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## The Fall of the Warrior King

By [DEXTER FILKINS](#)

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The body had not yet turned up. Indeed, at that point, early in January 2004, it wasn't clear there was a body at all. Months later, at the trial, the lawyers would still be arguing about it, the puffy, wrinkled corpse that was finally found floating face down in an irrigation canal off the Tigris. But even then, even before the dead man surfaced, it was clear that something had gone wrong on that cold Iraqi night down by the river, something wild by the American military's standards of discipline and force, and the problem had wended its way up the chain of command to the unit's commander, Lt. Col. Nathan Sassaman.



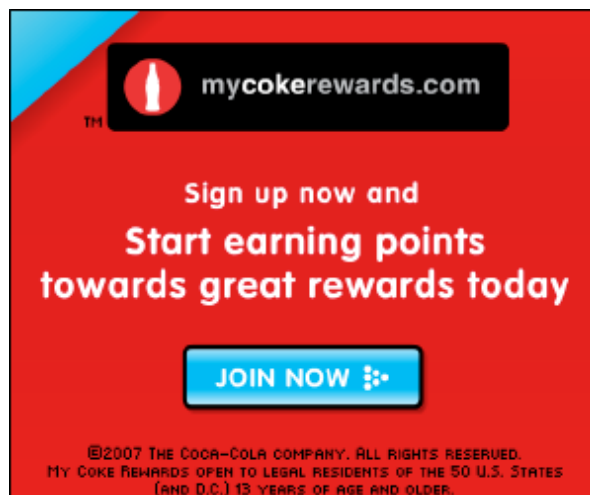
Michael Kamber/Polaris

Colonel Sasssaman in the Shiite city of Balad on Oct. 31, 2003, greeted members of the newly elected City Council, which he was largely responsible for forming.

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Even in an Army in which ferocious competition produced nearly perfect specimens of brains and lethality, Sassaman stood apart. Commanding some 800 soldiers in the heart of the insurgency-ravaged Sunni Triangle, Sassaman, then 40, had distinguished himself as one of the nimblest, most aggressive officers in [Iraq](#). From his base in Balad, a largely

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Ashley Gilbertson/Aurora

Sassaman talked with villagers in Abu Hishma, a Sunni town filled with supporters of Saddam Hussein, as they reluctantly assembled for new ID cards on Dec. 13, 2004.



Johan Spanner/Polaris, for The New York Times

Marwan Fadhil at the Tharthar Dam, downstream from where he and his cousin Zaydoon were forced to jump into the Tigris.

[Enlarge This Image](#)

Shiite city in a sea of Sunni villages, Sassaman bucked the civilian authorities and held local elections months earlier than in most of the country's other towns and cities. His relations with the locals in Balad were so warm that on each Friday afternoon, inside a circle of tanks on an empty field, his men would face off against the Iraqis for a game of soccer. He was a West Point grad and the son of a Methodist minister. As quarterback for Army's football team in the 1980's, he ran for 1,002 yards in a single season and carried West Point's team to its first bowl victory. Everyone in the Army knew of Nate Sassaman.

Yet as his junior officers briefed him in January about what had happened to two Iraqis his men detained that night by the Tigris, the straight lines and rigid hierarchy of the Army that had created him seemed, like so many other American ideas brought to this murky land, no longer particularly relevant. More important, Sassaman told me later, were his own men, most of them 19- and 20-year-old kids plunked down in this seething country, wearing themselves out to keep the enterprise going, coming



Dan Winters for The New York Times

Family Portrait: The Sassaman family at home in Colorado Springs -- Nate, Nicole, Nathan and Marilyn.

under fire four or five times a day. The same day that his men took the two Iraqis down to the river, he attended a memorial service for one of his ablest junior officers, Capt. Eric Paliwoda, whose heart had been punctured by mortar shrapnel and whom Sassaman had lifted into a medevac helicopter as the last of his life drained away.

There would be a fuss if his superiors discovered what his men had done that night, Sassaman did not doubt. It would be the kind of indignation you could expect from people who didn't really know what it was like to fight and live in this place. Sure, it was a dumb thing, but his men had assured him that neither of the Iraqis had been hurt. His best platoon commander even jumped into the water a couple of days later to prove the point. And so Sassaman, standing on the porch of the battalion's command post, decided to flout his 19 years in the Army and his straight-and-narrow upbringing. He turned to one of his company commanders, Capt. Matthew Cunningham, and told him what to do.

"Tell them about everything," Sassaman said, "except the water."

The events that would end the career of one of the Army's most celebrated midlevel officers sent a shock through the American force in Iraq. It is only now, with the Army's investigation complete and Sassaman's career over, that the story can be pieced together from interviews with him, his comrades and the Iraqis. Twenty-two months after that night on the Tigris, it is a tale that seems like a parable of the dark passage that lay ahead for the Americans in Iraq.

Marwan and Zaydoon Fadhil, cousins in the central Iraqi city of Samarra, had driven their white Kia truck to within a few hundred yards of their home when a group of American soldiers waved them to the side of the road. The Fadhils had arrived from Baghdad, ferrying a load of toilet

fixtures and plumbing supplies. It was Jan. 3, 2004, either a few minutes before the 11 p.m. curfew or a few minutes after. Later on, no one would agree.

The soldiers who flagged down the two Iraqis had just begun an especially perilous few days of duty. Samarra, an angry Sunni city, had slipped from American control. Sassaman's men, known for their exceptional aggressiveness, had been sent to take it back.

By this time, the Iraqi insurgency was in full bloom. The holy month of Ramadan, beginning in October 2003, had coincided with a surge in attacks and American combat deaths. The insurgents were acting with greater sophistication every day, shooting down American helicopters, mortaring American bases, even firing rockets at [Paul Wolfowitz](#), then the deputy defense secretary. In Samarra, the guerrillas had made so much mayhem that the American unit in charge of the town had abandoned its bases.

The emergence of the Iraqi insurgency stunned senior American commanders, who had planned for a short, sharp war against a uniformed army, with a bout of peacekeeping afterward. Now there was no peace to keep. In response, American officers ordered their soldiers to bring Iraq back under control. They urged their men to go after the enemy, and they authorized a range of aggressive tactics. On a visit from his headquarters in Tikrit, Maj. Gen. Raymond Odierno, the commander of the Fourth Infantry Division, ordered Sassaman and other officers simply to "increase lethality." Sassaman, adored by Odierno for the zeal with which his men hunted down guerrillas, took the order to heart. He sent his men into the Sunni villages around Balad to kick down doors and detain their angry young men. When Sassaman spoke of sending his soldiers into Samarra, his eyes gleamed. "We are going to inflict extreme violence," he said.

On the night of Jan. 3, the American soldiers approached Marwan and Zaydoon with caution. The curfew then in force throughout much of Iraq was supposed to help in separating insurgents from ordinary Iraqis. Anyone caught on the streets after the appointed hour was assumed to be a guerrilla. At the very least, any such person would be

detained; if he acted aggressively, he would be killed. The truck driven by Marwan and Zaydoon was a white Kia pickup, known as a "bongo truck," the same type commonly used by insurgent mortar teams. Marwan, a 24-year-old studying to be a math teacher, and Zaydoon, a 19-year-old engaged to be married, often traveled to Baghdad to buy parts and supplies that couldn't be had in Samarra. It was a way to make money in the anarchic postwar Iraqi economy.

After a thorough search of the truck, the enlisted men in the platoon satisfied themselves that neither man was an insurgent. As best the soldiers could determine, their car had broken down on the way from Baghdad, and they had stopped to repair it. They were racing to beat the curfew when the Americans pulled them over. Still, it was difficult to know for sure. Like most Americans operating in Iraq, the platoon had no translator. Marwan and Zaydoon spoke no English. There were a lot of hand signals.

"Curfew! Curfew! Curfew!" Specialist Ralph Logan pleaded.

"Baghdad! Baghdad! Baghdad!" Marwan and Zaydoon replied.

At the time, the American soldiers were under strict instructions to detain anyone out after curfew, but they usually allowed themselves a little leeway. When, earlier that evening, a carload of Iraqis passed carrying a pregnant woman, the soldiers waved it through. Sgt. Carl Ironeyes, the squad's leader, told Marwan and Zaydoon they could go; he gave them as stern a warning as he could manage without knowing any Arabic. The Iraqis got into their truck and drove off.

But as the two men pulled away, an order came over the radio from the platoon's officer, Lt. Jack Saville, still nearby in his Bradley personnel carrier, to stop the men again and detain them. The soldiers flagged down the truck once more and, according to procedure, cuffed the hands of Marwan and Zaydoon and put them on the floor of their Bradley. The soldiers from Alpha Company's first platoon did not take Marwan and Zaydoon to their base, as they were supposed to. Instead, Saville ordered the platoon to

take a detour, to a bridge that runs atop the Tharthar Dam, a mammoth steel barrier that spans the Tigris River just outside of town. Marwan and Zaydoon were ordered out of the Bradleys, and the soldiers cut their cuffs. The water lay 70 feet below.

"Are you crazy?" Staff Sgt. Tracy Perkins asked Saville.

After some discussion, Saville agreed to a different spot, a place on the riverbank just beneath the bridge. He ordered a squad of five soldiers to take Marwan and Zaydoon down the trail that led from the road past a pump house to the river bank. This time, the drop was about 10 feet. The moon was high; the water, green and dark.

Marwan and Zaydoon stood on the bank. The soldiers motioned with the guns.

"Jump," one of them said.

**W**hen I first met Nathan Sassaman in October 2003, he and his men were already deep into the Iraqi enterprise. Sassaman had taken command of the Fourth Infantry Division's 1-8 Battalion in June, and although, like most American officers, he had received virtually no training in building a new nation or conducting a guerrilla war, he had quickly figured out what he needed to do: remake the area's shattered institutions, jump-start the economy and implant a democracy, all while battling an insurgency that was growing more powerful by the day. "It's like Jekyll and Hyde out here," Sassaman said at the time. "By day, we're putting on a happy face. By night, we are hunting down and killing our enemies."

In one 24-hour period I spent with Sassaman, he began the day presiding over a meeting of the Balad City Council, shepherding the Iraqis through the rudiments of democratic rule. Later, he led about 150 of his men on house-to-house searches for insurgents in a Sunni village outside of town. Then he drove into the countryside to dole out money to tribal leaders to help them with mosque repairs. That night, his post came under mortar attack, and Sassaman was first out the door, racing to his Bradley to hunt down the guerrillas. At 2 a.m., he finally lay down on his cot for what turned out to be four hours of sleep. He never took his

boots off.

It was an astonishing performance. On that warm October day, Sassaman seemed to embody not just the highly trained, highly educated officer corps that the American Army had brought to Iraq but also the promise of the American enterprise itself. Tough, witty and relentless, Sassaman was one of those people who seemed to take command by walking into a room. He had been an A student in Portland, Ore., earning appointments to both West Point and the Air Force Academy, and was recruited by Princeton as well. As Army's quarterback in the 1984 season, he helped to transform what promised to be another disappointing year into one of the school's best, taking the team to an 8-3-1 season. That year included victories over Navy, in which Sassaman ran for 154 yards and two touchdowns, and over Michigan State in the Cherry Bowl. For much of the season, Sassaman played with three cracked ribs. "That's the kind of leader he was," says his coach, Jim Young.

In Iraq, Sassaman produced moments that seemed to justify a cautious optimism: that from this broken and brutalized land, with a generous American hand, a more humane and more ordinary society might be coaxed to life. One of those moments unfolded at a meeting of the newly formed Balad City Council, which Sassaman had worked hard to bring to life. Seated at a table inside the Balad Youth Center, an Iraqi man called out the names of the council members, and one by one, they walked to the front of the room and stood before their constituents. As a predominantly Shiite city, Balad had felt the jagged edge of [Saddam Hussein's](#) rule, and the council members looked older than their years. Yet there they were, standing erect in their shabby clothes before a quiet round of applause.

"I won an election without threats or intimidation," one of them, a 43-year-old farm owner named Hussein Ali, declared after the meeting. "The people know me in this town. I've pledged to do my best for them, to improve city services."

With a master's degree in public administration from the University of Washington and a number of unusually bright junior officers around him, Sassaman was better

prepared than many of his comrades. But for the most part, when it came to nation-building or waging a counterinsurgency campaign, Sassaman was basically winging it. For starters, his men were spread incredibly thin. With roughly 800 soldiers, his battalion was responsible for nearly 750 square kilometers, some 300 square miles. There were Sunnis and Shiites, cities and farms, Sufis and Salafis. There were villages, like Abu Hishma, that sheltered die-hard supporters of Hussein, and cities like Balad, where the survivors of Hussein's regime wandered about as if just unstrapped from the torturer's table, which some of them were.

There were no Army manuals on how to set up a local government in a country ruined by 30 years of terror, no maps for reading the expressions on the face of a Sunni sheik, no advice on handling the city engineer who was taking bribes to dole out electricity. American money for public-works projects, so critical in showing good will and putting young men to work, came in bursts and then dried up. Projects began; projects stalled. Lt. Col. Laura Loftus, who commanded a combat engineer battalion in Dujail, a city just south of Sassaman's area, recalled that when she arrived in July 2003, she found herself responsible for a city of 75,000 people in a state of complete physical and psychological collapse. Dujail was receiving four hours of electricity every third day, and half the town had no drinking water. Sewage drained through the streets. Thousands of Dujail's people had been murdered or tortured by Hussein's men. "It was a good thing I paid attention in high-school civics," she told me. "There was no playbook."

Sometimes Sassaman's efforts in Balad approached the absurd. When he wanted to set up a police force, no one in his battalion had the slightest idea of what this would entail. His men asked around, and it turned out that a reservist who was attached to Sassaman's battalion had brought an operations manual with him from the Tiverton, R.I., Police Department. Soon the Balad Police Department was functioning remarkably like its counterpart in a New England village. When Sassaman decided to hold an election, some members of the civilian leadership in Baghdad thought he was pushing too fast. Sassaman and

his men forged ahead anyway, registering 45,000 voters. He finally received permission by agreeing to call the balloting a "selection," not an "election."

His power was very nearly total. He could chart the future of a city, lock up anyone he wanted and, if trouble arose, call in an airstrike. When he walked into a crowd, the Iraqis would sometimes smile and sometimes tremble, and sometimes both.

"For a whole year," Sassaman told me, "I was the warrior king."

**F**or all the intensity of the war in Iraq, one of the most remarkable things is how little American generals prepared the Army to fight it. When Sassaman and his men arrived in Iraq, they were ready to fight World War II or the first gulf war, but nothing as murky as a guerrilla insurgency. ("I wish there were more people who knew about nation-building," Sassaman told me one night. "Don't they have those people at the State Department?") Despite the experience of the Vietnam War, the American Army has continued to devote most of its resources to preparing for a conventional conflict: deploying a big, uniformed army to destroy another big, uniformed army. In the months before they went to Iraq, soldiers with the 1-8 Battalion traveled to the National Training Center at Fort Irwin, Calif., where they took part in a colossal war game against a mock enemy army, the "Kraznovians," modeled on the Iraqi Army.

But as a consequence of its overwhelming power and prowess, the American Army is not likely to face an enemy similar to itself. It is more likely to face guerrillas. Guerrilla wars typically begin when a smaller army is confronted by a larger one, forcing it to turn to the advantages it has: its ability to hide amid the population, its knowledge of the local terrain, its ability to mount quick and surprising attacks and then melt away before the larger army can strike back. This is more or less the case in Iraq, as it was in [Vietnam](#), yet the leadership of the American Army is still wary of preparing the bulk of its troops to fight a guerrilla war. Most American soldiers are trained to use maximum force to destroy an easily identifiable enemy. Waging a counterinsurgency campaign, by contrast, often

requires a soldier to do what might appear to be counterproductive: use the minimum amount of force, not the maximum, so as to reduce the risk of killing civilians or destroying property. Co-opt an enemy rather than kill him. If necessary, expose soldiers to higher risk. In the American Army, that sort of training is mostly relegated to forces like the Green Berets, who account for a small percentage of the Army's manpower.

"It's a chronic problem that runs deep in the DNA of the Army," says John Waghelstein, a retired colonel in the Special Forces who helped to conduct the American-backed counterinsurgency campaign in [El Salvador](#). "The Army has never taken counterinsurgency seriously. The Army's doctrine hasn't changed since the 1840's." At the Army's Command and General Staff College in Fort Leavenworth, Kan., attended by all American officers hoping to rise above the rank of major, students must pass a rigorous program consisting of roughly 700 hours of instruction. Of that, not a single required course focuses on how to fight guerrilla wars.

Waghelstein says that the Army's leaders actually decided to de-emphasize counterinsurgency following Vietnam. When Waghelstein was an instructor at the Command and General Staff College, the school eliminated several courses that dealt with guerrilla war or turned them into electives, he says. Kalev Sepp, a retired Special Forces officer and a counterinsurgency adviser to the American command in Iraq, told me: "It's a cliché that the Army is always fighting the last war, but with the American Army, that's not true. When the Vietnam War ended, the Army tried to pretend it never happened. The typical officer in the military knew far more about the Battle of Gettysburg than he did about Vietnam. Initially, in Iraq, they were just making it up."

Instructors at the staff college defend its curriculum, saying they were trying to train American commanders to adapt to a range of circumstances, including insurgencies. "It is a very uncertain world," says Col. Tom Weafer, director of the Staff College at Ft. Leavenworth. "We try to prepare our officers to be comfortable with uncertainty."

That may be, but the soldiers of the 1-8 Battalion were

prepared for a very specific fight: they expected to sweep south from [Turkey](#) with the rest of the Fourth Infantry Division and confront Saddam Hussein's army. There was no mention of setting up police departments, rebuilding sewage systems, registering voters. There were no plans for a guerrilla war. "They told us, 'We're not going to be doing any of that Delta Force garbage,'" Sergeant Perkins told me. But the Turkish Parliament refused to allow its country to be a springboard. The division entered the Sunni Triangle from the south, after the invasion was over. Sassaman's men quickly found that the war was not only still going on but also unfolding in a way they had not anticipated.

As Gen. Ricardo S. Sanchez, the top commander in Iraq until July 2004, told John F. Burns, a reporter for The New York Times, in June 2004: "In May 2003, the general attitude was that the war was over. But within a matter of days, we began to realize that the enemy was still out there." Odierno, the commander of the Fourth Infantry Division, told me that the differences between conventional and guerrilla war are exaggerated and that, in any case, his men were well prepared to fight the Iraqi insurgency. But he conceded that they had crossed the Atlantic expecting a very different battle than the one they got.

"Our mission changed," Odierno said. "We had to adapt."

In late November 2003, I drove with a photographer to Sassaman's base as the Iraqi insurgency was gathering force. As we wound our way down a country road, we spotted Sassaman and a handful of his men standing on the roadside, gathered round an Iraqi man. It was an interrogation.

"If you weren't here with your camera, we would beat the [expletive] out of this guy," one of the soldiers said. He may have been bluffing, but he was clearly frustrated. Sassaman seemed a harder man, too, though it had been just a few weeks since he was swearing in the City Council and his men were playing soccer with the locals. Beginning in October, the Iraqi insurgency had taken off. The American command decided to lift the curfew in many Iraqi cities to coincide with the arrival of Ramadan, the Muslim holy month. Sassaman went further, setting up a

tent and inviting local tribal leaders to announce a "cease-fire." As long as his men did not come under attack, Sassaman told the sheiks, he would ease off from offensive operations.

The gesture drew two sharply different responses. By consequence of geography, Sassaman presided over the two leading realities of modern Iraq, Shiite and Sunni. In the area under his command, the Shiites were concentrated in Balad, and the Sunnis lived in the villages outside. The Shiites, largely receptive to the American occupation, saw the lifting of the curfew as an act of good will; in the Sunni areas, the insurgents saw an opportunity to assert themselves. Across the Sunni Triangle, violence exploded.

Over time, Sassaman found that virtually every aspect of his patch of Iraq had that yin-yang quality. Where the Shiites appreciated American efforts to quell the violence, Sunnis saw them as acts of war. While self-government took hold in Balad, in the Sunni areas there was cold apathy. In Abu Hishma, a Sunni village of about 7,000, the Americans were met with stares and obscene gestures; even the adults would run their fingers across their necks as the soldiers drove by. Slogans on the walls exhorted Iraqis to kill Americans. Crowds of young men would gather to throw rocks at American patrols. And then there were the armed attacks.

The divisions reinforced themselves. Sassaman directed most of his reconstruction money, nearly \$4 million, to the Shiite areas for the simple reason that his men did not come under attack there. When the Americans entered Abu Hishma, it was seldom to build schools or roads; it was to patrol for insurgents and kick down doors.

I accompanied Sassaman and his men on one search through a Sunni village in October 2003, and I was able to witness the dynamic on my own. The searches seemed absolutely necessary, given the violence, but they seemed to be draining whatever good will the Sunnis had left for the Americans. In one dawn raid, soldiers from the 1-8 Battalion surrounded a house, kicked open its doors and stormed inside. They roused 11 men from their beds, pulled them outside and forced them to squat on their haunches. Still inside, in the living room, a young woman

stood with three small girls, probably her daughters, each with her hands high in the air. The Americans found no weapons. The Iraqi men squatted outside for half an hour. "I feel bad for these people, I really do," Sgt. Eric Brown said that morning. "It's so hard to separate the good from the bad."

On the night of Nov. 17, as one of the battalion's patrols moved past Abu Hishma, a crowd of young Iraqis began taunting them. Seconds later, a team of insurgents fired a volley of rocket-propelled grenades directly at one of the Bradleys. One rocket-propelled grenade, or R.P.G., sailed directly into the chest of the driver, Staff Sgt. Dale Panchot. It nearly cut him in half.

The death of Panchot seemed to change everything for the battalion. Sassaman decided that the Sunni sheiks had broken the truce and that from that moment there would be no more deals. Building a democracy in places like Abu Hishma would have to take a back seat. The new priority would be killing insurgents and punishing anyone who supported them, even people who didn't.

The day after Panchot was killed, Sassaman ordered his men to wrap Abu Hishma in barbed wire. American soldiers issued ID cards to all the men in the village between the ages of 17 and 65, and the soldiers put up checkpoints at the entrance to the town. Around the camp were signs threatening to shoot anyone who tried to enter or leave the town except in the approved way. The ID cards were in English only. "If you have one of these cards, you can come and go," Sassaman said, standing at the gate of the village as the Iraqis filed past. "If you don't have one of these cards, you can't."

As a measure intended to persuade the Iraqis to cooperate, wrapping Abu Hishma in barbed wire was a disaster. As they lined up at the checkpoints, the Iraqis compared themselves with Palestinians, who are sometimes forced to undergo the same sort of security checks and whose humiliations are shown relentlessly on television screens across the Arab world. "It's just like a prison now," said Hajji Thamir Rabia, an old man in the village. "The Americans do night raids, come into our houses when the women are sleeping. We can't fight them. We don't have

any weapons." After Abu Hishma was wrapped in barbed wire, the attacks against the Americans dropped off, but it was a victory bought at no small price. Much of the village felt humiliated and angry, hardly the conditions for future success. Sassaman's reputation was sealed, as I discovered when I slipped past the guards and into the town. "When mothers put their children to bed at night, they tell them, 'If you aren't a good boy, Colonel Sassaman is going to come and get you,'" an old man in the village said.

After a time, the insurgents came to fear him more than they did the others. When Sassaman left Balad, the attacks would increase; when he returned, they would fall away. Once, when Sassaman was returning from a mission in Samarra, insurgents fired a single mortar round into his compound, as if to welcome him back. He responded by firing 28 155-millimeter artillery shells and 42 mortar rounds. He called in two airstrikes, one with a 500-pound bomb and the other with a 2,000-pound bomb. Later on, his men found a crater as deep as a swimming pool.

"You know what?" Sassaman told me. "We just didn't get hit after that."

Yet the experience in Abu Hishma and the other Sunni towns posed a basic challenge for Sassaman's men: apart from killing insurgents, how could the Americans ensure that their authority would be respected and that they would be obeyed in a place where they were so thoroughly hated? In Sunni towns like Samarra and Abu Hishma, even the ones wrapped in barbed wire, the Americans found that if they were not being shot at, they were being challenged, and not just by small handfuls of villagers but by nearly everyone. Young men hurled rocks at American patrols. Adults stayed out past curfew. People scrawled graffiti exhorting their neighbors to kill American soldiers. Some of the resistance was passive: whenever American soldiers showed up in a Sunni village looking for insurgents, the locals, more often than not, just stood and shrugged. And some Iraqis, though not actually shooting at the Americans, were clearly cooperating with the insurgents. When Sassaman's soldiers would go on a patrol through a Sunni area, for instance, they might see a man on a rooftop a hundred yards away, unarmed and in street clothes,

watching them go by. Farther down the road, another Iraqi might be standing off to the side, looking at his watch, marking the time of the convoy's pass. The myriad acts of defiance signified the steady erosion of American authority. And they led to the death of American soldiers. "If I don't do anything when the guy flips me off, then the next time I drive by there I'm going to catch an R.P.G.," Perkins said.

In other countries where American authority has been challenged, soldiers have come to rely on "nonlethal force." In places like Kosovo, American soldiers have threatened to cut off the electricity to restive neighborhoods. They have lectured the parents of many unruly teenagers. In Iraq, American officers relied on a panoply of nonlethal measures to help control the Iraqis. Col. Dana Pittard, who commanded some 3,000 American troops in the mixed Sunni-Shiite area of Baquba until earlier this year, said that when a young Iraqi made an obscene gesture to an American soldier, his men typically took the child home and scolded his parents. When men threw rocks, the Americans went to the local sheik and threatened to cut down palm groves.

Pittard's tactics were so successful in engaging the Sunni population that, in the run-up to the January elections, Sunni leaders in Diyala Province asked a group of influential clerics to give the area's Sunnis permission to vote. In Baquba, in contrast to nearly everywhere else in Iraq, Sunnis cast ballots in large numbers. "War is more than just killing people," Pittard said. "We were trying to gain the trust and confidence of people."

Under the prodding of the generals, Sassaman took the concept of nonlethal force to its limits. His theory was that no progress would be possible without order first and that ultimately, even if his men were hard on the locals, they would come around. When his men came under fire from a wheat field, Sassaman routinely retaliated by firing phosphorous shells to burn the entire field down. The ambush site would be gone, and farmers might be persuaded not to allow insurgents to use their land again.

Sassaman detained Sunni sheiks, holding them responsible when his troops were attacked. When Iraqis gave him bad intelligence, he detained them too. When locals scrawled

graffiti on a wall, denouncing President Bush or calling on the Iraqis to kill Americans, Sassaman asked local leaders to paint it over, and if they did not, he ordered his men to destroy it. If kids threw rocks, his men threw rocks back. If they caught an Iraqi man out after curfew, they piled him into a Bradley, drove him miles outside of town and told him to walk home. "All I was getting at was, If grown-ups throw rocks at me, we're throwing them back," Sassaman said. "We are not going to just wave. We are not driving by and taking it. Because a lot of the units did."

On a mission in January 2004, a group of Sassaman's soldiers came to the house of an Iraqi man suspected of hijacking trucks. He wasn't there, but his wife and two other women answered the door. "You have 15 minutes to get your furniture out," First Sgt. Ghaleb Mikel said. The women wailed and shouted but ultimately complied, dragging their bed and couch and television set out the front door. Mikel's men then fired four antitank missiles into their house, blowing it to pieces and setting it afire. The women were left holding their belongings.

"It's called the 'leave no refuge' policy," Mikel later explained to Johan Spanner, a photographer working for The New York Times.

That same winter in Samarra, Sassaman's men moved through a hospital and pulled a suspected insurgent from his bed. When a doctor told the Americans to leave, a soldier spat in his face. Another time, an officer told Spanner, one of Sassaman's soldiers threw a wounded man into a cell and threatened to withhold treatment unless he told them everything he knew. "We've told him he's not getting medical attention unless he starts to talk," Capt. Karl Pfuetze told Spanner. The man's fate was unknown. (Pfuetze now denies the withholding of treatment. Sassaman insists he never condoned beatings or denial of medical treatment.)

The best explanation for such tactics was offered by an officer in the Fourth Infantry Division. Echoing the private comments of many American officers, he said that the Iraqis seemed to understand only force. "To an American, this might upset our sense of decency," he added. "But the Iraqi mind-set was different. Whoever displays the most

strength and authority is the one they are going to obey. They might be bitter, but they obey."

Among the enlisted men in Sassaman's unit, one of them, Specialist Ralph Logan, had demonstrated his misgivings about the rough tactics. Logan, 26, was sometimes chided by his peers for the delicacy with which he searched Iraqi houses, carefully pulling blankets out of closets and folding them into piles, while his comrades flung everything onto the floor. "People didn't exactly get beaten up," Logan said. "They got slapped around, roughed up, usually after they were detained. It was gratuitous. Sassaman didn't do it, but he definitely knew about it. He definitely condoned it."

But most of the tactics employed by Sassaman's men had been explicitly ordered or at least condoned by senior American officers, and many units in the Sunni Triangle were already using the same kind of tough-guy methods. The order to wrap Abu Hishma in barbed wire, for instance, was given by Col. Frederick Rudesheim, Sassaman's immediate supervisor. Odierno signed off on the wrapping of Saddam Hussein's birthplace, Awja. Destroying homes and detaining people as quasi hostages - those, too, were being condoned by American generals. At a news conference in November 2003, Sanchez, the top commander in Iraq, acknowledged that he had authorized the destruction of homes thought to be used by insurgents. That same month, American officers said they detained the wife and daughter of Gen. Izzat Ibrahim, a high-ranking member of Hussein's government who was still at large. The hope, they said, was that the women could lead them to Ibrahim. Asked at a news conference about the destruction of houses, Sanchez said, "Well, I guess what we need to do is go back to the laws of war and the Geneva Convention and all of those issues that define when a structure ceases to be what it is claimed to be and becomes a military target."

When I spoke to him earlier this year, Odierno acknowledged that in the autumn of 2003 he ordered his commanders to kill more insurgents. He said he also encouraged the use of nonlethal force. But Odierno said he left it up to the lower-ranking commanders like Sassaman to determine what methods to use. "I tried to give them overarching guidance," Odierno said of his battalion

commanders. "I would not get into those details."

At the same time Odierno was encouraging Sassaman to kill more insurgents, Rudesheim was often telling him to go easy. Rudesheim explained to Sassaman that his forceful ways risked alienating or even killing innocent Iraqis. He often denied Sassaman the use of mortars, particularly the ones with phosphorous rounds that could burn down fields. He prohibited Sassaman's men from smashing open the gates on the exterior walls of Iraqi homes during searches, insisting that the soldiers climb over the walls instead.

To Sassaman, Rudesheim was a desk man who didn't understand the needs of his men and didn't spend enough time in the field to find them out. "Fred thought we were too aggressive, that all we needed to do was maintain the status quo," Sassaman told me. In an interview, Rudesheim, who is now at the Pentagon, suggested that Sassaman had exaggerated the differences between them. He said, for instance, that he had authorized the use of artillery "all the time" and only denied the use of phosphorous to burn down fields.

As the tensions grew, Sassaman said he began to ignore Rudesheim's orders altogether. Sassaman said he was relying on the assumption that Odierno backed a more aggressive approach. "Ray is saying, 'Kill, kill, kill,'" Maj. Robert Gwinner, Sassaman's deputy, recalls. "And Rudesheim is telling us to slow down. It drove Nate crazy."

**T**he tough tactics employed by Sassaman's battalion had their effect. Attacks in the Sunni villages like Abu Hishma, wrapped in barbed wire, dropped sharply. And his men succeeded in retaking Samarra. Winning the long-term allegiance of the Iraqis in those areas was another matter, however. If many Iraqis in the Sunni Triangle were ever open to the American project - the Shiite cities like Balad excepted - very few of them are anymore. Majool Saadi Muhammad, 49, a tribal leader in Abu Hishma, said that he had harbored no strong feelings about the Americans when they arrived in April 2003 and was proud to have three sons serving in the new American-backed Iraqi Army. Then the raids began, and many of Abu Hishma's young men were led away in hoods and cuffs. In early 2004, he said, Sassaman led a raid on his house, kicking in the doors

and leaving the place a shambles. "There is no explanation except to humiliate," Muhammad told me. "I really hate them."

In retrospect, it is not clear what strategy, if any, would have won over Sunni towns like Samarra and Abu Hishma. Crack down, and the Iraqis grew resentful; ease up, and the insurgents came on strong. As Sassaman pointed out, the Americans poured \$7 million of reconstruction money into Samarra, and even today, the town is not completely under American control.

But there is another reason American commanders shy from using violence on civilians: the effects it has on their own men. Pittard, the American commander in Baquba, says that he was careful not to give his men too much leeway in using nonlethal force. It wasn't just that he regarded harsh tactics as self-defeating. He feared his men could get out of control. "We were not into reprisals," Pittard says. "It's a fine line. If you are not careful, your discipline will break down."

In most of the 20th century's guerrilla wars, the armies of the countries battling the insurgents have suffered serious breakdowns in discipline. This was true of the Americans in Vietnam, the French in [Algeria](#) and the Soviets in [Afghanistan](#). Martin van Creveld, a historian at Hebrew University of Jerusalem, says that soldiers in the dominant army often became demoralized by the frustrations of trying to defeat guerrillas. Nearly every major counterinsurgency in the 20th century failed. "The soldiers fighting the insurgents became demoralized because they were the strong fighting the weak," van Creveld says. "Everything they did seemed to be wrong. If they let the weaker army kill them, they were idiots. If they attacked the smaller army, they were seen as killers. The effect, in nearly every case, is demoralization and breakdowns of discipline."

One such moment may have come in January 2004, when Mikel and his men, on the same day they destroyed the women's home, asked a group of about 10 Iraqi men to help them find someone. According to Johan Spanner, the photographer, the men shrugged and told Mikel that they didn't know anything. Mikel and his men told the Iraqis to

do push-ups. "Do this," one of the Americans said, getting down on the ground to demonstrate. So the Iraqi men got down on the ground and started doing push-ups, and the American soldiers stood around and laughed.

It was around this time that soldiers in the 1-8 started getting people wet. It seemed to work so well the first time they tried it, in December 2003, when the men from Alpha Company's first platoon were driving their Bradleys toward the Balad airfield, and an Iraqi man, standing in front of his auto repair shop, raised his hand in an obscene gesture. On the way back, the Americans stopped and searched the shop but found nothing. Lt. Jack Saville, the platoon commander, told his men to take the Iraqi to a pontoon bridge that ran across the Tigris and throw him into the river.

"The next time I went back, the guy is out there waving to us," Perkins said. "Everybody got a chuckle out of that." Perkins said that he never told his superiors about what they did.

In interviews and court testimony, Sassaman and the battalion's other officers said that they were never told about the incident and never authorized the tactic. At most, some of them said, they might have discussed the practice in meetings, but only in a hypothetical way. "We did not discuss putting the Iraqis in water as a deterrent for curfew violations," Sassaman's deputy, Gwinner, testified. "But we recognized it from the battalion leadership that it indeed was within the scope of nonlethal force."

On the night of Jan. 3, as Marwan and Zaydoon came driving into Samarra, soldiers in the first platoon apparently decided to try the tactic again. Inside the Bradleys, Perkins's voice came over the radio.

"Somebody is going to get wet tonight," he said.

Some of the soldiers in Perkins's platoon said later that they figured they would be tossing an Iraqi into the Tigris again. Perkins insisted that he was only talking about the likelihood that it would rain.

When Saville ordered the five soldiers to take Marwan and Zaydoon down to the riverbank, four of the soldiers obeyed, but one of them did not: Logan. It wasn't that he feared Zaydoon and Marwan would be killed. But Logan knew the platoon was straying from its orders: to detain any Iraqis found outside after curfew. And he thought the Americans were going too far.

"I kind of looked at it as higher schoolers picking on freshmen," Logan told me. "Us being the seniors; the Iraqis being the freshmen."

He knew that by refusing a direct order, he was risking arrest. But his comrades, used to him being the oddball - used to his folding blankets on house raids - didn't insist. Sgt. Alexis Rincon told Logan to stand guard while the rest of them did their business.

For the American soldiers, making the two Iraqis jump into the water amounted to a kind of fraternity prank. The Americans had taken the Iraqis to a spot with a short drop. They had removed the Iraqis' cuffs. The current below seemed tame enough. "We cut the cuffs off because we weren't trying to hurt the Iraqis; we were just trying to teach them a lesson for being out after curfew," Specialist Terry Bowman testified later. But if it was a prank, Marwan and Zaydoon weren't going along. When Martinez told the men to jump, Marwan and Zaydoon began to beg.

"We were pleading with the American, 'Please, please do not do this,'" Marwan told me this past summer. Zaydoon grabbed onto one of the Americans and begged as well. It was clear the Iraqis weren't going to go in without a struggle. "Once we got to the edge of the water, Sergeant Martinez had his weapon pointed at Zaydoon, and Specialist Hardin pushed him over," Bowman testified. "When Zaydoon went off, Marwan walked forward and jumped." Marwan lurched so violently that he almost pulled Bowman in with him.

The soldiers turned to go back to their Bradleys. Martinez stayed behind a little longer to make sure the two Iraqis weren't in any danger. Marwan, known by the soldiers as "the fat guy," and Zaydoon, "the skinny guy," appeared to Martinez to be on their way out. "I didn't ever see both of

the Iraqis get out of the water," Martinez testified later. "I did see the chubby guy on the bank almost out, and the skinny guy was doing good treading water, and so Sergeant Rincon and I felt the guys would be O.K., so we left." But five other American soldiers said they saw two people either climbing out of the water or standing near the spot where the Iraqis had gone in.

"I was looking through my thermal sites toward the objects to my right when we were moving," Sgt. Tony Fincher, a gunner on one of the Bradleys, said at Perkins's trial, held at Ft. Hood, Tex. "I did see two people coming out of the water there, because they're easily identifiable, because the heads glow because they're hot, the hands glow; clothing is easily seen."

Marwan tells a different story. When he plunged into the river, Marwan recalled, the frigid water enveloped his body and a swift current pulled him toward the gates of the dam, less than 50 feet downstream. "I felt the water dragging me," he told me. "I was thinking of Zaydoon. I was looking at him. The water was so cold. My feet never touched the bottom. I tried to save Zaydoon, but he slipped from my hands."

Marwan said that he would have drowned had he not grabbed hold of a tree branch hanging over the water. Marwan said he grabbed and pulled himself out, spent a few minutes looking for his cousin and then walked a few hundred yards to an Iraqi Army checkpoint. The next day, Marwan said, he found his white bongo truck where he had left it, run over and smashed.

Now, more than a year later, Marwan said he still dreams of that night and of his cousin Zaydoon. He said he harbors no doubts about what the American soldiers were trying to do. "They were trying to murder us," he told me. As he struggled to get out of the Tigris that night, Marwan said, he could hear the sound of laughter from the top of the bridge. At least one of the Americans remembered that, too. "When they got back, they were chuckling about it," Logan said.

Sassaman learned about the incident a few days later. If it was true that his men were throwing Iraqis into the Tigris,

Rudesheim later recalled telling Sassaman, then all of the soldiers involved could be court-martialed. Although Sassaman didn't know it, the Army had already begun a criminal investigation.

Still in Balad, Sassaman called his deputy, Gwinner, and told him to find out what had happened. The soldiers of the first platoon told Gwinner what they had done, but said that both Iraqis had climbed out of the water. To satisfy himself, Gwinner took the entire platoon to the place where the soldiers had pitched the Iraqis into the river. To test the depth of the water, Gwinner ordered Saville to jump in. Saville plunged in over his head, but after a couple of paddles, he stood in water no higher than his waist.

Sassaman decided that if he tried to explain to Rudesheim what had happened - that his men had indeed thrown the Iraqis into the water but that they had come out alive - then Rudesheim would likely go ahead and arrest his men. Sassaman decided that throwing the Iraqis into the Tigris was wrong but not criminal and that publicizing it could whip up anti-American feeling. He decided Saville and the others had made a mistake that was better handled without arrests. "I really didn't lie to anybody," Sassaman told me not long ago. "I just didn't come out and say exactly what happened. I didn't have anything to gain by ordering a cover-up. There was no way I was going to let them court-martial my men, not after all they had been through."

The deception didn't last long. Perkins, Saville and the others had settled on a story that didn't mention the water. But after several hours of questioning from Army investigators, several of the soldiers confessed. Sassaman, on hearing that there was a criminal investigation, phoned Odierno to tell him the whole story.

An Iraqi search party found a body on the 13th day, floating in a canal on the other side of the Tharthar Dam, a little more than a mile from where Marwan and Zaydoon had gone into the water. Marwan was there when the body was fished out.

A yellowy videotape, shot by Zaydoon's family, shows family members hovering over a waterlogged cadaver in a shroud. The cloth is peeled back, revealing a wrinkly face.

Then it is wrapped up again before the video goes dark. "Focus on the eyes," a voice says. In keeping with Muslim tradition, Zaydoon's family buried the body the day it was found. Though no Americans examined the body, Rudesheim ordered the Fadhil family to be paid about \$12,000 for the funeral and the smashed truck.

But at Perkins's trial, defense attorneys argued that Zaydoon never died and that his funeral had been faked, probably at the behest of insurgents who wanted to use the incident to accuse the Americans of murder. "I know that guy is still alive," Perkins told me. "I was the last one to leave, and I saw two guys out of the water." A classified American intelligence report, introduced at Perkins's trial, reported that, according to confidential Iraqi informants, Zaydoon was alive and hiding in Samarra.

This was not out of the range of plausibility: once before, American officers say, a high-value insurgent leader was discovered to have faked his funeral, while his comrades dumped the corpse of another guerrilla into the water. The corpse, shot in the face, could not be identified. The insurgent leader was captured later in Baghdad.

"I was told that Zaydoon was alive in Samarra by my most trusted Iraqi informants," Capt. Alexander Williams, an intelligence officer, testified at Perkins's trial. An American medical examiner testified that the body shown in the family's video had most probably been in the water only a few days, not the 13 that passed between the time Zaydoon went into the Tigris and when the corpse was found. If the body had been in the water for that long, the medical examiner, Elizabeth Peacock, said, then some of it would have been reduced to a skeleton. What remained would have turned green and black. "I did not see any evidence that the body spent an extended period of time in the water," Peacock said.

Finally, there was the question of how swift the river had been that night. Some of the soldiers said the current had been moderate. One soldier said that the water was so stagnant that a layer of scum floated on top. In an interview, Kareem Hamadi, the director general of water projects in Samarra, gave precise specifications about the strength of the current. Thirty-four of 36 water-control

gates were opened the night of Jan. 3, he said. Among the open gates was the one next to the shore, which diverts the flow into the canal where the body was found. That first gate had been opened 34 inches, enough for a water flow of about 3,500 cubic feet of water per second. And probably enough for a body to pass through. The depth of the water was about 16 feet, Hamadi said. "A water flow like that creates a very strong and very swift current," he added. "Enough to drag a person through the dam."

Army investigators didn't buy the idea that Zaydoon was alive. They considered the intelligence report, which was drawn up by a member of Sassaman's battalion, to be faked. "I personally believed that the whole chain of command was lying to me," Sgt. Irene Cintron, an agent with the Army's criminal investigation division, testified.

The questions were never answered. In late 2004, as attorneys were preparing to try Perkins's case, investigators told the judge that it was too dangerous to send soldiers to the grave site to exhume the body. When the case was delayed to determine whether Zaydoon was still alive, lawyers told the judge that their principal confidential informants, contacted again, had refused to cooperate. Nizar al-Samarrai, an Iraqi lawyer and Zaydoon's uncle, shook his head when I suggested that his nephew might have survived his plunge into the Tigris. He repeated a proverb: "The saddest things can make you laugh."

One paradox, which Sassaman and not a few others pointed out, was that the Americans could have shot Marwan and Zaydoon that night, and no American officer would have raised an eyebrow. Two young Iraqi men, in a nasty Sunni town, caught driving a pickup after curfew: Iraqi civilians have been killed for less. But in exploring the possibilities of "nonlethal" force - an idea meant to spare Iraqis, not kill them - the soldiers had crossed a line.

But where is the line? How much more serious was it to throw an Iraqi civilian into the Tigris, which was not approved, than it was to, say, fire an antitank missile into an Iraqi civilian's home, which was? Where is the line that separates nonlethal force that is justified - and sometimes very painful - from nonlethal force that is criminal? At

trial, attorneys for Perkins argued that their client should be spared in part because the Army did not adequately prepare its soldiers for the guerrilla war in Iraq. In the words of Joshua Norris, one of Perkins's lawyers, Sassaman's soldiers were operating in a "doctrinal vacuum." The generals wanted higher body counts, and they wanted the insurgency brought under control, but they left the precise tactics up to the soldiers in the field.

So what should American soldiers do when they find themselves in a town where almost everyone hates them? At the trial, the Army decided not to address those questions. This past January, a military jury, made up of soldiers from the Fourth Infantry Division, convicted Perkins of assault. Saville, who gave the order to throw the Iraqis into the water, pleaded guilty to the same charge. Perkins received a sentence of six months; Saville, 45 days. Given the unanswered questions about the body, the manslaughter charges fell away. Both men, in effect, were convicted not of killing Zaydoon but of pushing him and Marwan into the water. Of getting them wet.

Logan, who refused to go down to the river that night, left the Army shortly after he returned to the [United States](#) last year, largely, he says, because he felt as if his comrades no longer wanted him around. Bowman and Rincon (who helped to push Marwan and Zaydoon into the river) also left the Army. Sassaman, Gwinner and Cunningham received written reprimands for impeding the Army's investigation; their careers were effectively ruined. Sassaman decided to retire. His last day was June 30.

At Perkins's trial, Sassaman waved away the chance to apologize for what happened. Testifying for the defense, he scolded the jury for second-guessing one of his soldiers in the field. "I never thought there was any criminal intent involved," Sassaman testified. "It was a bad call. And while we're thinking about that, we can just talk about everybody making mistakes over there." The judge, Col. Gregory Gross, told Sassaman such comments were unnecessary. Indeed, the responsibility of American generals was not seriously discussed at the trial.

When I saw Sassaman in June, outside of Fort Carson, in

Colorado Springs, he was still officially in the Army. But in every real way, he was gone. The reprimand, signed by Odierno, said that Sassaman's conduct had been "wrongful, criminal and will not be tolerated." He had decided to retire and was using the last bits of his vacation to stay away. No one seemed to want him around anyway. Sitting in Starbucks in Colorado Springs, Sassaman professed no bitterness over his time in Iraq. It wasn't easy to believe him. "They threw us under the bus," he said of the Army.

Sassaman was entertaining a lot of job offers, and he was leaning toward coaching football. The money wasn't as good, but Sassaman said he was excited about the prospect of returning to football.

In a field not far away, some months before, Sassaman had presided over a ceremony for the men from the 1-8 Battalion who had received medals in Iraq. About 1,200 people turned out for the event. Sassaman pinned Purple Hearts and Bronze Stars on about 80 of his men.

Sassaman earned a medal of his own in Iraq, a Bronze Star, awarded for valor, but it was not given to him on that day. In August 2003, when his patrol came under attack, Sassaman had braved machine-gun and R.P.G. fire to drag one of his wounded soldiers from his vehicle. Then he chased down the insurgents and killed them.

Sassaman's ceremony lacked the fanfare of the earlier one. It was held about a month later in the headquarters parking lot. Sassaman and a few other officers were there, along with his commander, Rudesheim. The bleachers were empty. Rudesheim pinned the medal to Sassaman's uniform, on the upper left of his chest. Sassaman recalled thinking how strange it was that the man with whom he had clashed so many times in Iraq would be the man who awarded him a medal for bravery.

"More than anyone I know," Sassaman remembers his commander saying, "you deserve this."

*Dexter Filkins is a correspondent for The New York Times based in Baghdad. He has been covering the war in Iraq since it began in March 2003.*

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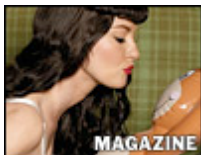
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