s interpretation of the Potsdam Conference policies set forth by President Truman. The clarification of the policy served to normalize the wide interpretation of the laws, as well as accelerate the stagnating program as described in earlier sections. The key reference document was the 07 July 1945 “Administration of Military Government in the U.S. Zone of Germany,” which established Military Governance directives.¹⁵¹

Law Number Eight, established in September 1945, expanded denazification from restricting Nazis from holding public office, to those that held influence, by wealth or other means, “in quasi-public or private enterprises.” The directive continued to explain that Nazis may not retain wealth, and that wealth and influence in private enterprises can

¹⁴⁹ Office of the Military Government, United States, *Report of the Military Governor of the U.S. Zone, August 1945*, Number 1, (Germany: U.S. Forces, European Theater, 1945), 24-5.

¹⁵⁰ Note, the Western and Eastern Military Districts would be renamed the 3rd U.S. And Seventh U.S. Army Areas, respectively on 02 January 1946, and the 3rd Army would eventually take over all occupation duties in the American Zone on 31 March 1946, at which time the Seventh Army was inactivated; see Office of the Chief Historian, *The First Year of the Occupation*, 148-50

¹⁵¹ Headquarters, U.S. Forces European Theater, *Removal of Nazis and Militarists*, Directive to 3rd and 7th U.S. Armies, 15 August 1945, (Germany: U.S. Forces, European Theater, 1945, CARL N-11015), 1-2.

equal the influence of individuals in public office. Furthermore, the decision for continued service for Nazis of nominal party participation lay at the feet of the local Military Governors, with approval by the maneuver commanders. After September 1945 when General Clay arranged for direct command authority over the military governors from his position as deputy USFET Commander for Military Governance, the discretionary authority followed the Military Government Detachment commanders themselves.

The expansiveness of Law Number Eight further complicated Military Government detachments efforts to facilitate local governance, and in some cases, somewhat severed the relationships between the governors and their German counterparts. The occasions when Military Governors incorrectly identified allegedly innocent Germans as former Nazis was especially divisive. Generally, reaction to Law Number Eight fell along a spectrum of extremes. In the case of the Bremen Enclave, business owners who were former Nazis or employed those who were, in some instances, attempted to change their surnames to escape the Military Governor's attention. In Briesbach, the opposite condition also occurred. Local German's, who all along used denazification policies to inflict retribution against their neighbors for past indiscretions, leveraged the expansiveness of Law Number Eight to further their efforts.¹⁵² Law Number Eight brought about an unnecessarily harsh approach to a program that was already difficult to truly manage effectively.

¹⁵² Bianca J. Adams, author of several World War II papers and books, is as of 2017, a public historian at the U.S. Army Corps of Engineers. Bianka J. Adams, *From Crusade to Hazard: The Denazification of Bremen Germany*, (Lanham, MD: Scarecrow Press, 2009), 37-40.

Denazification Protocols Become Official – The Expansive Period

As General Lucius Clay entered the foray of Military Governance and denazification, he provided specific guidance and policy interpretation to the execution protocols for denazification. Among significant changes, was the introduction of the Military Government Denazification Review Board. The Board's primary duty was to review cases of individuals of Nazi linkages who served in duties of responsibility and influence within society. In addition to the Fragebogen, the Board incorporated a review of other governmental records, intelligence reports, newspapers and other media. The results were categorized by five demarcations: Mandatory removal; discretionary removal with adverse recommendation; discretionary removal with no adverse recommendation; no evidence of Nazi activity; and evidence of Nazi activity.¹⁵³

Organizational Changes

In terms of organization for denazification efforts, the Special Branch of the Public Safety sections of the larger Military Government Detachments were expanded. These offices were foreshadowed in the *Handbook for Military Governance*, but did not come into fruition until the summer of 1945. Their primary tasking was to direct the denazification effort through document analysis and vetting of public officials. They were also charged with refining the Fragebogen, and to ensure the widest possible distribution to Military Government detachments. Additionally, the Special Branch elicited the

¹⁵³ Office of the Military Government, United States, "Denazification: Cumulative Review," In *Report of the Military Governor: 01 April 1947 through 30 April 1948*, No. 34; Frankfurt am Main, Germany: European Command, 1948), 2.

assistance of Germans, whereby the German staffs would assist in document analysis.¹⁵⁴ The inclusion of Germans on the denazification staffs could be viewed as a precursor to the eventual turnover of the program to the Germans in 1946.

As the U.S. Military Districts were redesignated from the Western and Eastern Military Zones to the 1st and 3rd Army Areas, the gap between tactical and military government control widened.¹⁵⁵ In the 3rd Army Area, OMG established the Office of Military Government-Bavaria as an independent and separate command, first commanded by Brigadier General Walter J. Mueller. There were regular coordinating meetings between the tactical and military government commands, and that the two organizations synchronized operations when appropriate. However, the separate command of military governance units set the conditions for a more streamlined crosscutting military government effort, somewhat more independent from the particular maneuver commander's intent.¹⁵⁶

Aside from the staff support to SHAEF and USFET in the form of G-5 staff officers, the 1945 organizational template had the Office of Military Government, United States, at the US Forces European Theater Headquarters.¹⁵⁷ A flag officer held this billet

¹⁵⁴ Joseph Star, *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, Training Packet Number 57, 94-5.

¹⁵⁵ Headquarters, European Command, *CIVIL AFFAIRS: Occupation Force in Europe Series*, 120.

¹⁵⁶ *Ibid*, 126.

¹⁵⁷ The contemporary term for major staff sections at Division and above, and Joint commands, is "Directorate."

and eventually held purview over all US Military Government organizations. The subordinate elements were the Office of Military Government, U.S. Zones of Occupation. After the Potsdam agreement, the Allied Control Authority established the Office of Military Government for Germany (U.S.). At the Land directorate level, OMG-Bavaria, Grosshesson and Wurttemberg-Baden, Berlin District, and the Bremen Port Command all fell under the command authority of the Deputy Military Governor.¹⁵⁸

Further re-organizations occurred in March of 1946, when 7th U.S. Army inactivated as part of the drawdown of combat forces. 3rd U.S. Army assumed control over of the entirety of the U.S. Zone and incorporated the Berlin District, the Bremen Enclave, and Headquarters Command of USFET. Further efforts to reduce the number of headquarters in early 1946 included the inactivation of the Office of Military Government, U.S. Zone, and consolidated into the Office of Military Government U.S. (OMGUS), directly subordinate to USFET, and the newly designated USFET G-5 Division.¹⁵⁹

Reporting

Potsdam led to a major change to OMGUS reported the periodic results of activities. First introduced in August 1945, the *Military Government of Germany, Monthly Report of the Military Governor, U.S. Zone* was a series of monthly reports

¹⁵⁸ Headquarters, European Command, *CIVIL AFFAIRS: Occupation Force in Europe Series*, 130-38.

¹⁵⁹ *Ibid*, 128.

signed by General Eisenhower, as the “General of the Army and Military Governor.”¹⁶⁰ Lieutenant General Lucius D. Clay had provenance and responsibility over the reports, as he was the Deputy Commanding General for Military Governance. Once Clay consolidated command as the dual-hatted Military Governor and Commander of USFET in 1947, only his signature was present on these monthly reports.¹⁶¹

These reports were quite robust, organized in a thematic structure with upwards of 150 pages per month. The introduction typically included information on governance, denazification, education, industry, political affairs, as well as a synopsis of the several other books and pamphlets that comprised each episode. Several pamphlets that together comprised one book or episode included titles such as Industry, Finance and Property Control, Communications, and in the 1946 episodes, Denazification.¹⁶²

The section entitled “Denazification,” covered a wide range of topics, and typically opened with an analysis of recent proclamations and policies affecting denazification, along with the Military Government approaches to policy changes. The section also included the analysis of survey data evaluating German reactions to the program. Each episode boasted a roll-up of the number of Fragebogen distributed,

¹⁶⁰ Office of The Military Government of Germany, *Monthly Report of the Military Governor, U.S. Zone*, Number 1, August 20, 1945, (U.S. Forces European Theater, 1945, CARL N-11566).

¹⁶¹ Office of The Military Government of Germany, *Monthly Report of the Military Governor, U.S. Zone*, Number 30, December 20, 1947. (U.S. Forces European Theater, 1947, CARL N-11566), passim.

¹⁶² Office of The Military Government of Germany, *Monthly Report of the Military Governor, U.S. Zone*, Numbers 1-50, 1945-49. (U.S. Forces European Theater, 1949, CARL N-11566), passim.

received, and the particulars of the adjudication process. The detailed reports clearly demonstrated the value of the deliberate denazification plan and execution.

The Office of Military Government United States, Weekly Intelligence Summary, another important periodic report, reported on important topics. The reports featured surveys of the opinions of Germans regarding denazification and Military Government efforts. These products provided a valuable assessment of the progress of the program in terms of the measures of performance, as well as initial readings as to the effects of the program.¹⁶³ It is unclear as to the origin of these reports, whether they were directed by USFET or OMGUS. However, their utility cannot be overemphasized. Examples of the valuable reporting occurred in issues 41, May 11 1946, issue 42 from 18 May 1946, and issue 44 from 01 June 1946, and they have been incorporated into the remainder of this section. One such example, *OMGUS Intelligence Summary, Issue 41*, described the state of German Youth, their general wellbeing, and their attitudes toward Nazism.¹⁶⁴

Denazification of Government and Judicial System

Aside from changes to denazification policy set forth in the Potsdam agreement JCS 1067/8, vetting of governance officials continued along a similar path as they had since the Fall of 1944. There were some instances where Military Governors were fortunate enough to have identified viable, non-Nazi candidates for local leadership in the

¹⁶³ Office of Military Government, United States, Information Control Branch, *Intelligence Summary: Weeks 1-60*, (U.S. Forces, European Theater CARL N-12635-1), passim.

¹⁶⁴ Office of Military Government, United States, Information Control Branch, *Intelligence Summary, Week 41, Ending 1 May 1946*, (U.S. Forces European Theater, CARL N-12635-41), 4-6.

early days of the Rhineland Operation, as well as during the subsequent rapid phases to the final objectives in May of 1945. In these cases, the locally appointed German leaders were permitted to continue governing, thus ameliorating the Military Government detachments from the requirements of balancing SHAEF and USFET denazification, demobilization, decartelization and decentralization requirements under the directives of the Summer of 1945. In a 1975 interview at Duke University, Clay explained that Military Governors often turned to university professors to fill the roles as local German administrators, as they did not succumb to the same level of influence under the Nazi Regime.¹⁶⁵ This was the case in Munch.

Lieutenant Colonel Eugene Keller, the Military Government detachment commander in Munich, was one of the lucky military government officers who identified an appropriate German administrator within the first four days of his arrival in Munich. This individual, Dr. Karl Scharnagl, a former Nazi political prisoner who was interned in the Dachau Concentration Camp in Germany, was appointed the Munich *Oberbuergermeister*.¹⁶⁶ Keller observed that Scharnagl's appointment had a stabilizing effect on the populace. Scharnagl was subsequently elected mayor by popular vote in 1946, and continued to serve at least through 1947, where the source report ended.¹⁶⁷

¹⁶⁵ Duke University Living History Program, 1973-2005, *Lucius D. Clay*, accessed 06 March 2017, www.youtube.com by Rutherford Living History.

¹⁶⁶ Geschichte der CDU, *Karl Scharnagl*, accessed 05 March 2017, <http://www.kas.de/wf/de/37.8306>.

¹⁶⁷ Historical Division, *Military Government in Munich*, Special Studies Series, Volume 1, Number 3, 1951. (European Command, 1951, CARL REF 940.5338015 M644), 5-6.

Recasting Society through Informal Education: German Youth Activities

Besides efforts to re-open German Schools and replace Nazi propaganda-laced materiel, Military Government Branch also addressed informal education. SHAEF assigned provenance over this line of effort to the Education and Religious Affairs Branch of SHAEF G-5 in early 1945. The G-5 maintained control over what would be called the German Youth Activities program until the conclusion of the program in 1955.¹⁶⁸

Children and adolescents in Germany were exposed to a variety of Third Reich, state-sponsored influences within the Nazi framework. The *Hitlerjugend*, led by Baldur von Schirach, according to Third Reich regulations dating to 1936, required total enrollment amongst all German children. At his trial in Nuremburg, von Schirach exclaimed that he had the children of Germany for 12 years, to educate in the ways of National Socialism and obedience to Hitler. “Now, they are yours!” von Schirach then proposed that the U.S. re-educate the masses of the German youth, by initially educating the children of anti-Nazi parents, who will then influence the rest of the population.¹⁶⁹ However, there were also more sinister groups that swayed the attention of German youth.

¹⁶⁸ Historical Division, European Command. *The U.S. Armed Forces German Youth Activities Program, 1945-1955*, (U.S Army Europe, 1956, CARL REF 940.5338015 G373p). 2

¹⁶⁹ Historical Division, European Command, *Occupation Forces in Europe Series, 1946-47: German Youth Activities of the U.S. Army, 01 July 1946 -03 June 1947*, (Frankfurt-AM-Main, Germany: European Command, 1948, CARL REF 940.5338015 G373), 2.

Among the most notorious and shrouded in mystery, were the “Werewolves.” The Werewolves were a paramilitary group of young German adolescents and young adults who supported the *Wehrmacht*, and were notorious for their brutality. The spectrum of these groups, and their immediate effects on society were of great importance. However, the long-term impacts of this impressionable segment of society, indoctrinated around Nazism and Hitler fanaticism then coalesced together in opposition of U.S. and Allied occupation forces, were of grave concern. It was incumbent upon General Eisenhower to prioritize re-establishment of the formal German education systems, and formulate approaches to informal education through youth programs.

In July 1945, USFET authorized local German leaders to establish work parties to clear the rubble from the streets, prepare the schools for enrollment, and execute other related public support functions. Additionally, Military Government established youth offices, called Jugendaemter, and staffed them with local German administrators. The Jugendaemter existed to care for delinquent children and others who required assistance. By September, the 7th U.S. Army, Western Zone, supported by the 2nd Military Government Regiment, established the first broad-based German youth program.¹⁷⁰ The 7th U.S. Army Commanding General, Lieutenant General Geoffrey Keyes’ intent for the youth program was that it specifically address the “idle and restless youth, subject to

¹⁷⁰ Headquarters, European Command, *CIVIL AFFAIRS: Occupation Force in Europe Series*, 120.

possible subversive influences.” Other program goals were to informally affect societal democratization through the youth, a key Potsdam policy.¹⁷¹

In October, USFET established a procedure for local *Germans* to voluntarily establish German youth programs, under the control and supervision of Military Governors. Expectedly, the local Military Governor was responsible for accepting the appointments and administration of the local German leaders. In light of this directive, 7th Army withdrew its occupation troops from the Western Zone programs, and turned over control to the local German authorities.

When USFET plans to fully support the fledgling German Youth Activities program materialized in April 1946, juvenile delinquency had already doubled within the U.S. Zone from 996 to 2,485 over the preceding six months. USFET leadership determined that the program must be expanded from simply occupying the time of young Germans, to more fully and succinctly re-education the youth of Germany to ensure future stability. At this point, the program became a major focus, and the program was transferred to the USFET G-3 to amplify the conduct of the program.¹⁷² As a result of concerted efforts by the command and the maneuver divisions, the German Youth

¹⁷¹ Historical Division, United States Army Europe, *The U.S. Armed Forces German Youth Activities Program, 1945-1955*, 3-6.

¹⁷² Historical Division, European Command, Occupation Forces in Europe Series, 1946-47: German Youth Activities of the U.S. Army, 01 July 1946 -03 June 1947, (Frankfurt-AM Main, Germany, 1948, CARL REF 940.5338015 G373), 4.

Activities saw tremendous growth of participation in the hundreds of thousands, including 83,000 in Hess in 1949.¹⁷³

The disposition of the denazification policies with regards to the German youth required specific adjudication. Besides the Werewolves, former Hitlerjugend youths posed a significant problem to the occupation forces in terms of delinquency. Military Government Regulatory guidance indicated that these children were automatically Nazis subject to societal and educational marginalization and exclusion, however this classification would prevent rehabilitation. In August 1946, OMGUS ameliorated this dilemma by granting amnesty to those born after 01 January 1919 to exonerate anyone under the age of 26 when the war ended.¹⁷⁴ This had the effect of acquitting 900,000 “incriminated persons.”¹⁷⁵

Recasting of Society through Formal Education: Lustrating then Reforming Schools

A Special Study Series published by Chief of the Office of Military History, European Command in 1951, examined Military Government in Munich. Among the many problems the Military Government Detachment commander Lieutenant Colonel Eugene Keller faced on 01 May of 1945 as he arrived at his assignment with to meet his new detachment, was that of negotiating the delicate balance between his duties as a civil

¹⁷³ OMGUS, *Monthly Report of the Military Governor, U.S. Zone*, Number 50, September 20, 1949, 50. CARL N-11566.

¹⁷⁴ Headquarters, United States Army Europe, Historical Division. *The U.S. Armed Forces German Youth Activities Program, 1945-1955*, 1956, 13.

¹⁷⁵ William E. Griffith, “Denazification in the United States Zone of Germany,” in *The Annals of the American Academy of Political and Social Science*, Vol 267 (January 1950, 68-76), 72.

affairs officer to stave off starvation, disease and suffering, and his military governor duties to lustrate the local German civil government of “Hitlerites.” The author of the Special Study under review pointed out that there was a perception in the field that SHAEF’s primary concern was denazification, not local governance. With the shaping of this perception in mind, Keller moved about his business in Munich.¹⁷⁶

In addition to the local leaders, administrators and other public figures, Captain Kurt Baer, the denazification officer on Keller’s detachment also vetted University of Munich college professors, educators and other private yet influential figures in accordance with Military Government Law Number Eight. The task was daunting, yet the Detachment formed somewhat of an assembly line processing, in accordance with SHAEF advice, and completed the task within 90 days. While the preponderance of “Muencheners” were of the lesser form of Nazis due to party enrollment after 1937, still, the effects of denazification reverberated throughout Munich. This included the education system and public services.¹⁷⁷ However, denazifying the education system in Munich also required other measures to recast the education into an appropriate post-Nazi system.

Upon the order to reopen Munich’s schools in 1945 in accordance with OMGUS directives, LTC Keller and other Munich detachment commanders faced issues with school materials and labor. As the lustration components of denazification essentially gutted the teacher force, as with other areas in Germany, the Military Governors responded by quickly vetting and hiring new teachers. To prepare them for the re-opening

¹⁷⁶ Historical Division, European Command, *Military Government in Munich*, 1-5.

¹⁷⁷ Ibid, passim.

in the summer of 1945, Keller and his staff established a short training course. In terms of materiel, denazification of schoolbooks required the destruction of nearly all school materiel, as they were “saturated with Nazi propaganda.”¹⁷⁸ SHAEF then USFET recast education through book replacement programs.

Over the period of occupation in the post-Potsdam era, Military Government education initiatives to support the recasting of German society through primary and secondary education grew leaps and bounds. While the initial vetting of teachers in the early phases of occupation could be perceived as harsh and simplistic, the program matured. Military Government-sponsored teacher training programs boasted pan-European participation of Swiss, U.S., Dutch and French educators and consultants. This initiative advanced the effort to reframe education in an important way, with multinational influence.¹⁷⁹

Transition of Denazification, Lustration and Vetting to Germans

In March 1946, because of a Clay-ordered review of denazification in the pursuit of a permanent program and transition to German control, OMG announced the Law for Liberation from National Socialism and Militarism. The law, in German termed “Befreiungsgesetz,” gave the Germans significant responsibility over denazification through the establishment of German appeal boards and independent tribunals under American observation and review. There was a sense that the Germans would provide a

¹⁷⁸ Ibid, 12-14.

¹⁷⁹ OMGUS, *Monthly Report of the Military Governor, U.S. Zone, Number 50*, September 20, 1949, 50.

more nuanced approach to the process, and that they were indeed ready to take ownership of the future of German politics and society.¹⁸⁰

The OMGUS *Intelligence Summary Issue 42*, for the week ended 18 May 1946, described the transition from German support to denazification through the harsh and wide sweeping review boards under Law Number Eight, to nearly full German control under the Law for Liberation format, where Germans control all review boards, and simply seek final signatory approval from the *local* U.S. Military Governor. This report reveals that the confidence in the Liberation format's German review process by the Military Governor, and subsequent approving signature by the Military Governor was typically correlated to quality of the relationship between the U.S. and German representatives.¹⁸¹ The Germans developed the *Maldebogen*, similar to the U.S. questionnaire, the *Fragebogen*, to register the populace and determine inclusion in lustration activities.

In a report in "Issue 41" of the OMGUS *Intelligence Summary*, survey data and notes from the spring of 1946 revealed German public opinion relative to the announcement of the new policy. The report indicated that there was little understanding of the law amongst Germans,¹⁸² likely indicating poor dissemination on behalf of both the Americans detachments and the Germans who were taking charge of the program.

¹⁸⁰ William E. Griffith, "Denazification in the U.S. Zone," 70.

¹⁸¹ OMGUS, *Intelligence Summary, Week Number 42, Ending 18 May 1946*, 5.

¹⁸² OMGUS, *Intelligence Summary, Week Number 41, Ending 11 May 1946*, 1.

The report also revealed that the Germans polled appreciated the transfer of control of the program to Germans, yet preferred that the U.S. retain ultimate responsibility for the program. In general, many believed that the new provisions of the law would provide for more effective denazification. These effects of public sentiment over U.S. policy and its effects were revealed in the reports rife with percentages, cumulative counts and other metrics demonstrating achievement or lack thereof. The availability of the information, codified in widespread publication, is yet another indication of the value of the significant planning associated with the U.S. Occupation of Germany.

Results

Under U.S. supervision, Military Governors had approximately 11,000,000 Germans register using the Fragebogen. Because of the denazification programs while under direct U.S. control through 31 May 1946, Military Governors reviewed 1,252,364 applications, and identified 308,000, or roughly 25% of the cases under review as former Nazis who warranted exclusion from positions of influence over the public. More importantly, OMGUS determined that they had vetted nearly the entire workforce in public office as well as important influencers in private enterprise.¹⁸³ This is compared to the results of the period of denazification under German control from 01 June 1946 through 03 June 1948. During this period, the Spruchkammern, or German tribunal system, evaluated 3,623,112 possible candidates for punitive action, tried 887,252 of these, and found 117,523 or roughly three percent guilty to some degree.

¹⁸³ Of this total, approximately 168,000 were government employees, 82,000 were in business and industry, and 48,000 in other fields; see OMGUS, *Denazification: Cumulative Review*.

There were many reasons to explain the drop in the number of Germans deemed guilty of significant Nazi Party affiliation when the program transitioned to German control. These included the fact that the U.S. Military Governors already achieved significant efforts prior to the transition of the program to the Germans under the Law of Liberation. However, others argue that this decrease occurred as a result of German exhaustion with the program, and the desire to begin the reconciliation process.¹⁸⁴ In light of the dramatic decrease in “guilty” verdicts, Clay threatened the Germans with taking the program over again in November 1946 during his speech to the German Council of States, the *Landerrat*¹⁸⁵ although this message may have been made in rhetoric alone, as the U.S. faced an increase in Soviet Communist influence and began its strategic pivot to the east.

Conclusion

Ultimately, Civil Affairs and Military Government officers were admirable in their execution of the difficult, complex and controversial tasks of tearing down the remnants of the Nazi Third Reich, then setting the conditions for the establishment of a liberal German democracy. This is due in no small part to the professionalism, dedication and creativity of the individual Soldier. Additionally, that the occupation, and specifically denazification was so thoroughly planned, generally provided CA and Military Government officers with the understanding of policy, associated directives, and the tools

¹⁸⁴ Earl Ziemke, *The U.S. Army in the Occupation of Germany*, 446.

¹⁸⁵ John Herz, “The Fiasco of Denazification,” in *Political Science Quarterly*, Vol 63, number 4, December 1948, 569-594, 573.

to achieve such a monumental undertaking. Furthermore, the active participation of both maneuver commands and General Clay at the Office of Military Government assured a complete understanding of the execution and related effects of the program on the populace.

Warrior scholars such as Colonel John Kormann asserted that for Germany, the denazification process in and of itself, achieved success as a sort of cathartic purging of an unfortunate past, despite potentially mixed results as to numerical successful of the program.¹⁸⁶ The Nazi era in Germany is one that affected the whole of the nation, with continental and perhaps global impacts. A military in the millions attempted to conquer all of Europe, occupied major portions of it under a heavy hand, and was guilty of the mass atrocities associated with the Holocaust. The mental and emotional reconciliation of these atrocities and militaristic behavior in the mind of the average German as well as the fledgling government in 1947 were pre-requisites to successful emergence from the Nazi Era.

Despite the general success of the program and effects on popular culture, doctrine, and our understanding of history, the program of lustration and vetting of government officials through “denazification” re-emerged in the halls of the Pentagon and the White House in 2003. Policymakers and Iraqis in exile evoked the term

¹⁸⁶ Colonel John G. Kormann, a former paratrooper and long-serving diplomat, as well as Counter Intelligence Corps officer and Nazi hunter, wrote the history of the U.S. Army Denazification policy on behalf of the Office of the High Commissioner for Germany, the office that oversaw U.S. governance from 1948 through 1955. Kormann’s experience in Germany throughout the war and post-war era provided unique perspective on denazification. See John Kormann, *U.S. Denazification Policy in Germany, 1944-1950*, (Bad Godesberg-Mehlem, Germany: Historical Division, Office of the High Commissioner for Germany, 1952), passim.

denazification while referencing the program as an option for post-Saddam Hussein Iraq, and created the term “de-Ba’athification.” However, these policy makers and subsequent program executors failed to understand the immense complexity and revolutionary nature of denazification, nor the nuanced approach required for program success. Furthermore, the thoroughness of the plan, executed by a thoughtful and engaged leader, General Lucius Clay, were not replicated in Iraq.

CHAPTER 4

DE-BA'ATHIFICATION IN IRAQ, 2003

Ad Hoc is a hard way to do business.

— Colonel Kenneth W. Getty¹⁸⁷

One of my staff officers succinctly described the theoretical framework for the post-major combat operations campaign as 'ad hockery in action.'

— Colonel Peter Mansoor, quoting unnamed staff officer.¹⁸⁸

Introduction

There is much consternation as to the *jus ad bellum* in Iraq in 2003, as well as the appropriateness of the political transformation program in post-war 2003 Iraq, called de-Ba'athification. Critics argue that modelling the program after denazification, even if just by name and proclamation, was a cognitive misstep. There is a contention that de-Ba'athification was an inappropriate approach based on the culture and history of the Saddam Regime and his tenuous relationship with the Ba'ath Party itself. Others argue that the U.S.-led coalition was ill-prepared to engage in the post-war occupation and

¹⁸⁷ As quoted in Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort*, 1992 (Washington, DC: Center of Military History, 2004), 129.

¹⁸⁸ Colonel Peter Mansoor commanded 1st Brigade, 1st Armor Division during the invasion and subsequent occupation. He quoted one of his staff officers who made the comment above. See Peter R. Mansoor, *Baghdad at Sunrise: A Brigade Commander's War in Iraq* (New Haven, CT: Yale University Press, 2008), 109.

political transformation, even if the transformation was through the proxy of the Iraqi de-Ba'athification Council.¹⁸⁹

Changes in U.S. policy and military culture reflect a post-Cold War shift away from larger military formations and concepts of occupations to secure the peace, to an emphasis on technology as a way to leverage a smaller force, which implies a post-war policy bereft of significant stability and occupation discussions.¹⁹⁰ This chapter does not argue the merits of the policy. Instead, this paper argues that the U.S. Army Civil Affairs Regiment, the organization most qualified to execute de-Ba'athification, were not appropriately employed to support the program, therefore represented a missed opportunity to more closely control the execution and understand the effects.

The social reconstruction, military demobilization, and lustration in Iraq during Operation Iraqi Freedom were all executed under the umbrella of de-Ba'athification; the details of which will be described in following sections.¹⁹¹ The program occurred during two distinct phases: The first effectively began with General Tommy Franks' proclamation of the Liberation of the Iraqi people, April 16 through May, 2003¹⁹²; the second phase began in May 2003, when Coalition Provisional Authority Chief,

¹⁸⁹ For a brief examination of sources that argue against de-Ba'athification, see Thomas Ricks, *Fiasco*; Stuart Bowen, *Hard Lessons: The Iraq Reconstruction Experience*; Rajiv Chandrasekaran, *Life in the Emerald City*; Gordon W. Rudd, *Reconstructing Iraq: Regime Change, Jay Garner, and the ORHA Story*.

¹⁹⁰ Michael R. Gordon, *Cobra II*, 25.

¹⁹¹ Tom Baltazar, telephone interview by author, Fort Leavenworth, KS, 10 January 2017.

¹⁹² Franks' "Freedom Message to the Iraqi People," quoted in Tommy Franks, *American Soldier* (New York: Harper Collins, 2004) 528.

Ambassador and American “Proconsul” L. Paul “Jerry” Bremer issued Coalition Provisional Authority Orders One and Two, announcing de-Ba’athification and dissolution of the Iraqi Army. These proclamations added specificity and detail to General Franks’ Freedom Message, reminiscent of the accelerated denazification orders at the Potsdam Conference in Germany as compared to the period prior to the summer of 1945.¹⁹³

The de-Ba’athification policy authors did not fully understand the political and social landscapes in Iraq. This point was reflected in the way in which the policy was written and executed. Reportedly, the order was planned in a vacuum far removed from U.S. Central Command (CENTCOM) and Combined Forces Land Component Command (CFLCC) military leaders. Similarly, they were decided well before the delivery of the policies to the Office of Reconstruction and Humanitarian Assistance (ORHA) and subsequent Coalition Provisional Authority (CPA) officials.¹⁹⁴

Critics of the command structure, information flow, and interagency coordination during the early days of the Iraq War argue that the above issues provided for a problematic transition from major combat operations to stability and postwar reconstruction efforts. At best, these frictions created confusion amongst major stakeholders as to which organization had provenance over key reconstruction and stability tasks. At worst, this lack of clarity, and the deafening silence from United States Central Command (CENTCOM), Combined Joint Task Force-7 (CJTF-7), the ground

¹⁹³ Discussion of the de-Ba’athification orders follows.

¹⁹⁴ Interview with military officer, January 2017.

component command, and the Coalition Provisional Authority on how to implement the policy of de-Ba'athification led to relative tactical inaction in some cases, and ad hoc implementation in others.¹⁹⁵ Some assert that Ambassador Bremer may not have agreed with the policy to de-Ba'athify Iraqi society, and therefore did not manage the program aggressively to achieve decisive results.¹⁹⁶ While the CPA had the authority to execute the post-war stability efforts with CJTF-7 in direct support, insiders observed that Ambassador Bremer did not necessarily assert his political authority over CJTF-7 effectively.¹⁹⁷ This lack of unity of command created situations where the two organizations clashed over security and other policies. Nearly 60 years prior, Secretary Stimson set the conditions to where General Eisenhower, then General Clay, maintained unity of command over all efforts in Germany.¹⁹⁸

As a logical outcome of these conditions, Civil Affairs Regimental support to the program was equally indecisive and uninformed, across nearly all echelons, including the teams operating in support of maneuver Divisions as well as those in support of Special Operations elements. However, despite the absence of military policy and succinct guidance regarding de-Ba'athification, CA units in Iraq carried on with their assigned

¹⁹⁵ Tom Baltazar, telephone interview by author; Simon Gardner, interview by author, Fort Leavenworth, KS, 12 January 2017.

¹⁹⁶ Michael Hess, telephone interview by, Fort Leavenworth, KS, 31 January 2017, then Deputy Chief of Staff to AMB Bremer, Coalition Provisional Authority.

¹⁹⁷ Military Officer, interview by author.

¹⁹⁸ Ibid; ORHA, then CPA held political authority over CJTF-7; see Donald Wright in *On Point II*, 29, also 445 regarding clashes over security and political issues; Ricardo Sanchez, *Wiser in Battle*, (New York: Harper Collins, 2008), 177-180.

missions while attempting to achieve the effects of the program. The frictions and problems were compounded by the command structure in which maneuver commanders maintained control over local CA forces, dissimilar to post World War II Germany. Nonetheless, CA Forces in Iraq executed postwar activities under the umbrella of, and in some cases in spite of, the de-Ba'athification directives.¹⁹⁹

Strategic Context

The situation in Iraq in 2001 that prompted pursuit of further military intervention was that of Iraqi national repudiation of the no-fly zone, as well as reports of the harboring weapons of mass destruction. Additionally, President Saddam Hussein's Ba'athist regime was accused of atrocities against the Kurds in Northern Iraq, retribution against Shia groups for challenges to the regime, and violations of human rights. U.S. policymakers made the case for military intervention into Iraq to overthrow the Saddam Hussein and Ba'athist regime, and began planning in late 2001 for a 2003 invasion.²⁰⁰

¹⁹⁹ Tom Baltazar, telephone interview by author.

²⁰⁰ The presidential administrations of both William J. Clinton and George W. Bush have been described as “discontinuous” with regards to foreign policy. There is an argument to be made that the discontinuity between the Clinton (1992 – 2000) then Bush (2001 – 2010) administrations reflected a continuity of key administration influencers between the two Bush administrations, Vice President Dick Cheney and Undersecretary of Defense, Paul Wolfowitz; see James Dobbins, et al, *After the War: Nation Building from FDR to George W. Bush*, 138, Gregory Fontenot, E.J. Degen, David Tohn, *On Point: The United States Army in Operation Iraqi Freedom*, (Washington, DC: Government Printing Office), xxii; James Dubik, *Just War Reconsidered: Strategy, Ethics and Theory*, (Lexington: University of Kentucky Press, 2016), passim.

Prewar Planning and Organizational Preparation, 2001-2003

Early Policy Level Discussions

At the State of the Union Address on 29 January 2002, President Bush referenced Saddam Hussein as a member of the “Axis of Evil,” and from the start, had plans for a de-Ba’athification program of sorts.²⁰¹ While this was the first significant public pronouncement of the administration’s intent to increase the scale of military action in Iraq, planning efforts began in earnest during the fall of 2001, incorporating the CENTCOM contingency plans from 1998.²⁰² However, the administration and the military were still waging war in Afghanistan. While the Taliban were close to capitulating in early 2002, the administration did not effectively plan for the post-Taliban Afghanistan. This was likely attributable to the haste with which the U.S. entered the war, just one month after the September 11, 2001 attacks on the U.S. homeland.²⁰³

Dov Zakheim, a former DoD coordinator for defense activities in Afghanistan during the President Bush administration, explained that “there was no functional system of governance in Washington to support [those executing civil and military operations in the theater.]” Furthermore, Zakheim assessed that there were no systems and institutions

²⁰¹George W Bush, “Transcript of President George W. Bush State of the Union Address, 29 January 2002,” *Official Archives of the White House*, Accessed 07 February 2017, <https://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>; Michael R. Gordon and Bernard E. Trainor, *Cobra II: The Inside Story of the Invasion and Occupation of Iraq*, (New York: Pantheon Books, 2006), 160.

²⁰² Michael R. Gordon, *Cobra II*, 26-32.

²⁰³ James M. Dubik, *Just War Reconsidered: Strategy, Ethics and Theory*, (Lexington: University of Kentucky Press, 2016), 37-41

to adequately develop sound policy.²⁰⁴ The disconnect between sound post-war planning and policy and the U.S. military campaigns plagued the Department of Defense throughout 2002 through 2003, the critical phase in the development and execution of the combat and post-war stability efforts, including what would become the de-Ba'athification program.

According to Douglas Feith, the Undersecretary of Defense for Policy during the early planning and execution of Operation Iraqi Freedom, the National Security Council Deputies Committee wrestled with the decision of how to classify the post-war stabilization and administration efforts. At the 25 July 2002 NSC meeting, Richard Armitage led the discussions through the lenses of two U.S. Department of State papers that proposed divergent viewpoints. The first proposal emphasized the message of “liberation,” highlighting the dangers of reprisal and acts of terrorism resulting from a loss of popular support for the Coalition.²⁰⁵ A liberation better aligned with indirect administration of occupation operations, which do not necessarily imply active vetting and lustration of government officials, but perhaps allows for largely Iraqi control over the process of national reconciliation and societal re-alignment.

The other paper reflected the requirement to administer Iraq directly, under the efforts of an interagency Transitional Civil Authority. The U.S. Department of State emphasized that the occupying force must work to not disenfranchise or marginalize Iraqi politically. Therefore, the Transitional Civil Authority must be prepared to be deliberate

²⁰⁴ James M. Dubik, *Just War Reconsidered*, 37-41

²⁰⁵ Douglas J. Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*, (New York: Harper Collins, 2008), 277.

in the political reconstruction of Iraq.²⁰⁶ Implicit tasks would include vetting potential government officials, lustrating the armed forces and the Iraqi bureaucracy, while also bringing to justice those responsible for atrocities against the Iraqi people and the international community. The President George W. Bush Administration seemingly pursued both courses of action. The first guided operations during the opening days of the conflict. The second option, which unofficially became a sequel to the first, began with the arrival of Ambassador Bremer and CPA.

On 11 February 2003, Under Secretary of Defense for Policy Douglas Feith, Under Secretary of State for Policy Marc Grossman, Retired Colonel Scott Feil, and other key planners testified before the Senate Committee on Foreign Relations over the future of Iraq. Mr. Grossman discussed the Iraqi State, and introduced the possibility of military operations to depose Saddam Hussein, although he did not reference the Ba'ath party directly. Grossman also discussed the findings of the State Department's *Future of Iraq Project*, including the body's findings to conduct transitional justice and national reconciliation. Mr. Feith framed the military operation as a liberation, not an occupation. Feith also warned observers to not draw parallels with U.S. efforts in post-war Germany. This stance remained consistent, at least publicly, throughout the planning and execution of the operation until Ambassador Bremer, Coalition Provisional Authority, announced de-Ba'athification and the initiation of an occupation.²⁰⁷

²⁰⁶ Ibid, 278.

²⁰⁷ United States Senate Committee on Foreign Relations, *The Future of Iraq*, 11 February 2003, Accessed 10 October 2016, <https://www.foreign.senate.gov/hearings/the-future-of-iraq>; see also http://www.dougfeith.com/docs/2003_02_11_Future_of_Iraq_SFRC.pdf), 17-19.

Feith identified Lieutenant General Jay Garner's Office of Reconstruction and Humanitarian Assistance as the key planning and execution organization for post-war reconstruction, with tasks to connect to Non-Governmental Organizational communities, the United Nations, and the coalition of partners, all to aid in reconstruction. Feith named the CENTCOM commander, General Tommy Franks, as the administrator of post-war Iraq. Regarding vetting, Mr. Feith announced that several interagency groups would share the responsibility of coordinating reconstruction and vetting of key governmental individuals with the goal of identifying stakeholders to continue to support for Iraqi reconstruction.²⁰⁸ Retired Colonel Scott Feil testified that the Ba'ath Party must be "completely dismantled," and that former leaders of the bureaucracy and the Iraqi Armed forces must be vetted before being allowed to return to society. He did insist, though, that those individuals with specific technical acumen in water, transportation, electricity and other vital public service be retained and allowed to return to former administrative positions to facilitate the continued provision of essential public service to the populace.²⁰⁹

State Department Planning: Future of Iraq Working Group

In February 2002, the Department of State directed Tom Warrick to assemble a working group named the Future of Iraq. The project featured U.S. academics, State Department officials, Iraqi-Americans and Iraqis in exile, organized into a series of sub-

²⁰⁸ Ibid, 17.

²⁰⁹ Senate Foreign Relations Committee Transcript 11 February 2003, <https://www.foreign.senate.gov/hearings/the-future-of-iraq>, accessed on 10 October 2016, see also http://www.dougfeith.com/docs/2003_02_11_Future_of_Iraq_SFRC.pdf.

working groups to explore approaches for how the U.S. should address Iraq.²¹⁰ Among the many working groups were the Education Working Group, the Democratic Principles Working Group, and the Transitional Justice Group. Ahmad Chalabi, a Shia Iraqi exile who had significant sway and influence with the President Bush administration protested the results of the Democratic Principles Working Group when the group concluded that deep-cutting de-Ba'athification would not be an appropriate course of action to foster reconciliation and peace. The group anticipated that such a widespread purge would affect potentially two million Iraqis, or roughly eight percent of the country. At a deeper and more transcendent level, dismantling the Iraqi Army and famous Iraqi Bureaucracy, central to the Iraqi national character, could have deleterious effects.²¹¹

In terms of recasting society and social reconstruction, the Education Working Group explained that the Iraqi education system, chiefly the universities, were a source of national pride and still highly regarded by the international community. Purging the Ba'athist-centric material from the primary and secondary schools would be sufficient, along with secularization of the education system, and introducing a merit-based

²¹⁰ Notable participants who affected de-Ba'athification discussions were Ahmad Chalabi of the Iraqi national Congress and Ayed Allawi of the Iraqi National Accord. These individuals created a contentious atmosphere with their hawkish and aggressive stance on the concept of political purges. It is also notable that Civil Affairs officers were late in their arrival to the project. Tom Warrick as quoted in Gordon W. Rudd, *Reconstructing Iraq: Regime Change, Jay Garner and the ORHA Story*, (Lawrence: University Press of Kansas, 2011), 69-70.

²¹¹ United States Department of State. *Future of Iraq Project*. 2002. Accessed 17 January 2017, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB198/index.htm>, Democratic Principles Working Group chapter.

promotion system. The group did not discuss the lustration or purging of educational officials.²¹²

In terms of security sector reform, the Defense Policy and Institutions Group (DPIG) acknowledged that the Iraqi Army had been compromised by Saddam Hussein and the Ba’athist Regime. However, the DPIG identified this perversion as rampant primarily within the components of the institutions that Saddam personally created: The Republican Guard and the Ba’ath Party Organizations within the Iraqi military. These organizations bore more blame than others for the violence against civilians in the name of the Hussein regime.²¹³

There was widespread agreement within the Transitional Justice Group that Saddam Hussein should be tried for his crimes, either in Iraqi Courts or by an external body facilitated by the United Nations. Furthermore, the Ba’ath Party as an institution must be banned in some way shape or form as a “symbolic” measure toward reconciliation.²¹⁴ One participant argued that the party was not ideologically entrenched in Iraqi society, but instead was used as a means of popular control. Despite this consensus, there were wide ranges of opinions as to how to address the party’s future.

Other Transitional Justice Group members recommended that beyond banning the Party, members of a certain rank be pushed out of office and be forced to re-apply and vetted. Conversely, others recommended that a more moderate approach, akin to the U.S.

²¹² Ibid, Education Group chapter.

²¹³ Ibid, Defense Policy and Institutions Group chapter.

²¹⁴ Ibid, Transitional Justice Working Group chapter.

denazification program in 1945 Germany. The suggestion of a more nuanced approach acknowledged that a number of individuals submitted to party membership because of their participation in the Iraqi Bureaucracy. Not dissimilar to Germany, the dismissal of a preponderance of schoolteachers, university professors, public service employees, and other public servants solely based on the grounds of party affiliation would disrupt the Iraqi economy and the delivery of vital public services while hampering reconstruction efforts.²¹⁵

U.S. Military Planning: US Central Command and 3rd US Army

General Tommy Franks, then commanding general of U.S. Central Command, received guidance from Secretary Rumsfeld to examine courses of action for a military incursion into Iraq.²¹⁶ From November 2001 through the summer of 2002, Franks directed his staff to refine Operations Plan 1003-98 for the invasion of Iraq, which was renamed “Operations Plan 1003-V, Operation Iraqi Freedom.” Meanwhile, in the summer of 2002, Lieutenant General David McKiernan assumed command of 3rd U.S. Army from Lieutenant General Mikolashek. The 3rd Army was designated Coalition Forces

²¹⁵ This is similar to the U.S. system of denazification in Germany, where former Nazis of a certain “level” of membership reapplied for the public assignments by filling in the *Fragebogen*; Ibid, Transitional Justice Working Group chapter.

²¹⁶ Tommy Franks, *American Soldier*, (New York, NY: Harper Collins, 2004), 315.

Land Component Command (CFLCC) duties for the invasion of Iraq, and ramped up parallel planning efforts.²¹⁷

At this point, CFLCC planners led by Colonel Kevin Benson, wrote the plan for Operation Iraqi Freedom, and named it Cobra II.²¹⁸ Reportedly, a planner on Benson's staff drew linkages to the 3rd Army participation in major combat operations and postwar experience in the European Theater of World War II under General George Patton. The operations plan for the breakout from the beachhead at Normandy, France in 1944 was named Cobra, and the follow-on plan for the occupation of Germany was named Eclipse.

When LTG McKiernan realized the need for a more robust post-war Stability Phase plan, Benson and Colonel Martin Stanton, the CFLCC CA Staff Officer or C-9, named this sequel plan Eclipse II, further demonstrating the cognitive linkage to Germany while honoring the unit's history.²¹⁹ While CFLCC shared drafts of the operations with V Corps to encourage parallel planning, the Eclipse II Stability plan was not published until 12 April 2003, one week after U.S. forces entered Baghdad, and three weeks after the invasion commenced. The lateness of the post-war stability plan, Eclipse II, is reflective of the indecisiveness amongst policymakers as to how to treat the post-

²¹⁷ 1003-98 was the operations plan developed by General Anthony Zinni in 1998, which among other differences, featured recommendations for upwards of 500,000 troops; Kevin Benson, interview with author.

²¹⁸ The C5 is the U.S. military nomenclature for the "Plans Directorate;" Kevin Benson, interview with author.

²¹⁹ Kevin Benson, interview with author.

war period, as an occupation, or a liberation, and what organization should have primacy over planning and execution.²²⁰

It was not until 19 December 2002 that CENTCOM began thoughtful and deliberate post-war stability planning under Secretary Rumsfeld's authority through President Bush's National Security Presidential Directive-24 (NSPD-24). Rumsfeld pushed to pass the directive, which assigned primacy for post-war planning to the DoD, reflective of Rumsfeld's disillusionment with his perception of a lack of Department of State and interagency planning progress. Therefore, NSPD-24 gave the Department of Defense the responsibility for stability and reconstruction efforts. Another outcome of this directive was the creation of the DoD Office for Reconstruction and Humanitarian Assistance. Unfortunately, without an experienced leader at the helm to guide postwar efforts, the benefits of the unification of effort intended under NSPD-24 would not come to fruition.²²¹

Underpinnings of de-Ba'athification

A 2002 U.S. Army War College Strategic Studies Institute work entitled *Reconstructing Iraq: Insights, Challenges, and Missions for Military Forces in a Post-*

²²⁰ Donald Wright and Timothy Reese, *On Point II*, 73; Nora Bensahel, et al, *After Saddam: Prewar Planning and the Occupation of Iraq*, (Santa Monica, CA: RAND Corporation, 2008), 13.

²²¹ Task Force IV, Commander's Brief: 02 February 2003, George Washington University FOIA National Security Archive, accessed 10 September 2016, <http://nsarchive.gwu.edu/NSAEBB/index.html>; see also George W. Bush, National Security Presidential Directive 24, (Washington, DC: The White House, 2003, accessed 04 December 2016, <https://fas.org/irp/offdocs/nspd/nspd-24.pdf>), passim.

Conflict Scenario, described the tenuous situation in Iraq, as well as the requirement for “reeducation” towards democratic ideals as follows:

Iraq presents far from ideal conditions for achieving strategic goals. Saddam Hussein is the culmination of a violent political culture that is rooted in a tortured history. Ethnic, tribal, and religious schisms could produce civil war or fracture the state after Saddam is deposed.²²²

This document foreshadowed the military’s stance on the likely requirement for political transformation, specifically through reeducation of the populace, inconsistent with 3rd Army and CENTCOM’s assessments. Observers noted that this report was either ignored, or was not delivered to senior military leaders in time to facilitate planning and resourcing. While this publication was previewed in a conference in December 2002 and published in February 2003, this accurate and important assessment was too late.²²³ Other examples of U.S. government discussions akin to a formal program of de-Ba’athification, social reconstruction, and lustration, included Tom Warrick’s Future of Iraq Working group, the Central Intelligence Agency study, “The Postwar Occupations,” and a National Defense University interagency public-private coordination study.²²⁴

²²² Conrad C. Crane and W. Andrew Terrill, *Reconstructing Iraq: Insights, Challenges, and Missions for Military Forces in a Post-Conflict Scenario* (Carlisle, PA: Strategic Studies Institute, 2003), v–vi.

²²³ Joseph J. Collins, *Choosing War: The Decision to Invade Iraq and Its Aftermath*, (Institute for National Strategic Studies, Carlisle, PA: National Defense University, April 2008), 21.

²²⁴ Central Intelligence Agency, *The Postwar Occupations*; Department of State, *Future of Iraq Project*; National Defense University Workshop, *Iraq: Looking Beyond Saddam’s Rule*. This group of largely academics and Iraqi expatriates discussed de-Ba’athification at length. Their conclusions, though not codified in formal, clear and

While 3rd Army CFLCC planners were aware of some of the recommendations in the Department of State *Future of Iraq* reports, they were not aware of the CIA report. In terms of the sections in both reports referencing lustration and transitional justice, little attention and importance was paid to de-Ba'athification discussions.²²⁵ The interagency processes and coordination worked well in the planning and early execution phases of the war in Afghanistan just months prior, however surprisingly, planners for Operation Iraqi Freedom did not fully leverage this experience.²²⁶

General John Abizaid, former U.S. Central Command deputy commander during the planning phase of Cobra II and Eclipse II, worried about how deep de-Ba'athification could affect the security situation.²²⁷ Abizaid presented a pragmatic approach to de-Ba'athification, Abizaid and is paraphrased that the wealthy Ba'athists will flee, the poor will be dealt with by the community, and the middle class will turn themselves in to the Coalition to participate in reconstruction or for trial.²²⁸ This approach is what Jay Garner

concise recommendations, discussed the need to exclude elements of the Ba'ath party from society.

²²⁵ Kevin Benson, interview by author.

²²⁶ The RAND study identifies that lacking significant coordination at the NSC/White House level, post-war occupation tasks were not executed as efficiently as they could have. However, lacking doctrine for interagency integration, directorates and departments coordinate well with one another. See James Dobbins et al *After the War*, xii COBRA II OPLAN, Martin Stanton, email to author; Kevin Benson, interview with author.

²²⁷ W. Andrew Terrill, *Lessons of the Iraq De-Ba'athification Program for Iraq's Future and the Arab Revolutions*, (Carlisle, PA: U.S. Army War College Strategic Studies Institute, 2012), 18.

²²⁸ Kevin Benson, Interview by author.

championed at ORHA, although unbeknownst to him, the National Security Council originally planned to have Garner deliver what became known as Bremer's CPA de-Ba'athification Orders.²²⁹ CFLCC planning assumptions stated that the governmental functions and systems were likely to be intact, and there was no requirement for political transformation aside from removing the very top-level Saddamist from power. Plans for a denazification-like program were not generated, nor were forces assigned or trained for the task.²³⁰

Conrad Crane and W. Andrew Terrill, two U.S. Army War College leadership scholars, assessed that as of February 2003, the U.S. military had built up a reputation for hasty and deficient post-conflict planning. Furthermore, the military did not always apply a "relevant" force structure to the problem at hand, which required a higher number of military police, engineers, and civil affairs forces than typically allocated. The fact that a preponderance of Civil Affairs forces resides in the U.S. Army Reserve Component and require lead-time for mobilization, certainly added to the friction of adequately preparing for war and peace.²³¹

In the early days of planning in 2002, reportedly only one of the four Civil Affairs directorate officers at CFLCC were read-on to the CENTCOM 1003-V plan for

²²⁹ James Dobbins, *Occupying Iraq*, xxvi.

²³⁰ Donald Wright and Timothy Reese, *On Point II*, 92; Kevin Benson, interview with author.

²³¹ A preponderance of the Civil Affairs force resides in the U.S. Army Reserves Component, see the U.S. Army CA and Psychological Operations Command site, <http://www.usar.army.mil/USACAPOC/>; Conrad Crane and W. Andrew Terrill, *Reconstructing Iraq*, 1.

“Operation Iraqi Freedom,” thereby limiting the Civil Affairs contribution to the plan, often associated with reminding commanders of the importance of consolidating gains through securing the peace. Eventually, in late spring 2002, seventy Civil Affairs officers converged at CENTCOM to support writing the campaign plan. However, neither the Civil Affairs Annex “G” to the CFLCC plan nor the CENTCOM Campaign Plan as it pertained to Civil Affairs activity were approved.²³² In turn, the subordinate Theater Special Operations Command, Special Operations Command-Central (SOCCENT), never drafted a comprehensive Civil Affairs nor Civil Military Operations plan.²³³ This inability to finalize a comprehensive plan to the lower echelons from CENTCOM and CFLCC, and similarly, the missed opportunity at SOCCENT to liaise with CFLCC planners and conduct parallel planning on a Civil Affairs plan, failed to leverage the full capabilities of the Civil Affairs Regiment.

In terms of the delegation of duties and responsibilities for post-conflict stability operations, Civil Affairs foci centered around humanitarian assistance and the immediate needs of the populace. Major tasks included humanitarian assistance operations and coordination with NGOs and the interagency. Civil Affairs units were to establish regional Humanitarian Operations Centers (HOC) and local Civil Military Operations

²³² According to COL Stanton, CFLCC Civil Affairs Directorate staff officer (C9), he did publish a Civil Affairs annex to Cobra II, the operations plan for the invasion, as well as Eclipse II, the sequel plan to Cobra II. Eclipse II, named for the post-war Germany operations plan, was the post-invasion Iraq Stability plan, and emphasized humanitarian assistance and support to the Office of Foreign Disaster Assistance; for SOCCENT and USASOC planning, see Charles Briscoe, *All Roads Lead to Baghdad*, (Fort Bragg, NC: US Army Special Operations Command), 30.

²³³ Charles Briscoe, *All Roads Lead to Baghdad*, 30.

Centers (CMOC), to link NGO and reconstruction efforts with CLFCC forces, in conjunction with local governments and institutions. Furthermore, CFLCC planners expected a requirement for a constabulary force to maintain peace.

Colonel Benson estimated that the plan required nearly 300,000 troops to win the war and secure the peace.²³⁴ Even this “large” number was markedly lower than the 500,000 that General Anthony Zinni called for in the 1998 CENTCOM version, 1003-98.²³⁵ However, the plan deserved more attention in terms of the re-establishment of post-conflict governance.²³⁶ This affected the proper employment of both the Civil Affairs Regiment and other U.S Government agencies tasked to participate in Iraq, including the Departments of State and the U.S. Agency for International Development (USAID).²³⁷ However, CENTCOM and CFLCC planners did not anticipate the coming occupation or direct rule of Iraq after hostilities ceased.

As described in his December 2001 Operation Plan 1003-V concept brief to President Bush and the National Security Council, General Franks explained that a new government would emerge from the ashes of the Saddamist-Ba’athist regime, and that it would require significant political-military and civil-military operations, however chiefly

²³⁴ This equates to a force to population ratio of 11 to 1,000; Donald Wright and Timothy Reese, *On Point II*, 74.

²³⁵ Michael R. Gordon, *Cobra II*, 4.

²³⁶ This was the reason that LTG McKiernan ordered the development of a separate sequel plan, Eclipse II. However, while reflecting CENTCOM goals and end states to a degree, there was a disconnect with what policymakers in Washington envisioned. Kevin Benson, interview by author.

²³⁷ Tom Baltazar, telephone interview by author; James Owens, telephone interview by author, Fort Leavenworth, KS, 10 January 2017.

in humanitarian assistance and counter-weapons of mass destruction efforts. Franks also indicated that this effort should fall to the U.S. Department of State, as this type of diplomacy and state-building was outside of the purview of the military.²³⁸ However, it has typically been the U.S. Army that has helped to transform and (re)build liberal democracies and transform societies in peacebuilding. Warrior-scholar Louis DiMarco argues that occupations are an “American Way of Peace.”²³⁹ Working under CENTCOM planning guidance, the lack of clear post-war occupation policy and direction continued to the 3rd Army-CFLCC subordinate operations plans of Cobra II and Eclipse II. Furthermore, this demonstrated the inability of key leaders at the Civil Affairs commands, CFLCC, and CENTCOM, to leverage the lessons of history, as well as internal capabilities resident within the apportioned Civil Affairs forces.²⁴⁰

Having identified shortfalls in the plan in terms of the potential for post-conflict governance requirements during March 2003 exercises, CENTCOM introduced the concept of the Governance Support Teams. Teams of 12-24 members were managed and

²³⁸ Operations Plan 1003-V, “Operation Iraqi Freedom,” was the updated OPLAN from the previous OPLAN 1003-98 under then CENTCOM commander, General Anthony Zinni. Franks also referred to 1003-V as “basically Desert Storm II.” However, Franks asserted that the conditions in the operating environment had changed, and therefore the prior plan 1003-98 required significant updating; Tommy Franks, *American Soldier*, (New York, NY: Harper Collins, 2004), 351-3.

²³⁹ James Dobbins, et al, *After the War*, passim; see also Louis A. DiMarco, *Restoring Order: The US Army Experience with Occupation Operations, 1965-1952*, (PhD diss, Manhattan: Kansas State University, 2010), v, passim.

²⁴⁰ Several key leaders with whom the author interviewed for this work referenced the OMGUS experience in Germany as an appropriate method of direct rule in occupation, a requirement that many leaders argued was necessary to deliberately secure the peace.

resourced by the Civil Affairs Commands and the local maneuver commander, and represented the public face of the military governor.²⁴¹ While there is a case to be made for the maneuver commanders to be the military governors for their assigned areas of responsibility, CA Regimental and Command elements should have been tasked in early planning phases for the requirement to lead the local Governance Support Teams. In addition to the appropriateness of this tasking, this proximity and linkage of the CA units to their partnered local governments would have enhanced ORHA and CPA awareness of the political leanings and local popular vetting of local leaders, and further reinforced the lustration and vetting to come later by CPA Orders in May 2003.

Had these discussions surfaced with more fervor and detail, the intricacies of the concepts of political realignment, lustration and vetting may have surfaced in discussions during pre-War planning in January 2003. General Franks later lamented in April 2003, just after the onset of hostilities, that CENTCOM had neither the internal organic resources nor the policy to deal with the intricacies of governance, reconstruction, and civic action. These were problems he identified early on in conversations with Secretary Rumsfeld, however to no avail.²⁴² Jay Garner and his Office of Reconstruction and Humanitarian Assistance, like CENTCOM, were well behind the power curve for post-war planning by spring 2003.²⁴³

²⁴¹ Center for Law and Military Operations, *Forged in The Fire: Legal Lessons Learned During Military Operations, 1994-2008*, (Charlottesville, VA: The Judge Advocate General's Legal Center and School, 2008), 14.

²⁴² Tommy Franks, *American Soldier*, (New York, NY: Harper Collins, 2004) 423.

²⁴³ *Ibid*, 525.

This perspective was consistent with LTG McKiernan's understanding of the situation when he asked during a March 2003 Rehearsal of Concept Drill (ROC). LTG McKiernan asked subordinate maneuver commanders, "Who will govern this town [town], as our forces flow through towards Baghdad? Are you the mayor of [town]?"²⁴⁴ Similarly, at a V Corps exercise in Germany in February 2003, the commander of the 3rd Infantry Division Artillery, Colonel Thomas Torrance, recalled when a V Corp staff officer asked the group which element would be responsible for health care, the judiciary, economic development and other peacebuilding and stability tasks.²⁴⁵ The answer to these questions should have been ORHA and Civil Affairs units, however unprepared they were for the task. In reality, what could have been the answers from the maneuver commanders were, "I am, Sir."

Ultimately, there was no clear understanding or detailed vision for the end state in Iraq. Therefore, there was a lack of specific guidance for the means and ways to arrive at the end state, which affected the employment of Civil Affairs forces. The lack of guidance also affected the U.S. Army Special Operations Command, the organization that had administrative control of all Civil Affairs units, and U.S. Army Civil Affairs and Psychological Operations Command, responsible for providing the Civil Affairs capabilities to the Joint force. These shortfalls contributed to poor planning and preparation for participation in the war. At the tactical level, the maneuver units, the Infantry Divisions and Special Operations commanders who employed Civil Affairs

²⁴⁴ Simon Gardner, Interview by author, Fort Leavenworth, KS, 12 January 2017.

²⁴⁵ Donald Wright, *On Point II*, 77-8.

forces in their areas of operations, felt the burden of establishing their own Civil Affairs plans with little guidance from their higher headquarters. These shortcomings plagued the Civil Affairs Regiment throughout the early days of the war.²⁴⁶

Notable Partners in De-Ba'athification: The Free Iraqi Fighters and Re-emergence of the Counter-Intelligence Corps

The U.S. Iraqi Liberation Act of 1998 authorized creation of the Free Iraqi Fighters (FIF), an organization of nearly 100 Iraqis in exile to support U.S. and Coalition tactical operations. These individuals, trained in U.S. Civil Military Operations, supported Civil Affairs and maneuver commands with linguistic and cultural expertise. While these elements performed well in some circumstances, they were largely controlled and influenced by Ahmad Chalabi of the Iraqi National Congress, which sparked controversy.²⁴⁷ Furthermore, a military observer detected that the FIF assigned to ORHA were there simply to support their personal aims, both political and financial, and not some sense of national pride or “altruism.”²⁴⁸

The 101st took control of eight Free Iraqi Fighter (FIF) augmentees, one of whom worked at the Division level, with the remaining seven with the 431st CA BN. The intent was for the 431st to employment the FIF in support of Division and Brigade operations alongside the CA units. Many of these individuals provided important linguistic and cultural expertise in the early days of OIF. However, many suffered from morale

²⁴⁶ Charles Briscoe, *All Roads Lead to Baghdad*, 53.

²⁴⁷ Gregory Fontenot, *On Point*: 71-2; Nora Bensahel et al, *After Saddam: Prewar Planning and the Occupation of Iraq*, 27-8, 163.

²⁴⁸ Military Official, interview by author.

problems, and very few at the 101st spoke English well enough to be effective and value added.²⁴⁹ However, had these individuals received more impactful vetting and training in the U.S. before deployment, their ability to support the transformation process would have been greatly improved.²⁵⁰

As they did during the World War II denazification experience, the U.S. Army Counter-Intelligence Corps supported some de-Ba'athification efforts. CIC elements assisted the CPA with vetting and background checks of suspected Ba'ath Party members. Additionally, when either the Iraqi de-Ba'athification Council or a unit within the Coalition elevated a high-level Ba'athist for continued service through Bremer's waiver program, the Counter-Intelligence elements, in some cases, led the investigations.²⁵¹ A more thorough de-Ba'athification plan would have likely triggered the assignment of more Counter-Intelligence units to the subordinate maneuver commands, including to the CA formations charged with dealing with influential members of Iraqi society on a regular basis.

Pre-War Training

The relatively short notification of units to deploy in support of OIF limited training opportunities. A preponderance of the 352nd and other theater CA assets were already engaged in Afghanistan, the AOR from which BG Owens redeployed prior to supporting planning for the COBRA II and OIF ROC drill in December 2002. The forces

²⁴⁹ Kevin Mumaw, interview by author, Fort Leavenworth, KS 31 January 2017.

²⁵⁰ Author assessment, with background understanding from BG James Owens.

²⁵¹ Michael Hess, telephone interview by author.

that remained, which tasked to support OIF, did not have ample opportunity to train to the myriad of tasks expected of them in OIF. Key leaders within the CACOM facilitated training in marksmanship, maneuver, and communications, colloquially known as Shoot-Move-Communicate tasks. However, senior CA leaders felt short-changed in terms of the opportunity to more fully develop other more specific Civil Affairs Core tasks, including the refinement of reporting of the status of the populace to contribute to the supported commander's common operating picture.²⁵²

The perception of CA leaders regarding the imbalance toward basic Army tasks and physical training, at the expense of more technical related tasks has recent antecedents in Operation Desert Storm, 1990-1991. Senior Army Reserve Civil Affairs leaders reported difficulties negotiating the U.S. Army Special Operations Command (USASOC) pre-deployment validation process. Preparations for the required pre-deployment validations placed heavy emphasis on basic Soldier tasks such as physical conditioning, weapons qualification and other unit readiness measures, at the expense of reinforcing technical expertise.²⁵³ It is unclear as to why this imbalance occurred. This condition may have been a result of ineffective continuing and steady state training during the train-up to the war, which made the validation of basic tasks a seemingly difficult endeavor. Conversely, this situation may have been the result of issues with USASOC pre-deployment requirements.

²⁵² James Owens, telephone interview by author.

²⁵³ Headquarters, Department of the Army, United States Army Reserve, *United States Army Reserve in Operation Desert Storm: Civil Affairs in the War with Iraq*, (United States Army Reserve, 09 October 1991), 25-6, 63.

Training new Civil Affairs Soldiers transitioning into the Corps suffered because of the wartime mobilization. As short as the training program was in 2003 as compared to the contemporary period, the training for new Civil Affairs Soldiers was shortened even further. The Wartime program of instruction at the John F. Kennedy Special Warfare Center and School lasted 29 days, and then reduced to two weeks to mobilize as many Soldiers as possible.²⁵⁴

Despite the hasty and seemingly unsophisticated training program as compared to what Civil Affairs Soldiers received in 1943 at Charlottesville and Shrivenham schools, a briefing to Secretary of Defense Rumsfeld in August 2003 reported that the Civil Affairs activities “demonstrated considerable effectiveness.” Furthermore, the reported commended Civil Affairs regimental training, experience and doctrine. However, many assess that the focus on humanitarian assistance efforts by the CA Corps limited focus and preparation for the tasks of administering Iraq, and the peacebuilding efforts of lustration and political transformation that would be asked of them.²⁵⁵

Operations Commence: Major Combat Operations and the Capture of Baghdad to the Establishment of the Coalition Provisional Authority: April 2003 – May 2003

The Setting

V Corps initial policy on de-Ba’athification followed more of a functional concept than a prescriptive approach. Goals were to retain vital bureaucrats, including

²⁵⁴ Charles H. Briscoe and Kenneth Finlayson et al, *All Roads Lead to Baghdad* (Fort Bragg: USASOC Historian Office, 2008), 57.

²⁵⁵ As quoted by Aaron Rapport, *Waging War, Planning Peace: U.S. Noncombat Operations and Major Wars* (Cornell: Cornell University Press, 2015), 120-22.

judges, other security force professionals, teachers, and those who provided vital public services. The V Corps Staff Judge Advocate, Colonel Marc Warren, designed the policy to differentiate those subject to purging and lustration by the impact of the individual's actions, not simply based on party membership.²⁵⁶ Additionally, LTG Garner at ORHA incorporated this into his stability plan. This paradigm more closely aligns with the models of transitional justice and lustration the U.S. executed in Bosnia and Serbia.

On April 16, 2003, General Franks issued a message to the people of Iraq, liberating them from the tyranny of the Saddam Hussein Ba'athist Regime. Franks emphasized that the Coalition forces were liberators, in Iraq to "eliminate an oppressive and aggressive regime." Further, Franks proclaimed that Coalition goals were for a "free and independent," with a reconstituted government.²⁵⁷

The message contained verbiage amounting to outlawing the Ba'ath Party, however there were no follow-on directives nor orders to V Corps to execute or manage an official program.²⁵⁸ An assumption is that this announcement was the result of the desire to signal to the Iraqi populace an acknowledgment of the pain and suffering prosecuted by the Ba'ath Party, while establishing a benevolent partnership of peace operations between the Coalition and Iraqi society. However, as stated above, there were key party officials and members of Saddam Hussein's inner circle who would not be

²⁵⁶ Donald Wright and Timothy Reese, *On Point II*, 93.

²⁵⁷ General Tommy Franks' 16 April 2003, "Freedom Message to the Iraqi People," as quoted in Tommy Franks, *American Soldier* (New York: Harper Collins, 2004) 528.

²⁵⁸ Donald Wright and Timothy Reese, *On Point II*, 92.

welcomed into a liberated Iraq. These individuals were subject to lustration and transitional justice measures.

Organization

Civil Affairs forces served across a wide array of echelons and levels of commands, in a multitude of official and ad-hoc assignments, in support of a variety of supported military and interagency organizations during the planning and early execution of Operation Iraqi Freedom. Civil Affairs officers served on General Franks' Central Command staffs, as well as in the Civil Affairs C-9 directorate at CFLCC.²⁵⁹ Colonel Martin Stanton, the CFLCC C-9, maintained a staff of upwards of 10-15 Civil Affairs officers throughout the planning at 3rd Army-CFLCC pre-war, through the transfer of authority of ground operations to V Corps and LTG Sanchez in June 2003.²⁶⁰ However, Stanton himself was not a Civil Affairs Officer, but a Foreign Area Officer.

The V Corp commander just prior to the commencement of the major planning phase in 2002, Lieutenant General Paul Mikolashek, preferred Stanton over Brigadier General John Kern, the 352nd CACOM commanding general. Stanton had previous experience in Iraq in Operation Desert Storm, and had Arabic language skills and familiarity with the culture due to his experience as a Foreign Area Officer. Conversely, other general officers did not think highly of General Kern and his outspoken attitude towards the employment of his Civil Affairs troops in Afghanistan. Civil Affairs officers

²⁵⁹ Martin Stanton, telephone interview by author, Fort Leavenworth, KS, 04 May 2017.

²⁶⁰ Ibid.

on the CFLCC staff maintained some influence with Stanton, however, the highest-ranking Civil Affairs officer in the 352nd was marginalized from the onset.²⁶¹

Influential Civil Affairs Officers served in important positions within ORHA and CPA staffs. Key among these were Colonel Tom Baltazar, the operations officer, and Colonel Michael Hess, the military chief of staff, who worked tirelessly to support Lieutenant General Garner in the early days of ORHA.²⁶² CA officers also worked in the three ORHA regional offices, which CPA later assumed in May. Active duty Civil Affairs Officers Lieutenant Colonel Bill Butcher served as the operations officer at ORHA-Central in Baghdad, and Lieutenant Colonel Jay Wolff as the operations officer at ORHA-South. Wolff and Butcher would stay on with the CPA after the May 2003 transfer of authority, although the military officers' collective influence waned significantly when Bremer assumed authority.²⁶³

At the maneuver division echelon, 3rd Infantry Division, 4th Infantry Division, and the 101st Airborne Division, as well as the 173rd Airborne Brigade also had Civil Affairs staff sections, which were influential in supporting their respective

²⁶¹ General Mikolashek, McKiernan's predecessor at 3rd Army, commanded the 3rd Army CFLCC in Afghanistan in 2002. This was likely the episode where he observed General Kerns' objections to the employment of the 352nd CACOM forces; see Gordon K. Rudd, *Reconstructing Iraq: Regime Change, Jay Garner, and the ORHA Story*, (Lawrence: University Press of Kansas, 2011), 48-9.

²⁶² Colonel Michael Hess was hand-selected by General Jay Garner to be his Chief of Staff at ORHA due to his experience with Garner in Operation Provide Comfort in Northern Iraq at the conclusion of the first Iraq war, the Gulf War, Operation Desert Storm, 1991; see Michael Hess, "Telephone interview by author;" Tom Baltazar, telephone interview by author."

²⁶³ Gordon W. Rudd, *Reconstructing Iraq*, 183-84; Michael Hess, telephone interview by author.

commanders.²⁶⁴ In addition to planning and in some cases executing civil military efforts across the battlefield, they aided their commanders in interpreting the de-Ba'athification directives, when they were made aware of the policies.²⁶⁵ In some cases, they also meant ameliorating the effects of CPA Orders 1 and 2 at the provincial and local levels.²⁶⁶

United States Army Special Operations Command (USASOC) provided tactical Civil Affairs forces through the United States Army Civil Affairs and Psychological Operations Command to U.S. Central Command. The U.S. Army Reserve 352nd Civil Affairs Command, initially commanded by BG John Kern then BG David Blackledge, provided hundreds of tactical teams across 12 battalions and four brigades. Additionally, and the 96th Civil Affairs Battalion, the only active duty CA battalion at the time, provided tactical teams that supported Conventional and Special operations forces with direct and general support capabilities.²⁶⁷

²⁶⁴ CA staff officers were typically denoted as “5” elements, i.e. G5 at Corps and Divisions, and S5 at Brigades; see Field Manual 41-10, *Civil Affairs Operations*, (2000); according to the CFLCC plans, CJTF-7 was the designated name for the organization in command of operations in Iraq. This initially fell to 3rd Army CFLCC, and then transitioned to the subordinate V Corps, which became Combined Joint Task Force-7. See Donald Wright, *On Point II*.

²⁶⁵ None of the tactical level Civil Affairs officers with whom the author discussed de-Ba'athification were particularly aware of the CPA Policies, aside from CPA Order 2 which dissolved the Iraqi Armed Forces.

²⁶⁶ Christopher Holshek, Telephone interview by author, Fort Leavenworth, KS, 18 January 2017.

²⁶⁷ The 352nd Civil Affairs Command, a one-star command, comprised USACAPOCs Reserve Component contribution to the fight, while the 96th CA Battalion represented the active duty force, typically in support of Special Forces units. General support forces featured the CA functional specialties including physicians, veterinarians, and Judge Advocate Generals-JAGs, while direct support was usually in the form of CA Teams and CMOs in support of conventional maneuver commands from Battalion through Corps, as well as U.S. Special Forces from Companies through the Combined

Brigadier General Owens augmented Civil Affairs support to the maneuver commands by sending CA Brigade Headquarters staffs to work in support of the infantry divisions. For instance, the 354th Civil Affairs Brigade was operationally controlled by the 101st Infantry Division, where doctrinally, a Civil Affairs Battalion would support a maneuver division. While non-doctrinal, the additional augmentation facilitated more thorough and robust planning than would otherwise be achieved, and demonstrated Owen's acknowledgement of the requirement for additional Civil Affairs influence.²⁶⁸

Civil Affairs company headquarters throughout Iraq established Civil Military Operations Centers (CMOC), which served as coordinating centers to support liaison duties with the interagency, non-governmental organizations, and the populace.²⁶⁹ CMOCs and tactical teams operated in villages and towns, and liaised with all levels of Iraqi indigenous populations and institutions.²⁷⁰ CA forces at various echelon provided a wide array of support to political transformation efforts during the early days of Operation Iraqi Freedom, and it was through the tactical Civil Affairs Teams that the Regiment made its biggest impact. However, there were episodes where key CA leaders played important roles.

Joint Special Operations Command (CJSOTF), across various regions in Iraq; for order of battle, see Gregory Fontenot, et al, *On Point II*, 441-97.

²⁶⁸ James Owens, telephone interview with author.

²⁶⁹ For the 2001, contemporary doctrinal description of a CMOC, see US Department of the Army Field Manual 3-0, *Operations* (reference information), 9-14. See *On Point II* and *All Roads Lead to Baghdad* for descriptions of CMOCs in action in Iraq.

²⁷⁰ Charles H. Briscoe and Kenneth Finlayson, et al, *All Roads Lead to Baghdad: Army Special Operations Forces in Iraq*, passim.

Colonel R. Alan King, commander of the 422nd Civil Affairs Battalion which supported 3rd Infantry Division's assault into Baghdad, was among the of the first Civil Affairs Battalion into Iraq. Therefore, King was responsible for Civil Affairs Planning on the ground in the early days of the invasion, and filled a gap in the Civil Military Operations plans at V Corps and the 3rd Infantry Division. Just after arriving into Baghdad on 08 April 2003, the 3rd Infantry Division Chief of Staff, Colonel John Sterling, informed King that V Corps did not have a Civil Military Plan, and that King had "twenty-four hours to come up with something."²⁷¹ Later in the occupation in August, he served as the Special Assistant for Tribal Affairs to the CG of the Civil Affairs Command, and then held the same position for the CPA under Ambassador Bremer in 2004 due to his unique understanding of Islam and interpersonal skills.²⁷² Once the rest of the 352nd Civil Affairs Command flowed into theater throughout the rest of April 2003, other echelons assumed planning support roles according to the Cobra II task organization. Nonetheless, the seemingly late-stage planning efforts plagued Coalition Civil Affairs and Civil Military Operations efforts throughout the early months of the occupation.

De-Ba'athification During the Early Phase

As in Germany, Civil Affairs forces entering Iraq during the major combat phase with their supported commands balanced a wide array of tasks. The "Cobra II" operations plans delineated several tasks, including humanitarian assistance, refugee control and

²⁷¹ R. Alan King, *Twice Armed*, (St. Paul: Zenith Press, 2006) 52-3.

²⁷² R. Alan King, *Twice Armed*, 159, 188.

ultimately, the restoration of essential public services.²⁷³ As in Germany, maneuver and Civil Affairs elements were aware of the goals of overthrowing the Saddam Hussein Regime, although the fervent tone against the Nazis was not as rampant against the Ba'athists, in contrast to the large focus on the Saddam government. Even after General Franks' Freedom Message to the Iraqi people, deliberate political transformation and de-Ba'athification were not at the forefront of commanders' plans. Given this understanding of the perceived intent of the operation, most forces focused on destroying enemy formations, while CA forces focused on the preceding tasks. In addition to these duties, CA forces leveraged their unique access to the populace by supporting the targeting of higher-level Ba'athist government official, Saddam's inner circle.

Many of the targets that comprised the "Deck of 52," were key members of Saddam's circle of influence.²⁷⁴ These individuals included Saddam Hussein himself, his two sons Uday and Qusay Saddam Hussein, Ali Hassan al-Majid "Chemical" Ali, and Muhammad "Baghdad Bob" Saeed al-Sahaf, the Information Minister.²⁷⁵ Uday was a former chief of Fedayeen Saddam, "the Men of Sacrifice," an especially oppressive organization that served to quell domestic uprisings, challenges to the dictator's power,

²⁷³ Headquarters, 3rd United States Army, "Operations Plan Cobra II Base Plan," (Camp Achmed, Kuwait: 3rd United States Army, January 2003).

²⁷⁴ The "Deck of 52," was a set of targeting cards that displayed information about key Ba'athist Regime and Revolutionary Command Council leadership, sometimes called "High Value Targets." The CENTCOM Public Affairs Officer, in concert with the Defense Intelligence Agency, developed the deck of cards to aid Soldiers in the identification of important Iraqi leaders; see Donald Wright, et al, *On Point II*, 224-226.

²⁷⁵ Robin Moore, *Hunting Down Saddam*, 84-85.

and control of the population.²⁷⁶ Qusay, in addition to his command of the Fedayeen Saddam in 1996, also commanded the Al Amn al-Khas. “Baghdad Bob,” captured by Colonel R. Alan King and his Civil Affairs Battalion element, was the individual who reported, often in English, that the American Army was near defeat against the Iraqi Army, even when Colonel David Perkins of 1st Brigade, 3rd Infantry Division infiltrated Baghdad in his famous Thunder Run assaults in April. Additionally, the Special Security Organization was considered the most oppressive and secretive of the Saddamist-Ba’athists organizations.²⁷⁷

The 354th Civil Affairs Brigade operated the Bagdad CMOC, which tracked the status of the populace in and around the city. The CMOC also coordinated support with USAID, international non-governmental organizations, and United Nations agencies.²⁷⁸ The position this CMOC had at the national operational and strategic levels of Iraqi government is indicative of the level of access unique to the Civil Affairs Regiment, and

²⁷⁶ This pervaded even popular culture and media as reported by Don Yeager in a 2003 *Sports Illustrated* article, “Son of Saddam As Iraq’s top Olympic official, Uday Hussein is accused of the torture and murder of athletes who fail to win,” accessed 03 January 2017, <http://www.si.com/vault/2003/03/24/340225/son-of-saddam-as-iraqs-top-olympic-official-uday-hussein-is-accused-of-the-torture-and-murder-of-athletes-who-fail-to-win>.

²⁷⁷ Robin Moore, *Hunting Down Saddam*, 87.

²⁷⁸ Denise Dauphinas was a USAID employee, and a member of the Office of Foreign Disaster Assistance, Disaster Assistance Response Team “DART” Team, and worked extensively alongside Civil Affairs units in and around Baghdad, including at the Baghdad CMOC, which essentially operated as a Humanitarian Operations. Denise Dauphinas, “27 July 2004 Interview by Larry Lesser,” *Iraq Experience Project*, (United States Institute of Peace, 2004), 1-3, 9.

provided an opportunity to leverage international and UN efforts toward political transformation.

Civil Affairs formations, both unilaterally and in support of maneuver commands, conducted a wide range of doctrinal CMO activities. As previously stated, these efforts were conducted under the loose interpretation of de-Ba'athification under the GEN Franks' freedom message, and then transitioned during the stricter and more defined CPA version of de-Ba'athification. CA elements in support of the 101st Airborne Division represent the type of operations all CA units conducted in the early months of OIF: they conducted operations in Mosul, Baghdad, An Najaf, Al Hillah, Irbil and other regional population centers. The operations included supporting the democratization process and popular selection of local leaders, re-establishment of payrolls for local bureaucracy, humanitarian assistance efforts, and targeting.²⁷⁹

A common practice amongst the infantry divisions, the G-5 Civil Affairs Officer of the 101st Division, MAJ Val Siegfried, participated in the Division Integrated Effects Boards and Working Groups. The groups met regularly to synchronize targeting, Civil Military Operations, and other non-lethal effects. Participation in the effects groups positioned Siegfried to provide a link between the division commander, Major General Petraeus, his staff, and the supporting Civil Affairs battalions, the 433rd and the 404th.²⁸⁰

Elements of 96th Civil Affairs Battalion contributed to de-Ba'athification elsewhere in Iraq beyond what D Company achieved alongside the 404th Civil Affairs

²⁷⁹ Kevin Mumaw, interview by author, Fort Leavenworth, KS, 31 January 2017.

²⁸⁰ Ibid, see also Donald Wright, *On Point II*, 198.

Battalion and the 173rd Airborne Brigade. C Company, 96th CA Battalion, worked exclusively in support of 5th Special Forces Group, with an initial assignment in the Basra region of Southern Iraq. Their collective mission was to target key Saddam Regime influencers, as well as residual Ba'athist and Saddamist forces who did not immediately capitulate upon contact with coalition ground forces.²⁸¹

In *Hunting Down Saddam*, Robin Moore recounts discussions with then LTC Christopher Haas, the 1st Battalion commander of the 5th Special Forces Group. Haas explained that as the SCUD threat assuaged after the initial invasion, the CA Teams that supported his Battalion refocused to traditional Civil Affairs activities in support of Special Operations. These included conducting population, infrastructural, and related assessments to support and facilitate Special Operations while enhancing an understanding of the status of the populace and the greater operating environment. LTC Haas further recounted how CA Teams helped to establish city governance through elections, helping Iraqi society move from Ba'athist rule toward democracy.²⁸² These operations bore striking resemblance to what the Conventional Army Divisions achieved in their respective areas of responsibility, despite a lack of uniform guidance and de-Ba'athification directives from CFLCC and V Corps. This speaks to the common-sense approach that local Army commanders and their supporting Civil Affairs professionals took toward nascent stability operations.

²⁸¹ Simon Gardner, interview by author.

²⁸² Robin Moore, *Hunting Down Saddam*, 120-1.

The 5th Special Forces Group Commander, Colonel John Mulholland, impressed upon his subordinate units the importance of gaining a clear picture of the status of the Ba'athist Fedayeen, Republican Guards and other pro-Saddam elements. As there was no U.S. Conventional Force representation in some of the CJSOTF-assigned areas, the Special Operations organizations provided CFLCC and V Corps the information required to make decisions at higher echelons. Major Gardner, the executive officer for C Company, 96th CA battalion, along with other C Company leadership, impressed upon their subordinate Civil Affairs Teams the importance of answering the supported Special Forces Company and Battalion information requirements. Answers to information requirements drove the supported commanders' decisions, and ultimately, operations. The more civil information and awareness of the environment that Civil Affairs Teams could inject into the intelligence cycle, the more freedom of maneuver supported Special Forces Teams and Companies would enjoy. As expected, C Company CA Teams did indeed encounter alleged former Fedayeen Ba'athists supporters throughout the course of the Company's mission areas of responsibilities. This information helped to flesh out the respective commander's intelligence situation while teams conducted operations and across the gamut of Civil Affairs activities.²⁸³

Predictably, as C Company Teams executed operations in and around Basra under the guise of winning hearts and minds, colloquially termed "WHAM," teams mapped the human population and status of the civil terrain to help shape the 5th Special Forces Group Commander's understanding of the area of responsibility, thus "widening his

²⁸³ Simon Gardner, interview by author.

aperture.”²⁸⁴ These initial incursion forces represented the primary area of operations of the southern Iraqi regions, loosely controlled by United Kingdom. Army units. They conducted operations in areas that U.S. 3rd Infantry Division initially limited assaults or bypassed altogether to maintain momentum on the advanced to Baghdad. Operations in the Basra region included targeting of former Ba’ath Party officials, Humanitarian Assistance missions, and identifying other key influencers.²⁸⁵

Among the key targets of Combined Joint Special Operations Task Forces in and around Basra were key influencers, both positive and negative. An example of a negative influencer was Ali Hassan al-Majid, also known as “Chemical Ali.” Early in his career, al-Majid was the military governor of Kuwait during the summer and fall of 1990, leading up to the U.S. Gulf War. Long known as a henchman for Saddam, al-Majid was accused of crimes against the Iraqi and Kuwaiti people.²⁸⁶ Special Forces and Civil Affairs teams operating in Southern Iraq also identified the local Iraqi Army Commanders in charge of the various garrisons initially bypassed by V Corps units on the way to Baghdad. This effort was representative of the types of tasks that were identified during the February 2003 Rehearsal of Concept drill, predicated on CFLCC Operations

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ Among other accusations, al-Majid was reportedly responsible for mustard gas attacks against Kurdish separatists in 1987 to 1988, as well as the violent suppression of a Shia uprising as the Minister of the Interior after the Gulf War; see *U.S. News Report* accessed on, 21 August 2003, <http://abcnews.go.com/International/story?id=79418&page=1>, 25 January 2017.

Plan Cobra II assumptions that CFLCC would reconstitute Iraqi Security Forces to conduct post-war stabilization activities.²⁸⁷

While the reconstitution of the Iraqi Security Forces would later be reversed with the May 2003 CPA order, the C Company identification of former Iraqi Officers proved invaluable. Also while operating in Basra, a C Company team supported re-establishment of the regional water plant. The bureaucrat in charge of running the plant was nowhere to be found, as he fled his position during the invasion due to his Ba'ath Party affiliation. The team worked to find a suitable replacement, and re-establish the plant.²⁸⁸

Some 96th Civil Affairs Battalion teams operating in support of CJSOTF-North, along with the 404th Civil Affairs Battalion elements working in support of the 173rd Airborne Brigade established a Civil Military Operations Center in what was ironically the Kirkuk Ba'athist government headquarters building.²⁸⁹ The rapid establishment of the CMOC facilitated a quick transition from the Ba'athist Regime-represented local government, and set the conditions for rapid political reconstruction.²⁹⁰ Operations primarily focused on liaising with civilian authorities, as well as working to re-establish

²⁸⁷ Simon Gardner, interview by author.

²⁸⁸ Simon Gardner, interview by author.

²⁸⁹ Major Klein was the Staff Judge Advocate advisor to COL Maryville, Commander of the 173rd Airborne Brigade from January-April 2004; see Laura Klein, "Interview with Major Laura Klein," in *Operational Leadership Experiences Project*, (Fort Leavenworth, KS: Combat Studies Institute, 2006.)

²⁹⁰ Peter Connors, *The US Army in Kirkuk: Governance Operations on the Fault Lines of Iraqi Society, 2003-2009*, (Occasional Paper 35, Fort Leavenworth: Combat Studies Institute Press, 2011), 25-7, 97.

essential public services. In appreciation of their duties to support local governance, the CA officers organized local elections for 26 May 2003.²⁹¹

Coalition Provisional Authority to Transition to Iraqis: May 2003 – November 2003

The next major inflection point occurred when the President and the Office of the Secretary of Defense selected Ambassador L. Paul “Jerry” Bremer to lead a transitional authority. This new organization would take the place of LTG Garner’s ORHA outfit, with Ambassador Bremer as the chief executive. Furthermore, this elevated Bremer to the role of administrator or “proconsul,” of Iraq, an assignment that is difficult to trace considering his professional experience did not lend itself to service as the first administrator of Iraq.²⁹² Nearly simultaneously, in June 2003, CFLCC relinquished responsibilities over ground forces in Iraq to its subordinate, V Corp. V Corp reflagged as the Combined Joint Task Force-7 (CJTF-7), gained a new commander in Lieutenant General Ricardo Sanchez, and assumed a direct support relationship with CPA. This period changed the nature of U.S activities in Iraq from that of a liberation and potential peace activity to that of an occupation.²⁹³

When Ambassador Bremer arrived in Baghdad in May, he failed to build rapport with senior military leaders, including Lieutenant General Wallace, the outgoing V Corps

²⁹¹ Ibid, 206, 381-83.

²⁹² L. Paul Bremer, *My Year in Iraq*, (New York, NY: Simon and Schuster, 2006), passim.

²⁹³ Stuart Bowen, *Hard Lessons: The Iraq Reconstruction Experience*, 70, 326-7; James Dobbins and Seth Jones, *A History of the Coalition Provisional Authority*, xx; Nora Bensahel, et al, *After Saddam: Prewar Planning and the Occupation of Iraq*, (Santa Monica, CA: RAND Corporation, 2008), 94.

commander. Ambassador Bremer continued the fractious relationship with the incoming CJTF-7 commander LTG Sanchez. Reportedly, the two rarely spoke with one another, a relationship which limited the effectiveness of his goals of reconstruction and governance.²⁹⁴ Additionally, Bremer's inexperience with the military and poor relationship with CJTF-7 leadership precluded his ability to fully leverage CJTF-7 direct support responsibilities to the CPA. Aside the episodic provision of planning support by CJTF-7 to CPA for the October 2003 CPA strategy for ongoing operations, *Achieving the Vision to Restore Full Sovereignty to the Iraqi People*, there was "surprising little" correspondence from CPA to CJTF-7.²⁹⁵

Many decisions at the CPA were made absent consideration and consultation with the most significant partners in theater: the military, the U.S. Agency for International Development and the Department of State. This is in complete contrast to the relationship simultaneously occurring in Afghanistan between Ambassador Zalmay Khalilzad and Lieutenant General David Barno, the Combined Forces Commander.²⁹⁶ Bremer's CPA and its invasive and overbearing approach to the occupation consistently marginalized the importance of local politics, an important aspect of Iraqi society.²⁹⁷

²⁹⁴ Military Official, interview by author.

²⁹⁵ Ibid.

²⁹⁶ David W. Barno, "Fighting the Other War: Counterinsurgency Strategy in Afghanistan, 2003-2005." in *Military Review*, September/October 2007, Number 87, pp 32-44, 37.

²⁹⁷ Stuart Bowen, *Hard Lessons: The Iraq Reconstruction Experience*, 70, 326-7.

Ambassador L. Paul Bremer surrounded himself with an inner circle of seemingly capable individuals. He recruited a Department of State Official with experience in the Arab world, Ryan Crocker, to serve as his senior advisor on governance. Notably, Crocker served with Tom Warrick on the Future of Iraq Project. Additionally, to provide continuity, Bremer recruited Meghan O’Sullivan from the Department of State, who served under LTG Jay Garner at ORHA, as well as Robin Raphel, a diplomat of some renown. Bremer also opted to maintain several Civil Affairs officers on staff after the transition from ORHA, including his military Chief of Staff. However, as time went on, many of the military officers left the CPA, thereby reducing military influence on the organization.²⁹⁸

Establishment of the System: Iraq De-Ba’athification Council

According to Undersecretary Feith, one of the masterminds behind U.S. de-Ba’athification policy, Ambassador Bremer was anxious to be the agent to deliver the concept to the Coalition and the Iraqi people. Reportedly, Bremer wanted to make the impact of his arrival into Baghdad a momentous event and establish his authority.²⁹⁹ Bremer furthermore wanted to tell the world that the days of Ba’athists dominance in Iraq were over, and never to return. In comparing the policies of denazification and de-Ba’athification Feith argued that while the Nazis controlled Germany for just over a

²⁹⁸ Gordon W. Rudd, *Reconstructing Iraq*, 310-15; see also Michael Hess, interview by author.

²⁹⁹ Gordon W. Rudd, *Reconstructing Iraq*, 308.

decade until 1945, the Ba'athists tyranny lasted for over thirty years.³⁰⁰ When Bremer arrived at the CPA with de-Ba'athification orders in hand, O'Sullivan, the future de-Ba'athification manager, with help from Robin Raphel, re-crafted the orders into the proclamations that were eventually released to the Coalition and the public through television and radio messaging.³⁰¹

CPA Order Number One, "De-Ba'athification of Iraqi Society," served as the foundational document outlining the US National policy with regards to political transformation in Iraq. The key focus was on "Senior Party Members" determined to be affiliated as "Group Members" and through "Regional Command Members." There is some disagreement as to the numbers of Iraqis affected by the order. An insider at the CPA explained that the intent of the order focused on civilian institutions was to affect the "top four levels of Ba'athists," representing only a small percentage of party constituency. These key influencers represented portions of the population that received significant perks and value linked to Ba'ath party affiliation, intending on affecting only one percent of the two million party members, or .01 per cent of the total Iraqi population:³⁰²

³⁰⁰ Douglas Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism* (New York, NY: Harper Collins, 2008), 430.

³⁰¹ Gordon W. Rudd, *Reconstructing Iraq*, 311-12.

³⁰² .01 per cent of the Iraqi population would be affected by de-Ba'athification, as opposed to the estimated 2.5 percent of Germans in the U.S. Zone of occupation in World War II. See James Dobbins et al *Occupying Iraq: A History of the Coalition Provisional Authority*, (Santa Monica, CA: RAND Corporation, 2009), 116; for the one per cent of two million estimate, see Douglas Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism* (New York, NY: Harper Collins, 2008), 427-429.

Individuals holding positions in the top three layers of management in every national government ministry, affiliated corporations and other government institutions (e.g., universities and hospitals) shall be interviewed for possible affiliation with the Ba'ath Party, and subject to investigation for criminal conduct and risk to security.³⁰³

A key component of this order was that suspected Ba'ath Party members would be “interviewed” to determine culpability. However, this nuance was reportedly lost on the populace, who saw this as a wide sweeping policy with no recourse, and generally, had a wide spectrum of understanding of the intricacies of the policies.³⁰⁴ Furthermore, the last line of the Order explained that the CPA Administrator, Ambassador Bremer, or his designees, would grant exceptions on a “case-by-case basis.” The withholding of authority at the level of the CPA in Baghdad was inconsistent with the policies in Germany. During denazification, local maneuver commanders, then Military Governors during the Clay era, had the authority to allow members of the Nazi Party continue to serve if the situation dictated such a requirement, especially if it served to support reconstruction and the populace.

CPA Order Number Two, “Dissolution of Entities,” immediately followed CPA Order Number One. Order Number 2 expanded Order Number One to address specific Iraqi institutions. These included the intelligence directorates, party infrastructure, and other key components of Saddam Hussein's instruments of control. Most notably, this also included the military, which was not deeply infiltrated by the Ba'ath Party. The rank and file were not especially supportive of the Ba'athist Party, and according to Ba'ath

³⁰³ Coalition Provisional Authority, “Coalition Provisional Authority Order 1: De-Ba'athification of Iraqi Society,” (Coalition Provisional Authority, 16 May 2003).

³⁰⁴ W. Andrew Terrill, *Lessons of the Iraqi D-Ba'athification Program*, 12-23.

Party documents seized during the invasion, only fifty per cent of the general officers were party members. This distinction would have been apparent to those who worked with these officers in the early days of the conflict, chiefly the maneuver commanders who worked to re-establish local garrisons.³⁰⁵ Consequently, the dissolution of the armed forces is said to have caused the insurgency that followed in 2004, and sowed the seeds of the insurgency in 2004.³⁰⁶

A key component of CPA Order Number Five was the formation of the Iraqi de-Ba'athification council that was comprised of the Iraqi exiles who supported US planning efforts in Washington over the course of 2002 and 2003. This Iraqi body, to be overseen by the CPA administrator, was tasked with running the de-Ba'athification program. While this approach to use "indigenous" individuals and systems to de-Ba'athify may have appeared fitting, the members of the council represented Iraqis in exile who were not strictly speaking indigenous. The exiled Iraqis of the Iraqi National Congress and the Supreme Council, as well as the more religiously slanted Islamic Revolution in Iraq, held particular political and ideological motivations which were said to have skewed their perspective, and led to results that appeared hateful and retaliatory, anathema to the reconciliation that Iraqi society needed.³⁰⁷ Additionally, abrogating control of the

³⁰⁵ According to John Agoglia, a CENTCOM planner, party membership was not as widespread in the Army as formerly assessed; see W. Andrew Terrill, *Lessons*, 23-45.

³⁰⁶ L. Paul Bremer, "Coalition Provisional Authority Order Number 2, Dissolution of Entities," (Coalition Provisional Authority, May 2003); James Dobbins, *Occupying Iraq*, xxvi.

³⁰⁷ W. Andrew Terrill, *Lessons of the Iraq De-Ba'athification Program*, 23-45

program effectively sealed its fate, as the CPA and U.S. military ceded the strategic message of the program.³⁰⁸

CPA Memorandum Number One outlined the process of de-Ba'athification, and directed the Coalition Forces commander was to provide military resources to support the investigation.

The commander of Coalition Forces shall provide military investigative resources sufficient to receive and compile information concerning possible Ba'ath Party affiliations of employees at all ministries. These resources may be augmented or replaced by U.S. civilian investigators as necessary, and should include professional Iraqis whenever possible.³⁰⁹

Army Counter-Intelligence assets through Coalition "Accreditation Review Committees" played a role in de-Ba'athification investigations.³¹⁰ However, this U.S. support to the Iraqi de-Ba'athification Council was seemingly relegated only to the national levels and focused in Baghdad. This "top-down" approach is consistent with Bremer's approach to the occupation, and marginalized the importance of local politics, which were important to Iraqi society.

Ambassador Bremer made it clear that he expected a multitude of exemptions to de-Ba'athification, and welcomed them. Exemption decisions would be made based on the level of party membership, if the individual left the party before April 2003, whether

³⁰⁸ L. Paul Bremer, "Coalition Provisional Authority Order Number 5: Establishment of the Iraqi De-Ba'athification Council," accessed 04 January 2017, <http://govinfo.library.unt.edu/cpa-iraq/regulations>.

³⁰⁹ L. Paul Bremer, "Coalition Provisional Authority Memorandum Number 1: Implementation of De-Ba'athification Order No. 1," accessed 04 January 2017, accessed on 04 January 2017 http://govinfo.library.unt.edu/cpa-iraq/regulations/20030603_CPAMEMO_1_Implementation_of_De-Ba_athification.pdf.

³¹⁰ Michael Hess, interview by author

the individual joined the party simply to secure employment, and most notably, significant “educational qualifications.”³¹¹ These clauses within the guiding document on how the process of political transformation was to proceed from a lustration and vetting perspective did reflect some of the early missteps of active phase of denazification in 1945.

Bremer opted to maintain control over waivers and exemptions at his level, and did not delegate this authority to subordinates within CPA, nor did he recommend delegation of this authority to CJTF-7 divisional commanders. Observers had the impression that Bremer was not particularly happy with the de-Ba’athification policy and did not find it particularly useful.³¹² However, Bremer attempted to ameliorate the impacts by instituting the waiver process. This perspective perhaps explains why neither he, CPA, nor Sanchez at CJTF-7 actively managed the program as General Clay did in Germany.

Civil Affairs and the Coalition Provisional Authority

The Coalition Provisional Authority was comprised of a series of directorates, many of which were aligned with Iraqi Society. Among these organizations within the “Civil Affairs” directorate, perhaps more appropriately named “Civilian Affairs,” were Youth, Education, Governance, and Justice, to name a few.³¹³ While the CPA primaries

³¹¹ Coalition Provisional Authority, “Memorandum Number 1: Implementation of de-Ba’athification Order No. 1,” (Baghdad: CPA, 16 May 2003), 3.

³¹² Michael Hess, interview by author; Military Official, interview by author.

³¹³ James Dobbins and Seth Jones, *Occupying Iraq*, 21.

within these directorates were former senior Department of State Foreign Service Officers and other military and interagency senior leaders, each directorate employed Army CA Officers.³¹⁴ On an official level, these Officers provided the CPA interagency leaders with military planning and subject matter expertise. In many cases, due to the weak relationship between CPA and CJTF-7, these officers also provided their CPA directorate leaders with an awareness of what CA units achieved at local levels, through leveraging personal relationships in the 352nd CA Command.³¹⁵

In light of the perception of a rift between the CPA and CJTF-7, the CA officers in the CPA held positions of greater importance than initially estimated. These officers could have provided the leadership and decision makers with feedback on the de-Ba'athification process, had the CPA actively managed the program in a systematic and comprehensive manner. The officers at CPA could have also provided operational linkages to the local levels military commands and governance efforts.³¹⁶ Furthermore, considering their intimate awareness and understanding of not only U.S. military culture, but also the mechanics of reporting in support of taskings, lines of operations and efforts, and related particularities of the military system, these individuals could have shaped how the CPA received its information from the field and what type of information to request. If de-Ba'athification has been managed as a line of effort, or at least as a series of objectives in support of the "governance" line of effort, the reporting and

³¹⁴ Ibid, 25.

³¹⁵ Michael Hess, interview by author.

³¹⁶ Ibid.

informational linkages would have been required and present, as they were in Germany.³¹⁷

Reporting

Accessing, understanding, and effectively reporting assessments of the civil domain and the human layer of the common operating picture are both explicit in Civil Affairs doctrine and important to inform Joint Force Commanders' understanding of the populace. The 2001 Army Field Manual *Operations* described "civil considerations," as the civilian culture, organizations, interaction between the military and the other elements of national power, including economics and politics.³¹⁸ Reporting on this information, inherent in CA operations, could have been expanded to include information related to de-Ba'athification.³¹⁹ However, the C9 Fusion Cell at CJTF-7 did not have open lines of communication with the Coalition Provisional Authority. Operational reports in the form of periodic "Situation Reports," which had limited distribution due to secret classification were not digested at the CPA.³²⁰ Between the limited distribution of these reports and the

³¹⁷ A Governance line of operation became a component of the CPA plan, written with support of CJTF-7 planners. The other lines included Security, Essential Services, Governance, Economy, and Strategic Communications. See Donald Wright, *On Point II*, 161.

³¹⁸ Headquarters, Department of the Army, Field Manual 3-0, *Operations*, 5-3 to 5-3.

³¹⁹ For information on civil considerations in doctrine available to Army formations during the two years preceding combat in Iraq, see Army Field Manual 3-0, *Operations*, 2001, 5-5, and for explanation that this was a new concept at the time, see 5-3.

³²⁰ Situation reports refer to periodic reports of operational activity. From a Civil Affairs perspective, these reports typically include information related to civil engagements activities on an ad-hoc basis, but also include administrative and operational

unidirectional nature of correspondence between the CJTF-7 C9 and the CPA, the informational transaction between the two organizations was all but non-existent.³²¹

The type of reporting that would have accompanied a more deliberate approach to de-Ba'athification as demonstrated by OMGUS in Germany, would have provided de-Ba'athification Program Manager Meghan O'Sullivan an awareness of the status of the program and its effects on Iraqi bureaucratic institutions. Secondly, this would have provided the administrators insight as to how de-Ba'athification affected society and the delivery of vital public services. This much-needed feedback loop of specific, relevant, on-hand information from credible Coalition Force sources would also have informed the CPA as to how the Iraqi de-Ba'athification apparatus performed.³²²

In accordance with doctrine, the 101st G-5 CA directorate officers managed a database depicting key infrastructure and relevant populations. This database was fed by both the maneuver elements in sector, the Infantry Platoons and Companies, as well as the Civil Affairs Teams and Civil Military Operations Centers (CMOC). Among other key data points, the database captured the location, status and functionality of vital public and civil infrastructure, along with the key influencers and individuals with purview over

information, not necessarily related to civil-military engagement, and therefore likely not of interest to CPA officials; reports classified at certain levels limit dissemination to the interagency or non-governmental organizations; Military Official, interview by author.

³²¹ Military Official, interview by author.

³²² Reportedly, CPA received feedback from the Iraqi de-Ba'athification Council. While valuable, a greater stake in the process by Coalition elements would have elicited more specific reporting on the performance of the program and the effects, both desired and unintended.

the site.³²³ This in and of itself is an extremely valuable tool, and facilitated the G-5 CA Directorate depiction of the civil layer of the common operating picture, the human domain. Because de-Ba'athification was not centrally executed by CPA and delegated to maneuver commands under V Corps, the utility of this key infrastructure database was limited to Civil Military Operational targeting by the local division and brigade commands. However, had CPA or V Corps actively managed or even tracked the de-Ba'athification program as was the case in Germany, this type of database would have provided extremely useful information.

De-Ba'athification: Government, Judiciary, and Health

De-Ba'athification efforts by U.S. Army Civil Affairs occurred in disparate places and instances, largely guided by their own sense of the intent of the Coalition goals, and almost completely without guidance from the CPA, CJTF-7, or subordinate commands. In some instances, Civil Affairs officers who were partnered with ministry officials at the national level in support of, or alongside CPA programs and directorates, affected execution of de-Ba'athification through their efforts to support national Iraqi systems and bureaucracy. Some of the functional specialty teams comprised of Civil Affairs officers, Judge Advocate General officers, and physicians. At the tactical levels, Civil Affairs Teams that supported maneuver companies, battalions, and the Governance Support Teams affected de-Ba'athification when possible. CMOCs played an intricate role in de-Ba'athification, as they were the maneuver commander's frontline troops with regards to

³²³ Kevin Mumaw, interview by author.

accessing the population, as well as coordinating efforts between the command, usually a Brigade, the populace, and the NGO and USAID communities.

Colonel R. Alan King, still operating out of his Baghdad CMOC, became renown amongst Iraqi influencers. As a focal point for the populace, his offices became a “magnet for [the] top 200 most-wanted regime officials.” In the summer of 2003, King and his team received the surrender of former Iraqi ambassadors, former parliament members, and other influential Ba’athists.³²⁴ Besides the capture of Muhammad “Baghdad Bob” Saeed al-Sahaf, King also captured the former chairman of the Iraqi atomic energy agency, and other notable Saddamists.³²⁵

Captain Dennis Van Wey and the efforts of the 418th Civil Affairs Battalion demonstrated an example of Civil Affairs ad-hoc contribution to de-Ba’athification while supporting 2nd Brigade, 4th Infantry Division in Diyala Province. Despite the lack of guidance from ORHA or the CPA, Van Wey understood the intent behind de-Ba’athification. With an eye toward ridding Diyala Provincial institutions of negative Ba’athist influencers, he tracked employee records and other key statistics to support re-establishment of public welfare and educational programs. Van Wey also established the first occupation-era Labor Directory, as well as a directory to track retirement and land ownership rights. Additionally, he re-established the Statistics Directory, which maintained Diyala’s maps and census information as well as the location of Ba’athists in

³²⁴ R. Alan King, *Twice Armed*, 139.

³²⁵ *Ibid*, 26.

his province. He determined that Ba’athists from the former government took demotions in order to “hide out” in other directorates, including in education.³²⁶

Several dozen Judge Advocates, or military attorneys, deployed with the 352nd among the nearly two-thousand other Civil Affairs Soldiers during the initial months of Operation Iraq Freedom. Representing a component of the Reserve Civil Affairs functional specialty capacity, these Judge Advocates operated as part of the greater Civil Affairs formations, be they command-level headquarters, CMOCs, or tactical teams when appropriate. These Judge Advocates managed the Iraqi legal systems from financing to operations, with particular focus to de-Ba’athifying and re-establishing the court system.³²⁷

After the invasion and subsequent de-Ba’athification order, the former Iraqi Minister of Health vacated his post. The 96th Civil Affairs Battalion Surgeon supported the former deputy Minister of Health as he assumed duties as the minister. The surgeon negotiated the impacts of the de-Ba’athification proclamation, with the requirement to quickly reconstitute the national health system. While the incoming Minister of Health was also a Ba’ath party member, The Surgeon determined that practicality trumped all, and supported the new minister. Several young physicians in Baghdad approached The Surgeon, and accused the Coalition of replacing one Ba’athist with another. However, Colonel Hess at the CPA, who was aware of this operation, assessed that The Surgeon

³²⁶ Dennis Van Wey, interview by author, (Fort Leavenworth, KS, 17 April 2017).

³²⁷ Center for Law and Military Operations, *Forged in the Fire: Legal Lessons Learned During Military Operations, 1994-2008*, (Charlottesville, VA: The Judge Advocate General’s Legal Center and School, 2008), 12-14.

understood the nuances of how to balance this tacit requirement with the overarching requirement to rebuild Iraq.³²⁸

Recasting Society through Education: Iraqi Schools

As previously described, societal and political transformation through schools is of vital importance. Lieutenant Colonel Dennis Van Way's observation that more senior Ba'athists in Diyala province would attempt to abscond to the Education Ministry to hide from de-Ba'athification policies was indicative of the importance of purging the educational system. Van Wey further executed ad-hoc de-Ba'athification when he held an education job fair to replace the Ba'athists fired due to party affiliation.³²⁹ Meanwhile, other organizations attended to recasting society through the replacement of educational materiel.

The purging of textbooks and written school material that featured the long and storied reign of Saddam Hussein and potentially influenced hundreds of thousands of Iraqis was a necessity. Denise Dauphinas, who worked for the United States Agency for International Development described the ad-hoc nature in which the Coalition approached this effort in a USIP interview.³³⁰ Civil Affairs officers were present at nearly every instance of educational reform, between the CPA, ORHA, ministry advisory duties,

³²⁸ Michael Hess, interview by author.

³²⁹ Dennis Van Wey, interview by author.

³³⁰ Denise Dauphinas, "27 July 2004 Interview by Larry Lesser," (United States Institute of Peace, Iraq Experience Project, 2004), *passim*.

and the tactical and maneuver command level, including at the 101st Infantry Division under then Major General David Petraeus.

In terms of recasting Iraqi society from its recent Ba'athist roots, Civil Affairs officers advising General David Petraeus and the 101st Infantry Division worked actively to revise and reform the education system in Mosul and other population centers within the division area of responsibility.³³¹ On a few occasions, the local schoolteachers, both primary and secondary, reached out to the 101st Civil Affairs staff officers, through the Civil Affairs Teams, to re-evaluate the textbooks in the schools. The teachers reported that their schoolbooks told the story of Saddam Hussein, and were replete with photographs and pro-Saddam literature. Major Val Siegfried and Lieutenant Mumaw, members of the 101st Civil Affairs staff directorate, initiated long-term projects with partnered implementers to replace old textbooks throughout the area of responsibility.³³² Furthermore, the 101st Civil Affairs staff officers facilitated Japanese Government outreach proposals to reform and enhance the educational system, a goal of the Japanese Government.³³³

Transition of De-Ba'athification to Iraqis

On 10 August 2003, Bremer, in concert with Ambassador Ryan Crocker, then director of Governance at the CPA, worked to transition responsibility for the de-

³³¹ James Owens, telephone interview by author; Kevin Mumaw, interview by author.

³³² Kevin Mumaw, interview by author.

³³³ Ibid.

Ba'athification to the Iraqi Governing Council's High National De-Ba'athification Commission, and announced this plan through CPA Order Number 7 on 04 November 2003. Crocker argued that the Iraqis could demonstrate a more nuanced approach to the program, and simultaneously relieve the CPA and Coalition military forces from shouldering the political pressure of de-Ba'athification, as well as the focus of the ire of the population.³³⁴

The key Commission members, led by the divisive Ahmad Chalabi and other Iraqi expatriates, Mowaffak Al-Rubaie and Ali Alawi, reported that they modelled the Iraqi version of de-Ba'athification on the post-World War II denazification programs, particularly the U.S. version.³³⁵ This intellectual linkage between Iraq's de-Ba'athification and U.S. denazification was apparent in the structure of the program and vetting processes, and was a continuation of the discussions in 2002 during the *Future of Iraq Project*. It was the U.S. version of denazification that quite explicitly and strictly specified the levels of vetting and lustration, as well as the mechanisms with which the government would apply vetting procedures.

Ambassador Bremer later acknowledged the mistake in delegating de-Ba'athification to the Iraqis as early as he did, and to an organization that featured prominent and divisive Shia leaders.³³⁶ The Iraqi High National De-Ba'athification

³³⁴James Dobbins et al, *Occupying Iraq*, 117.

³³⁵ al-Rubai and Alawi, "Case for the De-Ba'athification of Iraq and formation of the National De-Ba'athification Council," undated paper in CPA Archives, as quoted in James Dobbins et al, *Occupying Iraq*, 113.

³³⁶ L. Paul Bremer, "In Iraq, Wrong Made a Right," *The New York Times*, 13 January 2006, *passim*.

commission policies were expansive in nature, whereas the post-OMGUS, German-run programs under later denazification in 1947 were the opposite. The Iraqi version voided the several exemptions that were granted under the prior system, and expanded to barring excluded Iraqis from service in both government employment as well as any position of influence in civil society. Without the oversight of the program that existed during the General Lucius Clay transition of denazification to the Germans in 1946, the Iraqi High de-Ba'athification Commission program limited national reconciliation efforts, at a time when the fledgling insurgency among the Sunni populations against the now majority Shia government was just beginning to grow.³³⁷

Results

The de-Ba'athification program in Iraq from 2003 onward was designed to achieve military and national objectives and end states. These end states amounted to the effective elimination of Saddamist-Ba'athist influence from the fabric of the Iraqi security forces, government, and society.³³⁸ However, the de-Ba'athification program proved to be very divisive, with devastating impacts. The intertribal conflicts between the displaced Sunni minority and the Shi'a majority, who gained significant influence during the post-Saddam de-Ba'athification era, pushed the country toward civil war.³³⁹

³³⁷ James Dobbins, et al, *Occupying Iraq*, 117-9.

³³⁸ Coalition Provisional Authority, *CPA Proclamations 1-3*.

³³⁹ James Baker and Lee Hamilton, *Iraq Study Group Report*, (Washington, DC: United States Institute of Peace, 2006), 36.

Because of the uneven and ad-hoc execution of the U.S.-led de-Ba'athification program, there is no reliable evidence to support an assessment of the performance of the program, as there was with denazification in Germany. LTG Ricardo Sanchez, the CJTF-7 commander, assessed that de-Ba'athification program led to the exclusion of 400,000 former Iraqi Army members, and 100,000 civilian workers, which ultimately led to a sixty per cent unemployment rate. According to Sanchez, de-Ba'athification eliminated large swaths of vital governmental bureaucracy, including justice, schools, universities and hospitals.³⁴⁰

Military professionals close to the experience describe the way in which the US pursued de-Ba'athification as having a profound effect on Sunni Iraqis. Large swaths of Sunnis and other Iraqis found their lives turned upside down, unable to feed their families, and facing the ire of the Coalition. Furthermore, the key leaders that were subject to the de-Ba'athification provided the seed corn for the insurgency that followed.³⁴¹ The insurgency pushed Iraq into civil war, and cost the U.S. in blood and treasure for years to come.

According to a United States Institute of Peace analysis of the violence in Iraq in 2006, the Sunni minority harbored resentment towards the Coalition. This was attributed directly to the de-Ba'athification efforts. The fact that the Coalition only managed de-Ba'athification to the extent that the CPA dissolved the Iraqi military in May 2003 with

³⁴⁰ Ricardo Sanchez, *Wiser in Battle*, 183-84.

³⁴¹ Colonel Derek J. Harvey, U.S. Army Military Intelligence officer and former chief of the Coalition "Red Team," a group that exhaustively studied the insurgency in 2004, as quoted in Donald Wright and Timothy Reese, *On Point II*, 92.

CPA Proclamation 2, and then transitioned the program to Iraqi control in November 2003 was lost on the average Sunni. The continued occupation of U.S. forces in Iraq likely furthered the impression amongst the formerly powerful, yet displaced Sunnis that the U.S.-led coalition continued to manage the de-Ba'athification effort, likely seeing the IGC and Iraqi de-Ba'athification councils as mere puppets of the Coalition.³⁴²

There were some successes from the program. A Department of Defense civilian charged with rebuilding the Iraqi Ministry of Defense assessed that without de-Ba'athification, the re-establishment of an effective Ministry would have been impossible. He further explained in an interview with the United States Institute of Peace, that one third of the new ministry were former Iraqi ex-military, yet this did not seem to inhibit political realignment.³⁴³

Conclusions

The late decision to plan and execute de-Ba'athification set the conditions for poor application of the program, and the exclusion of the Civil Affairs Regiment and other important stakeholders, which could have effectively managed the program. This affected the training, deployment and employment of the very forces most important in political transformation activities during peacebuilding and occupations. Active management of the program by U.S. military professionals, with efforts led by the face of

³⁴² James Baker and Lee Hamilton, *Iraq Study Group Report*, (Washington, DC: United States Institute of Peace, 2006), 15.

³⁴³ Frederick Smith was a DoD civilian employee, and worked in the office of the CPA as the Deputy Senior Advisor for National Security Affairs; see Frederick C. Smith, "Executive Interview by Phil Cox," (Washington, DC: United States Institute of Peace, Iraq Experience Project, 2004), 1-2.

the military to the public, the Civil Affairs elements at all echelons from the CPA to the CA Teams at the local villages, would have produced a more nuanced and even approach. Furthermore, a command structure that facilitated the importance of, and consistency in the execution of stability and occupation efforts could have yielded tremendous benefits.

“Ad-hockery in action,” is how warrior-scholar Dr. Colonel Peter R. Mansoor quoted one of his staff officers describing the post-combat operations campaign. Mansoor who commanded 1st Brigade, 1st Armored Division 2003 succinctly summarized an important lesson: occupation and stabilization are far more complex and labor intensive than regime change.³⁴⁴ Occupation requires forces that can go beyond the provision of security, support civic action, reconstruction and conduct humanitarian assistance operations. The planning, preparation and deployment of these forces must be considered early in the pre-war planning cycle to ensure the right capabilities are trained, organized and available at the right place and time. Beyond CJTF-7 directives to continue to execute offensive operations to strike at the remnants of the Ba’athist Regime, there was no guidance to U.S. Army Divisions and Brigades to conduct effective occupation operations.³⁴⁵ This condition clearly precluded effective political transformation efforts by CA units.

³⁴⁴ Peter R. Mansoor, *Baghdad at Sunrise*, 108.

³⁴⁵ *Ibid*, 109.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Introduction

Through an exhaustive comparison of Civil Affairs Regimental contributions to U.S. Military political transformation efforts towards liberal democratization occupations in post-World War II Germany from 1945 to 1947 and post-war Iraq in 2003, four succinct prerequisites surfaced: the importance of understanding the value of political transformation and the requirement for early planning for policy and execution; an appropriate command and structure to encourage unity of command and effort; an acknowledgement of the capabilities of the Civil Affairs Regiment to support political transformations, which is woven into the rest of the discussion; and lastly, the importance of leadership. This chapter will summarize these findings in the following sections.

Political Transformation

An important lesson is the danger of setting policy that is too aggressive and deep-cutting with regards to lustration, vetting and recasting society. The type of rhetoric that surrounded the deeper denazification efforts of the post-Potsdam era in Germany, as well as the de-Ba'athification program of the Coalition Provisional Authority era of May 2003 were quite divisive in nature. The Truman administration succeeded in some ways with the Potsdam rhetoric because Germany was a defeated nation, he had the will of the Allies alongside him and in agreement as to how to proceed. Most importantly, he had enough CA and maneuver forces to adequately secure the populace and impact the conditions in Germany.

In Iraq, the deep-cutting de-Ba'athification policies that Ambassador Bremer delivered on behalf of the President and the Office of the Secretary of Defense, without understanding the tenuous peace at the time, were equally aggressive. As Ambassador Bremer learned quickly, de-Ba'athification was a bell he could not unring. Due to political constraints, CENTCOM did not have the overwhelming forces available, specifically CA, Military Police and other relevant occupation forces to execute the harsh de-Ba'athification policies. Therefore, they turned to proxies through the Iraqi De-Ba'athification Council. CENTCOM, CFLCC and even the CPA itself abrogated positive control of program execution by delegating much of it to the Iraqis in May 2003, and then lost all control of it when the CPA transitioned control of de-Ba'athification to the Iraqis in November.

By maintaining positive control of denazification in Germany, General Lucius Clay could continually assess the progress of the program, as well as its effects on society. Armed with that awareness, he affected execution while informing President Truman, General Eisenhower and the American people as to the progress. Clay worked tirelessly and succeeded in realigning the command relationship with OMGUS to consolidate the efforts of the military governors and reduce organizational frictions across the U.S. Zone of Germany.

Planning

Planning drives resourcing, training and other forms of preparation for military operations. While Helmuth von Moltke famously said that no plan survives first contact with the enemy, Eisenhower said, "In preparing for battle I have always found that plans

are useless, but planning is indispensable.”³⁴⁶ Despite the *jus ad bello* of tearing down the tyrannical Ba’athist regime espoused by President Bush during the state of the union as well as Douglas Feith’s testimony before the Senate, instructions to CENTCOM Tommy Franks were neither specific nor decisive enough to warrant appropriate post-war occupation planning. The absence of emphasis on post-war stability and peace operations from CENTCOM created ripple effects throughout the rest of the planning process, including at 3rd Army-CFLCC.

As discussed in chapter four, there was a significant gap in planning for stability operations between the April 2003 publishing of *Eclipse II* by CFLCC prior the commencement of operations, and the subsequent stability operations plan. CFLCC assumed that the Office of Reconstruction and Humanitarian Assistance (ORHA) would assume duties and provenance over Phase IV Stability operations, and that the Department of State, representatives from the equivalent to an Iraqi government in exile, the Iraqi National Congress, and other key stakeholders would manage stability tasks.³⁴⁷ While ORHA was the closest thing to what would have resembled OMGUS in Germany, or a unified command for reconstruction in Iraq, the organization did not have sufficient influence over or with CFLCC to task CA assets, much less maneuver units, in support of the rebuilding of governance apparatus.

³⁴⁶ Dwight D. Eisenhower, “14 November 1957 Speech at the Defense Executive Reserve Conference,” in *Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1957*, (Washington, DC: Government Printing Office,) 818.

³⁴⁷ Donald Wright, *On Point II*, 141.

While the aforementioned list of organizations implies a comprehensive approach to planning, there was a lack of consensus and understanding of who was in charge. General Franks and CENTCOM, as the Theater Command, had overall purview over planning. However, the administration's inability to affect cohesive policy limited unified effort towards stability and reconstruction efforts. Because of a lack of planning, a direction and unified effort toward de-Ba'athification and the lustration of the former Saddam Regime laid unaddressed, and therefore, unmanaged. It was not until October 2003 that the Coalition Provisional Authority issued its strategy for the future of Iraq. This would be the focus, which would finally provide the framework for CJTF-7, the overall military command to plan anew for stability efforts.

More specific planning would have also driven training at both the 96th CA Battalion, as well as the 352nd Civil Affairs Command. Because the Army acknowledged that the Civil Affairs officers on their way to Germany would be expected to purge Nazis from German society while also supporting local governance activities, the School of Military Governance as well as the Civil Affairs Division had the opportunity to adequately prepare CA officers. In contrast, the disconnect between policy and execution relative to the likelihood of a military occupation in Iraq precluded more intense training and preparation at the CA units.

Organization

The organization and command structure of CA units in the theater had a large impact on their effectiveness. A realignment of the command structure in Iraq with relation to the Civil Affairs units may have facilitated more ideal outcomes. A unified Civil Military command or Military Government command, similar to what Clay

developed with OMGUS, would have normalized governance and therefore, political transformation across Iraq. While Iraq certainly was neither monolithic nor homogenous with regards to the fabric of its society, there is a case to be made for a common operating picture in terms of governance efforts. Furthermore, a unified CA Command structure and subsequent mission reporting would have facilitated a keener awareness of the status of governance and societal transformation efforts across the theater.

Some of the planning problems may have been mitigated had General Franks at Central Command more deeply embraced his role as the administrator and military governor of Iraq, as General Eisenhower did 59 years prior. Considering that Franks negotiated the war in Afghanistan simultaneously with other engagements in the Central Command area of responsibility, delegation of military governorship duties to LTG McKiernan of 3rd Army CFLCC could also have made the point amongst echelons above the brigades that governance was a military problem, at least until the security situation allowed for a more holistic interagency effort. An alternate solution would have been to establish a unified Civil Military Command. U.S. Army examples include the OMGUS in Germany, the Civil Operations and Revolutionary Development Support (CORDS) in Vietnam, or the Joint Civil Military Operations Task Forces in Afghanistan in 2002 and in Northern Iraq in 1991, when Lieutenant General Garner assisted the Kurds during Operation Provide Comfort. Despite General Franks' assertion that the efficiencies of military control over governance and reconstruction were not as important as the "political correctness" of civilian control by ORHA and then Ambassador Bremer of the CPA, military command and control over all efforts in Iraq would have ensured unified

action.³⁴⁸ Conversely, General Clay understood the importance of balancing the streamlining of authorities over occupation-related tasks and missions, with the strengths of military command of governance.

A more centralized command structure would have facilitated communication of the de-Ba'athification policy to the CA operators. This consequently would have allowed CPA administrators to deliver the message of de-Ba'athification to the populace more deliberately, effectively, and in a more nuanced manner. Lieutenant Christopher Holshek, the 402nd CA Battalion Commander, argued that post-war efforts during Operation Iraqi Freedom might have been more effective, uniform and consistent under a unified civil military operations command structure. A Civil Military Operations Task Force, subordinate to ORHA then CPA, both organizations commanded by an Army general officer, may have normalized governance, reconstruction and societal transformation more effectively than the maintenance of operational control over CA and related forces by the maneuver commands.

In addition to arguing for a unified command, Colonel Holshek, the 402nd Civil Affairs Battalion commander also remarked that the direct support assignment of CA formations to maneuver divisions and brigades is generally a flawed concept in occupation warfare.³⁴⁹ The ability of CA forces to initially survey the terrain, build

³⁴⁸ Scholar Nadia Schadlow argues that poor unity of command has historically plagued U.S. efforts at post-combat governance efforts, due to the roles civilians played in occupation operations; General Tommy Franks, as quoted in Nadia Schadlow, *War and the Art of Governance: Consolidating Combat Success into Political Victory* (Washington, DC: Georgetown University Press, 2017), 276-77.

³⁴⁹ Christopher Holshek, interview by author.

relationships with local leaders, key influencers and the populace at large, then leverage those relationships to execute Civil Affairs and Civil Military Operations while influencing populations is negatively impacted by this type of area of operations realignment. In as much as the security, logistics and other support and stability mechanism will allow, CA forces should integrity in areas or geographic assignment to the extent possible. This can be achieved by adopting the model utilized in Germany during the quadripartite occupation. The teams in Bremen and Berlin remained positioned in Bremen and Berlin, despite the internal 3rd Army force realignments throughout the 1945 to 1947 period.

The establishment of a Joint Civil Military Operations Task Force has precedent in recent history. A JCMOTF was established during the in Iraq at the end of Operation Desert Storm in 1991 in support of Operation Provide Comfort, in Bosnia during the U.S. and NATO intervention in the late 1990s, and has roots similar construct with the Civil Operations and Revolutionary Development Support, or CORDS, during the Vietnam War. In Operation Enduring Freedom-Afghanistan, which commenced in October 2001 just 16 months prior to Operation Iraqi Freedom, CENTCOM ordered the establishment of a Combined Joint Civil Military Operations Task Force (CJCMOTF) to manage CA efforts across Afghanistan.³⁵⁰

The CJCMOTF commanded by the 489th Civil Affairs Battalion, initiated operations in December 2001 under the CFLCC-Afghanistan. The CJCMOTF

³⁵⁰ Neumann, Brian F. and Lisa Munday. *Operation Enduring Freedom: March 2002-April 2005*. The United States Army in Afghanistan series, Center of Military History Publication 70-122-1.

coordinated joint efforts with the United States Marine Corps, U.S. Navy, as well as interagency efforts with USAID and the U.S. Department of State. Furthermore, the CJCMOTF coordinated activities with U.S. and international NGOs as well as NATO agencies.³⁵¹

Leadership

This study recounted numerous episodes where Civil Affairs leaders demonstrated strong leadership and initiative. In Germany, Civil Affairs officers balanced the requirements to rebuild German government and institutions with the wax and wane of denazification policy. There were episodes when the CA professionals made important decisions to either operate by the letter of the law versus the intent by lustrating former Nazis in accordance with denazification policy, or follow the intent of the law, and allow former Nazis with much needed technical skills to continue to serve. Likewise in Iraq, absent specific de-Ba'athification directives from CJTF-7 and the CPA, CA officers like Captain Van Way understood the intent of the de-Ba'athification policy. In the course of his reconstruction of important Diyala provincial institutions and services, he de-Ba'athified along the way. However, it was the visionary leadership of General Lucius D. Clay and Ambassador L. Paul Bremer that made among the most significant impacts.

³⁵¹ A (C)JCMOTF is defined as follows according to U.S. Joint Doctrinal Publication JP 3-57 *Civil Military Operations*, II-16: "A JCMOTF can be formed in theater, in the US (within the limits of the law), or in both locations, depending on scope, duration, or sensitivity of the CMO requirement and associated policy considerations. JCMOTFs can consolidate and coordinate CMO, provide unity of command, and allow the JFC to centralize CMO and transition efforts under one headquarters."; for CJCMOTF-Afghanistan, see Garland G. Williams, *Engineering Peace: The Military Role in Postconflict Reconstruction*, (Washington, DC: United States Institute for Peace, 2005), 199-202.

When General Clay arrived at SHAEF in 1945, with a full awareness of his duties as Deputy Military Governor, he sought to consolidate control over his military governors as quickly as possible. Observing the frictions the military governors had with their supported maneuver commands, as well as the need to normalize military government planning and policy across the U.S. Zone, Clay affected organizational change to achieve better outcomes. A relentless worker, Clay's efforts led to relative success of the denazification program, and led to his eventual promotion to theater commander.

Arguably, L. Paul Bremer entered into a difficult situation in Iraq. Arriving in theater only weeks after the invasion and assuming authority over a new office, the CPA, simultaneously when CJTF-7 under V Corps assumed authority over ground troops in Iraq from a redeploying 3rd Army-CFLCC, Bremer faced a steep learning curve. However, in his attempt to make his arrival known, he opted to support the delivery of the de-Ba'athification orders before he had adequate opportunity to survey the situation. This haste eliminated the opportunity to be as thoughtful as possible regarding the implementation of the new policy in terms of force structure, and truly understand the ways and means available to execute de-Ba'athification in an effective and meaningful way. Additionally, his difficult relationship with various interagency partners and the military, including LTG Sanchez, the CJTF-7 commander, set the conditions for uneven performance.

Conclusions

This paper has linked the commonalities between two of the U.S. Army's major experiences in post-war political transformation during occupations. The complex

peacebuilding endeavors of recasting society, lustration and vetting of key influencers require significant attention in terms of planning, preparation and execution. The Iraq war planners did not appreciate the importance of political transformations in post-war stability efforts to consolidate the gains made during combat operations, and therefore did not plan for the deep political transformation that the U.S. Government ultimately pursued after the invasion. This oversight prevented the Army from incorporating the Civil Affairs Regiment's full capabilities to leverage its relationships with the populace and unified action partners. However, because Civil Affairs professionals were uniquely positioned to observe, support, and execute lustration and social reconstruction efforts, they did so when possible.

The importance of leadership at all echelons cannot be overstated. Civil Affairs leaders throughout Germany and Iraq demonstrated an outstanding ability to overcome the particular frictions they encountered as they worked to transform the societies in which they operated. Perhaps most significantly, the contrast in the leadership of General Lucius D. Clay in Germany, and L. Paul "Jerry" Bremer in Iraq was demonstrated through their actions, with a corresponding effect on the mission. The legacies of U.S. Army activities in both Germany and Iraq have and will continue to reverberate for generations to come.

Perhaps the most significant revelation is the culture amongst policymakers and some military leaders of denying the requirement to deliberately and carefully execute political transformation programs during occupation and peace building efforts after regime change. Furthermore, while transformation require an interagency effort, there must be unity of effort and command to ensure a focused and streamlined approach. The

old adage of a six-person volleyball team beating a twelve-person volleyball team does not necessarily apply to the cases studies within this work. There were many thousands of Civil Affairs Soldiers in Germany in May 1945, and similarly, nearly two million troops amongst the Army Groups. However, because Secretary Stimson ensured a unity of effort and command through Eisenhower at SHAEF, General Eisenhower enjoyed purview over not only all U.S. Forces, but the Allies as well.

BIBLIOGRAPHY

Primary Sources

- Bremer, L Paul. "Coalition Provisional Authority Order 1: De-Ba'athification of Iraqi Society." Coalition Provisional Authority, 16 May 2003. Accessed 04 January 2017, <http://govinfo.library.unt.edu/cpa-iraq/regulations>.
- Bremer, L Paul. "Coalition Provisional Authority Order 2: Dissolution of Entities." Coalition Provisional Authority, May 2003. Accessed 04 January 2017, <http://govinfo.library.unt.edu/cpa-iraq/regulations>.
- Bremer, L Paul. "Coalition Provisional Authority Order 5: Establishment of the Iraqi De-Ba'athification Council." Coalition Provisional Authority, May 2003. Accessed 04 January 2017, <http://govinfo.library.unt.edu/cpa-iraq/regulations>.
- Bremer, L Paul, "Coalition Provisional Authority Memorandum Number 1: Implementation of De-Ba'athification Order No. 1," accessed 04 January 2017, http://govinfo.library.unt.edu/cpa-iraq/regulations/20030603_CPAMEMO_1_Implementation_of_De-Ba_athification.pdf on 04 January 2017.
- L. Paul Bremer. "In Iraq, Wrong Made a Right." *The New York Times*, 13 January 2006.
- Bush, George W. "Transcript of President George W. Bush State of the Union Address, 29 January 2002." *Official Archives of the White House*. Washington, DC: The White House, 2002. Accessed 07 February 2017. <https://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>.
- Bush, George W. *National Security Presidential Directive 24*. Washington, DC: The White House, 2003. Accessed 04 December 2016, <https://fas.org/irp/offdocs/nspd/nspd-24.pdf>.
- Bremer, L. Paul. *My Year in Iraq*. New York, NY: Simon and Schuster, 2006.
- Clay, Lucius D. *The Papers of Lucius Clay*. Bloomington: Indiana University Press, 1974.
- . *Germany and the Fight for Freedom*. Cambridge: Cambridge: Harvard University Press, 1950
- . *Decision in Germany*. Westport, CT: Greenwood Press, 1950.
- Eisenhower, Dwight D. "14 November 1957 Speech at the Defense Executive Reserve Conference," in *Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1957*, National Archives and Records Service, Government Printing

- Office. Accessed 12 February 2017. <https://www.archives.gov/federal-register/publications/presidential-papers.html>.
- Feith, Douglas, J. *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*. New York, NY: Harper Collins, 2008.
- Franks, Tommy. *American Soldier*. New York, NY: Harper Collins, 2004.
- Griffith, William E. "Denazification in the U.S. Zone of Germany," in the *Annals of the American Academy of Political and Social Science*, Vol 267 January 1950, pp 68-76.
- King, R. Alan. *Twice Armed: an American Soldier's Battle for Hearts and Minds in Iraq*. St. Paul, MN: Zenith Press, 2006.
- Mansoor, Peter R. *Baghdad at Sunrise: A Brigade Commander's War in Iraq*. Yale University Press, 2008.
- Sanchez, Ricardo S. *Wiser In Battle*. New York, NY: Harper Collins, 2008.
- von Salomon, Ernst. *Fragebogen*. Translated by Constantine Fitzgibbon. GMBH: Rowohlt, 1954.
- Smith, H. A. *Military Government*. Fort Leavenworth, KS: The General Service Schools Press, 1920.
- Government and Other Official Documents: Plans, Reports and Debriefs
- Baker, James A and Lee H. Hamilton. *The Iraq Study Group Report: The Way Forward – A New Approach*. Washington, DC: The United States Institute for Peace, 2006.
- Central Intelligence Agency. *The Postwar Occupations of Germany and Japan: Implications for Iraq*. Washington, DC: Central Intelligence Agency, 2002.
- Center for Law and Military Operations. *Forged in The Fire: Legal Lessons Learned During Military Operations, 1994-2008*. Charlottesville, VA: The Judge Advocate General's Legal Center and School, 2008.
- Coalition Provisional Authority. "CPA Order One: De-Ba'athification of Iraqi Society." Baghdad, Iraq: Coalition Provisional Authority, May 2003.
- Combined Chiefs of Staff. "Combined Chiefs of Staff directive to General Eisenhower." *Papers of President Dwight D. Eisenhower, National Park Service*. Accessed 07 February 2017. <https://www.nps.gov/museum/exhibits/eise/allied.html>.
- United States Department of State. *Future of Iraq Project*. 2002. Accessed 17 January 2017. <http://nsarchive.gwu.edu/NSAEBB/NSAEBB198/index.htm>.

- Eyre, Michael. "Civil Affairs Integration at the JRTC." CTC Bulletin 98-12. Fort Leavenworth, KS: Center for Army Lessons Learned, 1998.
- Headquarters, 3rd United States Army. "Operations Plan Cobra II Base Plan." Camp Achmed, Kuwait: 3rd United States Army, January 2003.
- Headquarters, 1st United States, *Intelligence Plan, Operation Eclipse*, "E Section Plan," G-2 Intelligence Section, Headquarters, 1st United States Army, CARL N-13166, 1945.
- Headquarters, 12th Army Group. *After Action Report of Civil Affairs and Military Government in "Overlord" and "Eclipse" Operations 1944-45*, G-5 Section, Headquarters 12th Army Group, A.E.F., CARL Archives R-11426.
- Headquarters, U.S. Forces European Theater, *Removal of Nazis and Militarists: Directive to 3rd and 7th U.S. Armies*, 15 August 1945. Germany: U.S. Forces, European Theater, 1945, CARL N-11015.
- Headquarters, Department of the Army. *United States Army Reserve in Operation Desert Storm: Civil Affairs in the War with Iraq*. Washington, DC: United States Army Reserve, 09 October 1991.
- Headquarters, U.S. Department of State. "Future of Iraq Working Group." *National Security FOIA Archive, George Washington University*. 2002. Accessed 12 December 2016. <http://nsarchive.gwu.edu/NSAEBB/NSAEBB198/index.htm>.
- High Commissioner for Human Rights, *Rule-of-Law Tools for Post-Conflict States: Vetting: An Operational Framework*, New York, NY: United Nations, 2006. Accessed 05 March 2017. <http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf>
- Historical Division, European Command. *Military Government in Munich*. Special Studies Series, Volume 1, Number 3, 1951. European Command, 1951, CARL REF 940.5338015 M644.
- Historical Division, U.S. Army Europe. *The U.S. Armed Forces German Youth Activities Program, 1945-1955*. U.S Army Europe, 1956, CARL REF 940.5338015 G373p.
- Historical Division, European Command. *Occupation Forces in Europe Series, 1946-47: German Youth Activities of the U.S. Army, 01 July 1946 -03 June 1947*. Frankfurt-AM-Main, Germany: European Command, 1948, CARL REF 940.5338015 G373, 2.
- Moon, Ban Ki-, "United Nations Approach to Transitional Justice," Guidance Note of the General Secretary, United Nations, March 2010. Accessed 07 March 2017. https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf.

- Office of the Military Government, United States. "Denazification: Cumulative Review," in *Report of the Military Governor, 01 April 1947 through 30 April 1948*, No. 34. Frankfurt am Main, Germany: U.S. Forces European Theater, 1948.
- Office of the Military Government, United States. *Report of the Military Governor of the U.S. Zone, August 1945*, Number 1. Germany: U.S. Forces, European Theater, 1945, CARL N-11566.
- Office of Military Government, United States, Information Control Branch. *Intelligence Summary, Week 41, Ending 1 May 1946*. U.S. Forces European Theater, 1946, CARL N-12635-41.
- Office of Military Government, United States, Information Control Branch. *Intelligence Summary, Week 42, Ending 18 May 1946*. U.S. Forces European Theater, 1946, CARL N-12635-42.
- Office of The Military Government United States. *Monthly Report of the Military Governor, U.S. Zone*, Number 1, August 20, 1945. U.S. Forces, European Theater, CARL N-11566.
- Office of The Military Government, United States. *Monthly Report of the Military Governor, U.S. Zone*, Number 30, December 20, 1947. U.S. Forces, European Theater, CARL N-11566.
- Office of The Military Government, United States. *Monthly Report of the Military Governor, U.S. Zone*, Numbers 1-50, 1945-49. U.S. Forces, European Theater, CARL N-11566.
- Supreme Headquarters Allied Expeditionary Force. *Eclipse Outline Plan*. SHAEF Headquarters, CARL Archives.
- Task Force IV. *Commander's Brief: 02 February 2003*, George Washington University FOIA National Security Archive. Accessed 10 September 2016. <http://nsarchive.gwu.edu/NSAEBB/index.html>.
- United States Agency for International Development, "National Public Opinion Survey on Democratic, Economic, and Judicial Reforms, Including Implementation of the Law on Purification of Government," in USAID Fair Justice Project. Accessed 02 April 2017. www.usaid.gov..
- United States Agency for International Development, "Who Wants What in Lustration?" *USAID Fair Justice Project*. Accessed 02 April 2017. <https://www.usaid.gov/political-transition-initiatives>.
- United States Agency for International Development. *USAID Strategy on Democracy, Human Rights, and Governance*. Washington, DC: USAID, 2013.

United States Army John F. Kennedy Special Warfare Center and School. *FY 2017 Academic Handbook*. Fort Bragg, NC: U.S. Army Special Warfare Center and School, 2017.

United States Forces, European Theater of Operations. "Monthly Report of Military Governors, U.S. Zone of Germany." n.d.

———. "Periodic Report of Military Governors, U.S. Zone of Germany." n.d.

United States Department of State, *Directive to Commander-In-Chief of United States Forces of Occupation Regarding the Military Government of Germany*. Washington, DC: U.S. Department of State, 17 October 1945 CARL N-13279.

United States Department of State. "Communique Issued at the End of the Yalta Conference: Report of the Crimea Conference," *Foreign Relations of the United States: Diplomatic Papers, The Conference of Berlin*. Washington, DC: Office of the Historian, US Department of State, 1945. Accessed 13 January 2017, <https://history.state.gov/historicaldocuments/frus1945Berlinv02/d1417>.

United States Government. "Germany Surrenders Unconditionally." National Archives Publication 46-4. Washington, DC: U.S. Government Printing Office, 1945.

United States Office of the Inspector General for Iraq Reconstruction. *Hard Lessons: The Iraq Reconstruction Experience*. Washington, DC: Special Inspector General Iraq Reconstruction, 2009.

United States Senate Committee on Foreign Relations, *The Future of Iraq*. 11 February 2003. Accessed 10 October 2016. <https://www.foreign.senate.gov/hearings/the-future-of-iraq>.

U.S. Army Official Histories and Monographs

Briscoe, Charles. *All Roads Lead to Baghdad*. Fort Bragg, NC: U.S. Army Special Operations Command, Office of the Historian, 2006.

Coles, Harry, and Albert Weinberg. *U.S. Army in World War II*. Washington, DC: Center of Military History, United States Army, 2014.

Committee 19, Second Command Class, *Demilitarization of Defeated Nations*. Analytical Studies Course, Command and General Staff College, Fort Leavenworth, KS, 1946.

Connors, Peter. "The US Army in Kirkuk: Governance Operations on the Fault Lines of Iraqi Society, 2003-2009." *Combat Studies Institute Occasional Paper 35*. Fort Leavenworth, KS: Combat Studies Institute Press, 2011.

- Fontenot, Gregory. *On Point: The United States Army in Operation Iraqi Freedom*. Annapolis, MD: Naval Institute Press, 2005.
- Frederikkson, Oliver. *The American Occupation of Germany: 1945-1953*. Darmstadt, GE: United States Army Europe, 1953.
- Geisinger Thomas, "Civil Affairs History and Doctrine: From Military Government to Interagency Partner," Master's thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, June 2016.
- Headquarters, U.S. Army Europe. *First Year in Occupation Series*. Office of the European Command Historian.
- Headquarters, European Command. *CIVIL AFFAIRS: Occupation Forces in Europe Series, 1945-46*. Frankfurt am Main, Germany: European Command, Office of the Chief Historian, CARL 940.5338015 C582, 1947.
- Kormann, John. *U.S. Denazification Policy in Germany, 1944-1950*. Bad Godesberg-Mehlem, Germany: Historical Division, Office of the High Commissioner for Germany, 1952.
- National Defense University. *Iraq: Looking Beyond Saddam's Rule*.
- Neumann, Brian F. and Lisa Munday. *Operation Enduring Freedom: March 2002-April 2005*. The United States Army in Afghanistan series, Center of Military History Publication 70-122-1,
- Office of the Chief Historian, *The First Year of the Occupation: Occupation Forces in Europe Series, 1945-1946*. European Command. Frankfurt-AM-Main, Germany, European Command, CARL REF 940.5338015 E891.
- Sacquety, Troy. *The OSS and Civil Affairs Relationship*. Unpublished paper. Fort Bragg, NC: United States Army Special Operations Command, Office of the Historian, 2015, emailed directly to author.
- Sandler, Stanley. *Glad to See Them Come and Sorry to See Them Go: A History of U.S. Army Tactical Civil Affairs/Military Government, 1775-1991*. Fort Bragg, NC: U.S. Army Special Operations Command History and Archives Division, 1994.
- Star, Joseph R. *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, in the Provost Marshal General's School, Military Government Department, Training Packet Number 56. European Command, Historical Division, 1950, CARL archives.
- . *U.S. Military Government in Germany: Operations During the Rhineland Campaign*, in the Provost Marshal General's School, Military Government

- Department, Training Packet Number 57. European Command, Historical Division, CARL N-16359.35 1950, CARL Archives.
- . *U.S. Military Government in Germany: Operations from Late March through mid-July 1945*, in the Provost Marshal General's School, Military Government Department, European Command, Historical Division, CARL N-16359.34, 1950.
- United States Counter Intelligence Corps School. *Counter-Intelligence Corps: History and Mission in World War II*. Baltimore: CIC School, Counter Intelligence Corps Center, 1951.
- Walters, Wally Z., *The Doctrinal Challenge of Winning the Peace Against Rogue States: How the Lessons from Post-World War II Germany May Inform Operations Against Saddam Hussein's Iraq*. Army War College Research Project. Carlisle Barracks: U.S. Army War College, 2002.
- Wright, Donald P., and Timothy Reese. *On Point II: Transition to the New Campaign, The United States Army in Operation IRAQI FREEDOM May 2003-January 2005*. Fort Leavenworth: Combat Studies Institute Press, 2008.
- Yates, Lawrence A. *U.S. Army Experience in Operations In Stability Operations, 1789-2005*. Fort Leavenworth: Combat Studies Institute Press, 2006.
- Ziemke, Earl F. *The U.S. Army in the Occupation of Germany: 1944-1946*. Washington, DC: Center of Military History, United States Army, 1975.

Interviews

- Baltazar, Tom. Telephone interview by author, Fort Leavenworth, KS, 11 January 2017.
- Benson, Kevin. Interview by author, Fort Leavenworth, KS, 01 October 2016.
- Clay, Lucius. Interview by Duke University Living History Program with General Lucius D. Clay. *Duke University Living History Program, 1973-2005*. Accessed on 06 March 2017, www.youtube.com.
- Dauphinas, Denise. 27 July 2004 Interview by Larry Lesser. *Iraq Experience Project* United States Institute of Peace, 2004.
- Gardner, Simon. Interview by author, Fort Leavenworth, KS, 12 January 2017.
- Hess, Michael. Telephone interview by author, Fort Leavenworth, KS, 30 January 2017.
- Holshek, Christopher. Telephone interview by author, Fort Leavenworth, KS, 18 January 2017.

Klein, Laura. Interview with Major Laura Klein by Combat Studies Institute. *Operational Leadership Experiences Project*. Fort Leavenworth, KS: Combat Studies Institute, 2006.

Military Official. Interview by author with Military Official, 2017.

Mumaw, Kevin. Interview by author, Fort Leavenworth, KS, 28 January 2017.

Owens, James. Telephone interview by author, Fort Leavenworth, KS, January 2017.

Smith, Frederick C. Executive Interview by Phil Cox. *Iraq Experience Project*. Washington, DC: United States Institute of Peace, 2004

Stanton, Martin. Telephone interview by author, Fort Leavenworth, KS, 04 May 2017.

Van Wey, Dennis. Interview by Operational Leadership Experiences Project with Major Dennis Van Wey at Fort Leavenworth, KS. Records of the Combined Arms Research Library, Combat Studies Institute, 01 December 2005.

———. Interview by author, Fort Leavenworth, KS, 20 April 2017.

Doctrine and Foundational Documents

Civil Affairs School, Department of the Army. Student Text (ST) 41-171, *Principles of Government*. Fort Gordon, VA: US Army Civil Affairs School, unknown year, accessed 26 April 2017.
<https://www.vietnam.ttu.edu/reports/images.php?img=/images/137/1370243001a.pdf>.

Civil Affairs School, Department of the Army. Special Text 41-10-60, *Handbook for Military Government in Germany*, Washington, DC: Government Printing Office, CARL N-16359.36, 1947.

Departments of the Army, Navy and Air Force, Field Manual (FM) 41-5, *Joint Manual for Civil Affairs / Military Government*. Washington, DC: Government Printing Office, 1958.

Headquarters, Department of the Army. Army Techniques Publication (ATP) 3-07.5, *Stability Techniques*. Washington, DC: Government Printing Office, 2012.

Headquarters, Department of the Army. Field Manual (FM) 3-57, *Civil Affairs Operations*. Washington, DC: Government Printing Office, October 2011.

———. Field Manual (FM) 41-10, *Civil Affairs Operations*. Washington DC: Government Printing Office, 2000.

- . Field Manual (FM) 100-23, *Peace Operations*. Washington, DC: Government Printing Office, 1994.
- . Field Manual (FM) 41-5, *Joint Manual of Civil Affairs / Military Government*. Washington, DC: Government Printing Office, 1958.
- . Field Manual (FM) 3-0, *Operations*. Washington, DC: Government Printing Office, 2001.
- . Army Doctrinal Publication (ADP) 5-0, *The Operations Process*. Washington, DC: Government Printing Office, 2012.
- . Army Doctrine Reference Publication (ADRP) 3-0, *Operations*. Washington, DC: Government Printing Office, 2016.
- . Army Field Manual (FM) 3-07, *Stability Operations*. Washington, DC: Government Printing Office, 2014.
- Joint Chiefs of Staff. Joint Publication (JP) 3-07.3, *Peace Operations*. Washington, DC: Government Printing Office, 2012.
- . Joint Publication (JP) 3-07, *Stability*. Washington, DC: Government Printing Office, 2016.
- . Joint Publication (JP) 50-00.2, *Joint Task Force Planning Guidance and Procedures*. Washington, DC: Government Printing Office, 1999.
- Peacekeeping and Stability Operations Institute. *Handbook for Military Support to Governance, Elections and Media*. Unified Action Handbook Series, Book Two. Carlisle Barracks, PA: U.S. Army War College, 2016.
- Supreme Headquarters, Allied Expeditionary Force. "Handbook to Military Governors, U.S. Zones of Germany." n.d.
- US Institute of Peace and U.S. Army Peacekeeping and Stability Operations Institute, *Guiding Principles for Stabilization and Reconstruction* (U.S. Institute of Peace Press, 2009),
- War Department, Field Manual 27-5, *United States Army and Navy Manual of Military Government and Civil Affairs*. Washington, DC: War Department, 22 December 1943

Secondary Sources

- Adams, Bianca J. *From Crusade to Hazard: The Denazification of Bremen Germany*. Lanham, MD: Scarecrow Press, 2009.

- American Broadcasting Corporation. "U.S. Forces Capture 'Chemical Ali.'" *ABC News*. 21 August 2003. Accessed January 25, 2017. <http://abcnews.go.com/International/story?id=79418&page=1>.
- Arato, Andrew. *Constitution Making Under Occupation: The Politics of Imposed Revolution in Iraq*. New York: Columbia University Press, 2009.
- Baram, Amatzia. *History and Ideology in the Formation of Ba'athist Iraq, 1969-1989*. New York: St. Martin Press, 1991.
- Barno, David W. "Fighting the Other War: Counterinsurgency Strategy in Afghanistan, 2003-2005." in *Military Review*, September/October 2007, Number 87, pp 32-44.
- Bentley Historical Society, University of Michigan. *James K. Pollock Papers*. Accessed 04 March 2017. <https://deepblue.lib.umich.edu/handle/2027.42/107669>.
- Bensahel, Nora and Olga Oliker and Keith Crane, and Richard R. Brennan, Jr and Heather S. Gregg and Thomas Sullivan and Andrew Rathmell. *After Saddam: Prewar Planning and the Occupation of Iraq*. Santa Monica: RAND Corporation, 2008.
- Bowen, Stuart. *Hard Lessons: The Iraq Reconstruction Experience*. Washington, DC: Government Printing Office, 2009.
- Columbia Daily Spectator, "CU Historian Walter L. Dorn Dies of Stroke," *Columbia University Newspaper*, Volume CV Number 68, 20 February 1961. Accessed 05 March 2017. <http://spectatorarchive.library.columbia.edu/cgi-bin/columbia?a=d&d=cs19610220-01.2.9#>.
- Craig, Gordon A. "The Political Leader as Strategist." In *Makers of Modern Strategy: From Machiavelli to the Nuclear Age*, edited by Peter Paret, 481-509. Princeton, NJ: Princeton University Press, 1986.
- Crane, Conrad, and Andrew Terrill. *Reconstructing Iraq: Insights, Challenges, and Missions for Military Forces in a Post-Conflict Scenario*. Carlisle, PA: U.S. Army War College, 2003.
- Dack, William Mikkell. "Questioning the Past: The Fragogen and Everyday Denazification in Occupied Germany." PhD Diss., University of Calgary, January 2016.
- David, Roman. *Lustration and Transitional Justice: Personnel Systems in the Czech Republic, Hungary and Poland*. University of Pennsylvania Press, 2011.
- Dayton, Bruce W. and Louis Kriesberg, *Conflict Transformation and Peacebuilding: Moving from Violence to Sustainable Peace*. Oxon: Routledge, 2009.

- DiMarco, Louis A. "Restoring Order: The U.S. Army Experience With Occupation Operations, 1865-1962." PhD Diss., Kansas State University, 2010.
- Dobbins, James, and Seth Jones. *Occupying Iraq: A History of the Coalition Provisional Authority*. Santa Monica: RAND Corporation, 2009.
- Dobbins, James, Michele A. Poole, Austin Long, and Benjamin Runkle. *After the War: Nation Building from FDR to George W. Bush*. Santa Monica: RAND Corporation, 2008.
- Dobbins, James, John G. McGinn, Keith Crane, Seth G. Jones, Rollie Lal, Andrew Rathmell, Rachel Swanger, Anga R. Timilsina. *America's Role in Nation Building: From Germany to Iraq*. Santa Monica, CA: RAND Corporation, 2003.
- Donnison, F.S.V. *Civil Affairs and Military Government Central Organization and Planning*. London: Her Majesty's Stationery Office, 1966.
- Dorner, Dietrich. *The Logic of Failure: Recognizing and Avoiding Error in Complex Situations*. New York, NY: Metropolitan Books, 1996.
- Dubik, James M. *Just War Reconsidered: Strategy, Ethics and Theory*. Lexington: University of Kentucky Press, 2016.
- Geschichte der CDU. *Karl Scharnagl*. Accessed 05 March 2017.
<http://www.kas.de/wf/de/37.8306>.
- Herz, John. "The Fiasco of Denazification," in *Political Science Quarterly*, Vol 63, 4, December 1948, pp 569-594.
- Hicks, Kathleen and Christine Wormuth. *The Future of US Army Civil Affairs*. Washington, DC: Center for Strategic and International Studies, 2009.
- Isaacson, Walter, *Kissinger: A Biography*. New York, NY: Simon and Schuster, 1992.
- Lamb, Christopher J. and Megan Franco, "How systems Attributes Trumped Leadership," in, *Lessons Encountered: Learning from the Long War*, edited Richard D. Hooker, et al 165-276. Washington, DC: National Defense University Press, 2015.
- Mac Ginty, Roger. *Routledge Handbook of Peacebuilding*. New York: Routledge, 2013.
- Maulden, Patricia. "Education and Learning," in *Routledge Handbook of Peacebuilding*, ed. Roger Mac Ginty. Oxon: Routledge, 2013.
- Moore, Robin. *Hunting Down Saddam*. New York: St. Martin's Press, 2004.

- Murray, Williamson and Mark Grimsley, "On Strategy," in *The Making of Strategy*, ed Williamson Murray and MacGregor Knox. Cambridge: Cambridge University Press, 1994.
- Napela, Monika. "Lustration as a trust-building mechanism? Transitional Justice in Poland," in *After Oppression: Transitional Justice in Latin America and Eastern Europe*, ed Vesselin Popovski and Monica Serrano. Tokyo, Japan: UNU Press, 2012.
- Nowowiejski, Dean A. "The Diplomat and the Democrat: Two American Military Governors of Germany." PhD diss. Princeton University, 2008.
- Rapport, Aaron. *Waging War, Planning Peace: U.S. Noncombat Operations and Major Wars*. Cornell, NY: Cornell University Press, 2015.
- Reese, Dagmar. *Growing Up Female in Nazi Germany*, translated by William Templer; Ann Arbor: The University of Michigan Press, 2006.
- Rudd, Gordon W. *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort, 1992*. Washington, DC: Center of Military History, 2004.
- Rudd, Gordon W. *Reconstructing Iraq: Regime Change, Jay Garner, and the ORHA Story*. Lawrence, KS: University of Kansas, 2011.
- Schadlow, Nadia, *War and the Art of Governance: Consolidating Combat Success into Political Victory*. Washington, DC: Georgetown University Press, 2017.
- Smith, Jean Edward. *The Papers of General Lucius D. Clay: Germany, 1945-1949*. Bloomington, IN: Indiana University Press, 1974.
- Smith, Tony. *America's Mission*. Princeton: Princeton University Press, 2012.
- Terrill, W. Andrew. *Lessons of the Iraq De-Ba'athification Program for Iraq's Future and the Arab Revolutions*. Carlisle, PA: U.S. Army War College Strategic Studies Institute, 2012.
- Yeager, Don. "Son of Saddam As Iraq's top Olympic official, Uday Hussein is accused of the torture and murder of athletes who fail to win." *Sports Illustrated*. March 24, 2003. Accessed 30 January 2017. <http://www.si.com/vault/2003/03/24/340225/son-of-saddam-as-iraqs-top-olympic-official-uday-hussein-is-accused-of-the-torture-and-murder-of-athletes-who-fail-to-win>.
- Williams, Garland H. *Engineering Peace: The Military Role in Postconflict Reconstruction*. Washington, DC: United States Institute for Peace, 2005.

Woods, Kevin. *Iraqi Perspectives Project: A View of Operation Iraqi Freedom from Saddam's Senior Leadership*. Norfolk: United States Joint Forces Command, Joint Center for Operational Analysis, 2006.

Ziemke, Earl F. "Civil Affairs Reaches Thirty." *Military Review*, December 1, 1972: 130-133.