

Reflections on Enhanced Interrogations Techniques

Interviewer

Okay, today's Thursday, July 28, 2011. We're in the office of the Hudson Institute with Douglas Feith for our fourth installment of the interview for the Center for Oral History at West Point. So Doug, since we last met, the raid on the Bin Laden complex in Pakistan has happened. And I just want to be interested in your reactions to it, since what happened on September 11th framed so much of the past 10 years for you.

Douglas Feith

Well, it's obviously happy news that we got bin Laden. It would've been—it would've been bad had he died quietly in his bed of natural causes. He's so I think it was a very good thing that we got him, and I think that the President deserves credit for having decided to do something that was bold and politically risky. I think it was the right thing to do to authorize the raid, and I'm glad that the President did it.

Interviewer

I'm curious just because this occurred to me, that watching the news, reading the news reports about the SEALs got there. The rules of engagement were probably that if he was not armed that they were to take him alive, and yet he was not armed, and he was not taken alive. What is your sense of the legality of this, given the rules, those rules of engagement?

Douglas Feith

I haven't—I haven't studied it as a matter of law, but my sense is when the administration says that they were on solid legal ground to do what they did, I'm willing to assume that that's correct. I've heard various legal challenges, but they don't—they don't sound right to me.

Interviewer

Well, self-defense could actually be argued, I mean, many ways, right? I mean so if there's—I mean whether he's armed or not, literally, that prospect that he could be armed and could be armed with something that's not visible is already fine. Did I want to ask you, ask you also about something that's also happened since the last time we were together, and that is the Arab Spring.

Interviewer

And I actually want to back up for one moment—the—the—the killing of Osama bin Laden has reenergized some of the arguments over enhanced interrogation techniques, over the—the Bush administration's method of prosecuting the War on Terror, whether that was contributed to the final pinpointing of where bin Laden was. Did you have an attitude about that?

Douglas Feith

All I know on that is what CIA Director Panetta said, which was that the—the special interrogations of I think it was Khalid Sheikh Mohammed and some others produced information that was important in the—in the work that led to the identification of bin Laden's location. So Director Panetta made the linkage between those interrogations and the—and the success of the raid, so I assume that that's correct.

Interviewer

Does that make you feel that itâ€™s a vindication of the administrationâ€™s conduct in those interrogations?

Douglas Feith

Well, I mean itâ€™s a vindication of the general principle that it was important to get whatever information we could, by lawful means, â€™cause itâ€™s important to point out that what President Bush said regarding detainee policy and interrogation policy was that everything we were supposed to doâ€™we as a government were supposed to doâ€™had to be humane and lawful.

Douglas Feith

And everybody understood that torture was not lawful; so the question was then posed to the appropriate people in the U.S. government who decide whatâ€™s lawful for the U.S. government, which is the Office of Legal Counsel in the Justice Department, and they came back with these elaborate memos saying, â€™œHere are some things you can do, and here are other things that you canâ€™t do.â€™ And they said that all of the interrogation techniques that were usedâ€™as I understand it. I was notâ€™

Interviewer

Mm-hmm. I understand. Yeah.

Douglas Feith

I was not involved in this, but theâ€™theâ€™the people who were functioning as lawyers for the administration saidâ€™

Interviewer

Thisâ€™d be John Yoo, youâ€™re saying, andâ€™

Douglas Feith

Well, the Office of Legal Counselâ€™

Interviewer

Right, which is what he was from, yeah.

Douglas Feith

He wasâ€™he was one of the lawyers. He, I guess, was one of the principal authors of at least oneâ€™one or two of the relevant memos. I donâ€™tâ€™there were other names on some of the memos.

Douglas Feith

But heâ€™the Office of Legal Counsel said, â€™œThese are allowable techniques. They are lawful.â€™ So itâ€™s important, because after the fact, there were some people who arguedâ€™including President Obamaâ€™who argued that the decision that the lawyers who were the properly constituted sources of legal guidance for the administration, that theâ€™that the advice that they gave was wrong, and that the techniques that they had

approved were torture, and, therefore, not lawful.

Douglas Feith

Now, this was second-guessing; so President Obama, essentially, second-guessed the lawyers. Now, thatâ€™s fineâ€”I mean if he wants to second-guess, he can say, â€œI disagree with their legal conclusion.â€ But the fact is when President Bush and whoever was involved in these interrogations did what they did, and authorized what they authorized, they were doing so on the basis of lawyers telling them that it was lawful. And so it was not as if the President or the interrogators made a conscious decision to deviate from the law to do what they did. On the contraryâ€”the President said, â€œEverything has to be humane. Everything has to be lawful.â€

Douglas Feith

And now the only reason thereâ€™s a question about this is that people came in later and said, â€œWe disagree with the legal advice that the President got at the time.â€ So I think thatâ€™s an important thing to get in context; so when you say, â€œDoes it vindicate what President Bush did?â€ What President Bush did was use lawful interrogation techniques, as he was assured, right? He usedâ€”he authorized lawful interrogation techniques to get as much information as we could from our detainees to help us prosecute the War on Terrorism to protect the United States. And did the capture of bin Laden, you know, vindicate that basic approach rule? Sure, it did, you knowâ€”along with many other things that vindicated that approach.

Douglas Feith

I mean itâ€™s clearly the responsible and proper thing to do was to get as much information as we could through lawful interrogations of detainees, because it was quite clear that in theâ€”in dealing with the terrorism problem, the principle source of really valuable operational intelligence was going to be the detainees. I mean thereâ€™s very little that you can learn from satellites. This is not like youâ€™re looking at, you know, Soviet tank formations moving into Western military districts, as was the case in the Cold War.

Douglas Feith

In thisâ€”in this challenge, this main source of information for us is what we can extract from the interrogation of captured terrorists.

Interviewer

Well, pursuing just one step further, so, I mean, itâ€™s notâ€”so the disagreement is over whether it was lawful, looking backwards, right, retrospectively. And yet even havingâ€”what Iâ€™ve read of John Yooâ€™s determinations was that theyâ€”it was not lawful. That doesnâ€™t necessarily mean that they had to adopt those methods in order toâ€”in order to get the information they got. So the decision to adopt some of those methods in order to get the information would be the question I was asking youâ€”whether itâ€™s vindicated by the fact that we actually have these results.

Douglas Feith

Well, I mean if you think about it, theâ€”it seems to me the decision that was facing the President and the National Security Council, to the extent that they were involved in this, was what are the bounds ofâ€”ofâ€”what are the legal bounds on interrogation? And if

methodsâ€”and knowing that torture was illegal, right, soâ€”

Interviewer

But definableâ€”it needs to beâ€”

Douglas Feith

Well, of course thereâ€™s an issue of definition, which is why you go to lawyers and say, â€œWhat, you know, what can the law do to shed light on the question of what is â€”a proper interrogation technique vs. â€”an interrogation technique that would constitute torture?â€ And the lawyers come back and say, you know, â€œBased on the analysis of Eighth Amendment issues and other international issues and Geneva Convention issues, hereâ€™sâ€”here are what the bounds are.â€

Douglas Feith

Now, once youâ€™re given those bounds, the policy question, then, is should you interrogate asâ€”as vigorously as possible, within the bounds of the law, to get information to help us protect Americans from another 9/11? I mean I donâ€™tâ€”I donâ€™t even see what the controversy about thisâ€”I mean, should they?

Interviewer

Well, hereâ€™s the controversyâ€”

Douglas Feith

Letâ€™sâ€”letâ€™sâ€”letâ€™s not interrogate them about. Letâ€™s notâ€”

Interviewer

No, butâ€”well, but the controversy would be whether, you know, going to the bounds of the law is necessary to produce the results that youâ€”

Douglas Feith

Well, can you imagine somebody suggesting to the President, â€œWe have theâ€”we can lawfully interrogate people, and use the kind of techniques that police use in civilized countries all over the world, of various types that donâ€™t constitute torture, but that do constitute different kinds of psychological and other pressure,â€ right? â€œAnd itâ€™s been determined that those are lawful, but you, Mr. President, may not want to interrogate people as vigorously as possible, so that if thereâ€™s another terrorist attack that mightâ€™ve been aborted through the interrogation if proper pressure were appliedâ€”you want to forego that, because you donâ€™t want to interrogate people up to the bounds of the law?â€

Douglas Feith

I mean whatâ€”how short of the bounds of the law do you want to go? I meanâ€”anyway, itâ€™sâ€”I donâ€™t even understand how you can quite pose that question. I mean if it is lawful, if itâ€™s not torture, if itâ€™”I guess the one limit that the President put on other than law was humane. He said, â€œEverything has to be humane and lawful.â€ So there, you could say, â€œI donâ€™t want to go to the edge of the law if it would go beyond what is humane.â€

Interviewer

The threshold of humane might be different. Mm-hmm.

Douglas Feith

But given that he said that the bounds were humane and lawful, I don't see what standard you would want to use short of that, given that the stakes that you're talking about are another 9/11.

Douglas Feith

And let's, you know, recall that what's in the background here is in about an hour and a quarter, 3,000 Americans were killed, the World Trade Center was destroyed, the Pentagon was attacked, and what are you willing to do in the way of interrogating people to try to prevent future attacks of that kind?

Douglas Feith

And the President says, "I'm willing to do" "I'm not willing to do anything that's inhumane. I'm not willing to do anything that's illegal." And that seems like a pretty reasonable standard.

A "Big Picture Look" at the Spread of Democracy in the Middle East

Interviewer

Let's move on to the next "I wanted to ask you about the Arab Spring. Do you think there is a connection between the Arab Spring and what happened in Iraq in the past decade?

Interviewer

In other words, I know "let me explain this a little bit more. In your book, you make long discussion about what was the justification, the mission, in going to Iraq. Was it protecting America, or was it sowing the seeds of democracy? And you reject the sowing the seeds of democracy as a legitimate? or as a primary goal of the mission.

Interviewer

But here we see democracy starting to sort of develop, and "and" well, we think democracy is about to develop in large parts of the world which did not enjoy it until fairly recently. That happened to be Arab parts of the world, upon the heels of invasion of Iraq, historically speaking "do you think there's any connection?

Douglas Feith

Well, the "the point that I made about the relationship of promoting democracy to the justification for the war is that I do not believe the war could "could have been justified, or was justified, in order to do a political experiment in the Middle East, or in order to democratize Iraq. I believe that the justification for the war, and the proper justification, was a national security justification eliminating a threat to the United States. At the "

Interviewer

Well, unless you make the argument that creating a democratic "a setting encouraging democracy somehow can lead to less of a threat.

Douglas Feith

Yeah, but I don't think that merely changing the government in Iraq to try to create a democracy there would've been, itself, a proper rationale, proper justification for the war. I think the justification for the war was a security-related one, directly, not through the indirect route that you just described.

Douglas Feith

But once the President decided that eliminating that, the threats that the Saddam Hussein regime posed was necessary, then he and his whole national security team understood that the removal of the Saddam Hussein regime was going to create an opportunity to replace it with political institutions that might develop democratically. And if they did develop democratically, could have good effects on the politics of the Arab world and the greater Muslim world, and that could have all kinds of other national security benefits down the road for the United States.

Douglas Feith

I mean the point that I made and I think perhaps we made it in an earlier talk with you is that when we went to war in World War II, we did not go to war in order to create democracy in either Germany or Japan. But once we went to war for proper reasons, we understood that once we removed those regimes and got the unconditional surrender, we had an opportunity to create democratic institutions in those countries. And if we succeeded, it would have lots of national security benefits for the United States and its allies and friends around the world.

Douglas Feith

And I think a similar thing was going on in Iraq. Now, having said that, I would say that the developments in Iraq and the picture of Iraqis showing off their purple-stained fingers after their several national elections for the constitution and parliament and there were three or four major elections in a short period of time after Saddam was removed.

Douglas Feith

I think that, coupled with the pictures of Afghans similarly celebrating their opportunity to vote and elect their leaders I think that probably did have an effect.

Douglas Feith

I think that when historians look back on the Arab Spring especially if the Arab Spring does develop along democratic lines, and it's not inevitable that it will and there's some disturbing signs that it might not. But if the Arab Spring does develop along democratic lines in various countries, and people step back and take a big-picture look at recent history, I think we can expect that historians will say in the big picture, you had a large area of the world, a large part of the Muslim world, that seemed to be inured to its lack of political freedom.

Douglas Feith

And and seemed to be immune to the spread of democracy that had occurred in Asia and Latin America and elsewhere, since the '80s, and now all of a sudden, you see that the Middle East itself is working to develop democratic political institutions.

And when people take a big-picture look, I think they would see a number of things as important precursors orâ€”orâ€”or predecessor events in this march to democracy. One would be theâ€”I think theâ€”the liberation of Afghanistan and the elections there. Another would be what happened in Iraq. I think another would be the June 2009 demonstrations in Iranâ€”the Green Movement demonstrations in Iran.

Douglas Feith

I think all of those things would, with enough historical perspective, look like elements thatâ€”that influenced people throughout the Middle East to demonstrate, and to ask for greater political rights.

Invasion Plans for Iraq
Interviewer

Letâ€™s go back to the oral history quality of these interviews, and letâ€™s go to the invasion itself. And Iâ€™I sensed from the book that you were not involved in the actual decisions, of course, for the light footprint, but you were there toâ€™toâ€™as party to these conversations. Can you set that scene for us of the decision about how to process the war and what those arguments were?

Douglas Feith

Well, theâ€”the plan thatâ€”that CENTCOM had on the shelf, as it were, for Iraq was pretty much a replay of the plan that had existed for Desert Shield-Desert Storm back in 1990-91. And it involved over half a million troops, and here we were, 10 years after the Gulf War.

Douglas Feith

There had been major developments that didnâ€™tâ€”that werenâ€™t really reflected or taken into account in theâ€”in that plan that was on the shelf. There had been substantial increases in American capabilities through the application of computer technology and miniaturization technology, making U.S. weapons system muchâ€”weapon systems much more precise, for example.

Douglas Feith

There had been a deterioration to some extent in Iraqi capabilities from 1991 to 2001. And there was also the record that much of the equipment that had been taken over to Iraq in Desert Storm, for Desert Storm, had been returned in its boxes so that it was quite clearâ€”

Interviewer

Never used, in other words.

Douglas Feith

Never used. So it was quite clear thatâ€”that the amount of resources wasâ€”

Interviewer

Exceeded the need.

Douglas Feith

Way overestimated in theâ€”inâ€”and that was true at the time, let alone how things had

developed over the last 10 years. So for a variety of reasons, Secretary Rumsfeld asked General Franks, “Does it really make sense that if we needed a half a million men in 1990 that 10-11 years later, 13 years later, with all these different trends and developments, that we would still need a half a million men?”

Douglas Feith

And he didn’t order him to do it with fewer than the people that he wanted—he simply raised the question, “Does it really make sense, and I’d like your analysis of that.”

Douglas Feith

General Franks came back and said that when he looked at the whole issue, and he and his CENTCOM war planners looked at the whole issue, it was not necessary to have a half a million or 600,000 men in place in order to—in order to launch the war. Now, the basis of the Franks plan, as I—as I recall the way it was presented, was it would be possible to start the military action with fewer—with fewer people in place than Saddam Hussein believed would be necessary. And part of

Interviewer

And that was part of the surprise, yeah.

Douglas Feith

And part of the thinking was while Saddam might, in a broad sense, in a strategic sense, know that we’re coming, he—we could achieve a degree of tactical surprise by initiating the war before Saddam thought we were ready to start. And so the idea was we don’t need to have as many people as—as—as Saddam would think we would have to have. That would help us. And we could then have what Franks called “on-ramps,” where the military action starts. If you need more people, there are more people in the pipeline, ready to come. But those on-ramps can become, as it were, off-ramps—or I mean they—I’m not sure

Interviewer

I understand

Douglas Feith

The metaphor works very well, but he referred to them as on-ramps and off-ramps.

Interviewer

Yes.

Douglas Feith

What he was basically talking about is you could create pipelines, and you could either put people through the pipelines if you need additional people, or not put them through the pipelines if it turns out that you don’t need the additional people.

Douglas Feith

Another thing that I know that was on Secretary Rumsfeld’s mind, which got very little attention in the public debate about these things, but it’s the kind of thing that does way

on a Secretary of Defense, is, as important as the Iraq War was, it was not the only thing going on in the world.

Douglas Feith

And I know thatâ€”that one of the things that weighed on Secretary Rumsfeld was the dangerâ€”and he talked about this in the â€œparade of horrorsâ€”memoâ€”the danger that if we got involved in Iraq, it may be seen by other countries in the world as an opportunity to launch aggressive actions while the United States was preoccupied. And what Secretary Rumsfeld was concerned about is he wanted resources given to the Iraq effort that wereâ€”that were sufficient for the job, but he didnâ€™t want to throw everything, including the kitchen sink in, in Iraq at the expense of our ability to make sure that the Korean peninsula stayed stable, or other areas where the Chinese might move stayed stable, or other areas where other countries that might do dangerous things would stay stable.

Douglas Feith

So he wasâ€”he was concerned about the opportunity costs ofâ€”of putting resources into Iraq. And he had to balance the need to do everything necessary to put proper resources in Iraq against these other concerns.

Interviewer

Now, the popular history is that, then, that the Army was disappointed with the level of commitment, right, the number of, the size of the force.

Douglas Feith

When you say â€œthe Armyâ€”Iâ€™m always troubled by these discussions, because ifâ€”if by â€œthe Armyâ€”you mean there were generalsâ€”

Interviewer

Okay, all right, fair.

Douglas Feith

In the Army who thought differently, Iâ€™m the Armyâ€™s a big institution.

Interviewer

Well, leading up to the pointâ€”right.

Douglas Feith

I have no doubt whatsoever that there were people in the Army, there were people in the Air Force, there were people at the New York Times, there were people, you knowâ€”

Interviewer

Well, but the Army Chief of Staff.

Douglas Feith

All over. But all Iâ€™m saying is if youâ€™re talking about individuals here and there in the bureaucracy who have their own views, and mightâ€™ve been second-guessing

General Franks, and said, you know, "I might've done things differently," it's very possible that's the case. But"

Interviewer

Well, we're talking about Shinseki here, of course.

Douglas Feith

Well, okay, but as I understand it, General Shinseki "I mean he had an opportunity to talk to Tommy Franks. He was a member of the Joint Chiefs of Staff. Franks met with the Joint Chiefs of Staff. They discussed this. General Shinseki later met, I believe, with the other Chiefs, with the President, who said, "Are you familiar with the plan? Are you happy with the plan? Is the plan adequately resourced?" And I don't believe that a single Chief raised any questions with the President, even though this was their chance.

Douglas Feith

And so I mean the argument that General Shinseki did not approve of General Franks's plan, and thought it was inadequate, I'm not sure that's correct. I mean I'd be interested if you talked to General Shinseki and asked him. And if General Shinseki actually thought that the plan was "was dangerous and wrong and bad and under-resourced"

Interviewer

Why he didn't speak up at the time, you're saying.

Douglas Feith

I mean "I would be surprised that he wouldn't speak up in the many opportunities he had to speak up, either to Secretary Rumsfeld or to the President, about it. So I mean I think that there's a lot of very loose talk about things like "the Army didn't approve." I don't know what you mean by "the Army didn't approve." Also, another important point "most Americans don't understand who's responsible for war plans, and"

Interviewer

CENTCOM vs. "you mean the"

Douglas Feith

The military services versus the combatant commands.

Interviewer

Right. Right.

Douglas Feith

The way our system is set up, the military services are not responsible for making war plans. The Army, the Navy, the Air Force do not make war plans. The war plans are made by the combatant commanders "the commanders of the Pacific Command, the Central Command, the European Command, etc. And so it was Central Command that had the responsibility to make the war plan "then the plans get reviewed and discussed by

various parties, including the Joint Chiefs of Staff.

Douglas Feith

And the Chief of Staff of the Army is a member of the Joint Chiefs of Staff, and so in his capacity as a member of the Joint Chiefs of Staff, he gets to review the war plans. But in his capacity as Chief of Staff of the Army, he doesn't make war plans. And as I said, he played his role. He had his opportunity to comment. I believe he did comment, and as far as I know, he did not object to the war plan. And

Interviewer

At that moment, you think.

Douglas Feith

I'm not sure that he ever objected to the war plan. I know I don't know. Again, I wasn't in on all the relevant discussions. But I never heard that he actually objected to the war plan. The whole issue about General Shinseki comes up because at one point I think it was before, just before the war started General Shinseki was giving testimony in front of the Senate Armed Services Committee, and Senator Levin asked him a question about troop levels for I think it was for the post-Saddam period in Iraq.

Douglas Feith

And General Shinseki, if I recall correctly, pushed back and said something to the effect of it's not really his area. It's not really his responsibility. He doesn't want to answer. And Senator Levin, who's a persistent guy, you know, pushed him, pushed him, pushed him until General Shinseki finally said something about, "Well, it might involve several hundreds of thousands of people." Now, that wasn't that wasn't, as I understand it, the considered opinion of the Department of the Army. It wasn't based on any analysis. It wasn't based on his having developed a rival war plan or anything. It was the result of badgering questioning.

Douglas Feith

You know, it was kind of a off-the-top-of-the-head remark, based on I don't know what, from a general who basically got badgered into answering a question that he had initially not wanted to answer. And then a whole legend got built on that exchange, which was not "you know, a deeply

Interviewer

Considered point.

Douglas Feith

Considered discussion. And so, I just I think that it's important to avoid what I think is misleading and really kind of unconstructive formulations, where people say things like, you know, we went to war in Iraq with a plan that the Army as an institution had somehow rejected. And I don't think that's the case.

Interviewer

Let's look at a couple of the other controversies of the particularly post-Saddam period.

Douglas Feith

One thing, let me just make sure that I'm turned off here or something. Alright.

The Necessity of De-Baathification
Interviewer

De-Baathification—good idea, not a good idea? This was instituted by Paul Bremer after he—after he assumed command from Jay Garner, right? And can you describe the situation there, what your attitude was about it, and what it—what it meant, and whether you thought it was successful?

Douglas Feith

Well, de-Baathification was a topic that was discussed at some length in the interagency deliberations about Iraq before the war, and then throughout the spring. And there was a general view that some kind of de-Baathification was going to be required, because the Baath Party ran—I mean the Baath Party was the Saddam Hussein regime, right? I mean it wasn't just a political party. It was—I mean the Baath Party was the Saddam Hussein regime similarly to the way the Nazi Party was the Hitler regime.

Douglas Feith

And—and the Nazi Party ran Germany for only 12 years, whereas the Baath Party ran Iraq for about 30 years. And so, there was no question that if you were going to replace the Saddam Hussein regime with some kind of different and better and potentially free or representative or democratic government, you were going to have to do something to eliminate the grip on every major institution of Iraq that the Baath Party had had. And the other thing was we wanted to encourage all kinds of people to participate in the political process in Iraq.

Douglas Feith

Encourage people who had been terrorized and beaten down by their own government to be willing to stick their heads up and—and take responsibility and step forward and play a role in the political system, under circumstances where if any of them had—had done that under, you know, under Saddam, they would've been subject to murder or terrible tortures. And so it was clear that we were not going to get to first base in building any kind of new institutions in Iraq after Saddam if people believed that the—the Baath Party retained its hold on the country. So some kind of de-Baathification was required.

Douglas Feith

Now, the next question is—

Interviewer

What kind?

Douglas Feith

What was put in place—what kind? And let me describe to you—I can summarize it very quickly. Let me describe to you the policy that was ultimately adopted, because there's a terrible misunderstanding about this. I know there's been a big controversy—was de-Baathification a big mistake?

Douglas Feith

And people tend to think it was a very Draconian policy, which caused all kinds of problems. Let me describe the policy, and you can judge for yourself whether you think itâ€™s Draconian. The policy had three elements, the one that was ultimately adopted by the United States after a lot of discussion. And it wasnâ€™t just Jerry Bremerâ€™s inventionâ€”he basically adopted a policy that had been worked interagency for some months.

Douglas Feith

The policy had three elements. The first was the top approximately 1 1/2% of the leadership of the Party couldâ€™wasâ€™was going to be subject to a disability, okay? Now, letâ€™s understand what weâ€™re talking about here. The Party had somewhere in the neighborhood of two, two and a half million people in it. The country was approximately 25 million people, so youâ€™re talking about a little bit less than 10% of the country was in the Party.

Douglas Feith

And of that 10% that was in the Party, we said 98% of them will not be affected by de-Baathification, you know, or thisâ€™this element of the de-Baathification regime, this disability that weâ€™re imposing. Now, with respect to theâ€™the absolute top leadershipâ€™the top 1 1/2% or soâ€™of this unbelievably bloody and brutal and inhumane regimeâ€™this top 1 1/2% will be subject to a disability. Now, whatâ€™s the disability? Did we say we were going to kill them? Did we say we were going to cut their hands off? Did we say we were going to confiscate all their property? No, none of those things.

Douglas Feith

We said they canâ€™t work for the government. So this extremely supposedly Draconian policy is thatâ€™ifâ€™if you were in the top 98% of the Baath Party, you werenâ€™t affected by this. But if you were in the top 1 1/2%, you couldnâ€™t work for the governmentâ€™thatâ€™s the first element of the de-Baathification policy.

Douglas Feith

The second element was the top leadership of major governmental institutions, rightâ€™the top one or two layers, three layers ofâ€™of major institutions, like down to the level of whateverâ€™an Under Secretary or an equivalent of an Under Secretary or Assistant Secretary of State in the U.S. Systemâ€™could not be Baath Party members.

Douglas Feith

So the major institutions would not be run by Baath Party members, but they could work for themâ€™again, if they were not in the top 1 1/2%â€™so that was the second element. The top leadership of these institutions could not be Baath Party members.

Douglas Feith

And the third element of the policy was that on an individual basis, there could be exceptions to the first two elements. That was the policy. And that policy is described by many people as Draconian, and what I would say isâ€™I mean anything short of that was, for all practical purposes, no de-Baathification policy.

Douglas Feith

And now, if somebody wants to argue that it shouldn't have been 1 1/2%, it should've been 1.4%, so instead of being whatever it was—20-X thousand people, it should've been 19,000 people—okay. I mean one can debate that. But that's not where the debate is. The debate, supposedly, is that it was a mistake to do de-Baathification, because, supposedly, the fact of a de-Baathification policy was so antagonistic to the Sunni Arabs in Iraq that it caused, you know, a large part of the problems that caused the insurgency. I don't think that's the case, and I think that the issue needs to be understood also from the point of view of what kinds of problems would have occurred?

Douglas Feith

This actually did weigh on us—what kinds of problems would have occurred had there been no de-Baathification policy? There were large parts of the Iraqi population—in particular, the 60% of the country that's Shiite Arab, and the 20% of the country that's Kurd—that would've been profoundly disturbed had they thought that we removed Saddam, and we were going to leave the Baathists in control of major institutions in the country. And that there was going to be no punishment at all for the leadership of the Baath Party—and had we not had any kind of de-Baathification, we might've had violence and serious instability coming from the opposition of about 80% of the country that was not Sunni Arab.

Why the Insurgency Happened
Interviewer

But now the argument is usually raised, along—coupled along with the disbanding of the Army, as reasons why the insurgency happens and why it's as ferocious as it is. So what is your explanation for why the insurgency happens, and whether we could have prevented it from happening with a better plan?

Douglas Feith

Well, I think that there—there were a number of reasons why various people became insurgents. And in some cases, I think that you had—you had Sunni Arabs, who are about 20% of the population, wanting to fight to the death to try to preserve their preeminence in Iraq.

Interviewer

Had we not anticipated that?

Douglas Feith

Oh, we did anticipate—

Interviewer

In your memoir of horrors, or—

Douglas Feith

We did anticipate it. I mean it was clear that the Sunni Arabs were not going to be happy going from, you know, running the country as they—as a privileged class to being part of a new political system where the decisions would be made more democratically, and they would be—they would have the power that a minority group has.

Interviewer

Does that mean the insurgency was inevitable, given what we wereâ€”what youâ€™reâ€”

Douglas Feith

Well, what I would say is a degree of dissatisfaction on the part of the Sunnis was inevitable. Whether that dissatisfaction would turn into insurgency was not inevitable, that kind ofâ€”we anticipated it as a possible problem, but not as an inevitability.

Douglas Feith

Andâ€”and I think that there wereâ€”and I infer this from the fact that initially, you had intelligence that the number of people involved in active violent opposition to the new political order was quite small, and it grew over time. I think that one of the things that happenedâ€”and I highlight this in my book as a major problemâ€”was we went into Iraq with the intention of liberating, not occupying, the country.

Douglas Feith

But for reasons that I think weâ€™ve discussed in earlier interviews, and that I discussed at length in my book, we wound up basically going with the State Department-preferred approach, rather than the Defense Department-preferred approach, of setting up an occupation government in Iraq. I think that was an enormous mistake, and I think what it did is it made credible to numerous Iraqis theâ€”the charge that the United States had come into the country, not to liberate them, but to dominate them, control their lives, steal their resources, andâ€”and run the place.

Douglas Feith

And I think that encouraged a lot of Iraqis, who otherwise would not have been insurgents, that they needed to become insurgents in order to liberate their country. I mean they reallyâ€”I think that a number of them sincerely believed that the United States was ill-motivated, because instead of turning responsibility over quickly to Iraqis, as we had done in Afghanistan when we overthrew the Taliban regimeâ€”we didnâ€™t set up an occupation government. But instead of following that model in Iraq, we set up aâ€”an occupation government that lasted 14 months. And what we found is, while at the beginning of that 14 months, as I think we discussed before, we had problems, at the end of that 14 months, we had a full-blown insurgency. And I thinkâ€”I donâ€™t want to suggest that the entire reason we went from problems to a full-blown insurgency wasâ€”was this mistake on setting up an occupation government.

Douglas Feith

There were other reasons. But I think that everything that contributed to that kind of dissatisfaction that led to violence on the part of Iraqis I think was aggravated by the fact that we made thisâ€”this very serious error ofâ€”of not sharing political power earlier with Iraqis. And playing into the argument that we were there to dominate and control and possibly steal their resources, which is what our enemies were saying there.

Interviewer

Thatâ€™sâ€”thatâ€™s potentially the fatal flaw of the plan, I suppose you could argue. But I mean when you look backâ€”and weâ€™re coming to the end of the time here. When you look back atâ€”at your period in Defense, what would you have done differently in this

respect with these wars?

Douglas Feith

Well, I think what weâ€”we shouldâ€”I think we should have implemented the Iraqi interim authority plan that we had developed and presented to the President, and that he had approved before the war. And I think that that would haveâ€”that would have at least reduced the chances thatâ€”that the Iraqis wouldâ€”veâ€”wouldâ€”ve supported â€”an insurgency, as they did. And I think thatâ€”that had we done more to ensure that this was a liberation strategy rather than what appeared to be an occupation strategy, I think we mightâ€”ve avoided some of these problems.

Douglas Feith

Would it have eliminated theâ€”theâ€”would it have eliminated the insurgency altogether? Maybe notâ€”I mean there were lots of things that contributed to the insurgencyâ€”in particular, the ability of the regime to continue to function and play a significant role in the country, even after it was overthrown.

Interviewer

And even after Saddam Hussein was gone.

Douglas Feith

Yeah.

Interviewer

Yeah.

Douglas Feith

Andâ€”and that was â€”that was really â€”something that our intelligence community didnâ€”t anticipate at all. I mean the intelligence community did various studies ofâ€”I remember there was one particular study they did, which later got published, of all the various things that the Saddam Hussein regime could do to mess us up. You know, we were trying to think of, you know, if they were gaming this, and saying, â€œHow could we interfere with the United States and screw them up and disrupt their plans andâ€”and surprise them andâ€”and upend their expectations?â€”

Douglas Feith

And they were asked to think very creatively from Saddamâ€”s point of view of everything you could do to screw us up. And they did this big study with all kinds of ideasâ€”as I said, itâ€”s now available on the internet, I believe. All of the ideas that the intelligence community came up with ended with the overthrowâ€”all the actions ended with the overthrow of the regime. None of them anticipated that once the regime is overthrown, it could go underground and make â€”an alliance with the Jihadists.

Douglas Feith

And the Baathist-Jihadist alliance could then feed and sustain and command an insurgency that would go for years, and it just wasnâ€”tâ€”that wasâ€”that was something that was, apparently, just beyond the imagination of our intelligence community. But thatâ€”s in fact what happened, and I think, as I said, that some of the decisions that

got made at the political level”

Interviewer

Contributed.

Douglas Feith

Contributed to that.

How Will History Judge?

Interviewer

Let me ask you one last question”and I appreciate all the time you’ve given us, and this is a great series of interviews you’ve done. So predict for me”you’re out 25 years from now. You’re looking at a history book describing this period of American history and the war in Iraq. History always needs a little time to sort of sift through what the results really are. What do you think? How’s the”what’s the two or three-sentence description of the war in Iraq, as seen historically? Success?

Douglas Feith

I”well”I”m not comfortable projecting. It’s going to depend a lot on events that haven’t yet occurred, and I mean one can imagine terrible scenarios where the political system in Iraq deteriorates. Whatever’s been accomplished there crumbles, you get civil war and violence and disaster, and I think that would color everybody’s view of what we did. On the other hand, if one took”takes a rosy projection, and the Iraqis actually succeed in putting together a political system that”that works reasonably well, and goes from democratic election to democratic election.

Douglas Feith

Especially if the Arab Spring goes off in a democratic direction in key countries, and then people say that it was somehow related to Iraq”which I think historians would likely say if that happens. And then people look back and see a”a better, more democratic, more accountable, less violent politics throughout the Middle East, and people say at least a contributing factor to that, it was the”was the liberation of Iraq. I think then people would look back and have a much more favorable view. I think that, you know, a key element of any analysis has to be looking at what the administration thought it was accomplishing”

Interviewer

At the time.

Douglas Feith

At the time, and what we hoped to accomplish was two major things. One was removing the specific set of threats that Saddam Hussein and his sons represented, to the United States and our interests in the world, and we’ve eliminated those. And with all the things that we are worried about in the world, we are no longer worried about the danger of Saddam Hussein and his sons, and Saddam’s defiance of the U.N. in his pursuit of WMD, and all the other things that were the subject of all those U.N. Security Council resolutions throughout the 1990s.

Douglas Feith

And so thatâ€™s a major accomplishment in and of itself. We eliminated the various problems that flowed fromâ€”from Saddamâ€™s tyranny in Iraq. The other thing was we wanted to make Saddamâ€™s regime an example, because of its support for terrorism, and because of its defiance of the world in the WMD field. Itâ€™s the defiance of the U.N. and the weapons inspections andâ€”and the various prohibitions. Andâ€”and that was part of a broader strategy in the War on Terrorism to make state supporters of terrorism understand that there are costs involved in being in the pro-terrorism business, and being in the support-for-terrorism business.

Douglas Feith

And that was part of theâ€”the strategy that was adopted toâ€”to do everything reasonable that we could to disrupt international terrorist networks after 9/11, in the hope that we would prevent future attacks. And here we are, almost 10 years after 9/11, and there has not been the follow-on attack that people reasonably feared, and thatâ€™s a major success. And so I think when people in the future look back, if they understand the Iraq War as an element of the broader War on Terrorism strategyâ€”not because Iraq was related to 9/11, which it wasnâ€™t, but just because Iraq was an element of the international network of states that were supporting terrorist groups.

Douglas Feith

Then I think thereâ€™s the inherent value of getting rid of the Saddam Hussein problem, and thereâ€™s the value of that operation in contributing to the broader War on Terrorism. And those are both substantial values. And so I think those are positive elements. Now, it happens to be the war came at a large cost, and people willâ€”and then depending on how other things play in the future, I think people will come up with their net judgment of whetherâ€”whether the war was a good thing or a bad thing. The war clearly, to my mind, hadâ€”had some very beneficial results, and it hadâ€”it came at a very high cost.

Douglas Feith

And so exactly how itâ€™s going to net out in the future will, you know, weâ€™ll have to see, but I think, as I said, itâ€™s going to depend on how things play out, and whether itâ€™s seen as having contributed to things that might be valuable, that play out down the road.

Interviewer

Thank you very much.