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Director of Central Intelligence

# DCI Red Cell

A Red Cell Report

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In response to the events of 11 September, the Director of Central Intelligence commissioned CIA's Deputy Director for Intelligence to create a "red cell" that would think unconventionally about the full range of relevant analytic issues. The DCI Red Cell is thus charged with taking a pronounced "out-of-the-box" approach and will periodically produce memoranda and reports intended to provoke thought rather than to provide authoritative assessment. Please direct questions or comments

## Iraq: War Termination and Shaping The Peace

***Iraqi military units and whole districts may surrender quickly, forcing coalition commanders to manage a tricky transition from warfare to cease-fire to peace. Astute management of the period immediately after the white flags come out, when US and Allied commanders accept the surrender or defection of Iraqi forces and begin making arrangements for an occupation and transition to a post Saddam order, will set the terms and expectations for Iraqi behavior after the fighting stops and shape the atmosphere for postwar relations.***

History suggests that Great Powers are often unprepared for a rapid cessation of hostilities; many observers note that the sudden end of the 1991 Gulf War caused a cease fire to be negotiated "on the run" with gaps in the terms that Saddam was able to exploit.

- The Red Cell offers a speculative assessment on what issues the US and its partners might face in the period between surrender of Iraqi units and the end of the war, and how decisions made in this period will shape a broader peace.

## The "Who, What, When, and How" of Giving Up

As individual Iraqi units give up, allowing defeated or defecting troops to retain some sense of dignity and pride may help prevent festering resentment, perhaps enlist rank and file acceptance of a new regime, and set the stage for a broader surrender that links Saddam and his cronies and not the Iraqi people to war and defeat.

- Arabs place particular emphasis on dignity and honor, and repay humiliation with vengeance. Formal ceremonies that permit rank and file Iraqi troops to surrender or defect in good order may reinforce acceptance of defeat, reconcile the families of soldiers, and possibly assist rank and file recruitment to serve a new pro-US regime.
- Iraqi troops may prove reluctant to surrender to Kurds, Shi'a guerrillas and Iraqi exiles as being humiliating. Iraqi units would fear mistreatment at the hands of irregulars, and might resist until they could surrender to US or UK forces.

One of the lessons of the aftermath of World War I is that a broader surrender should be imposed on the old regime that lost the war, not on a successor state. Even if the demise of Saddam's regime is chaotic, it will be important to round up surviving regime leaders to surrender individual units and districts, as well as for any formal ceremony accepting defeat.

- At the end of World War II, the Allies made a point of using surviving leaders of the Third Reich and the Japanese Imperial Government to sign the terms of surrender in formal, widely publicized ceremonies—McArthur's staging of the Japanese surrender on the deck of the USS Missouri set the tone for acceptance of the US occupation.

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- Symbolism and theatrics matter—surrender is a psychological as well as a political process, marking an acknowledgement of defeat and the end of resistance. If the old regime dodges formal responsibility for defeat, the “stab-in-the-back” myth, which dogged the Weimar Republic, could hobble successors to Saddam. [redacted]

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**Thinking About Terms** [redacted]

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Requiring a successor regime to implement terms perceived as punitive risks de-legitimizing it in the eyes of its own population and undermining creation of a favorable postwar political order. Tough terms demanded at the wrong time might also undercut the theme that the US and its Allies oppose Saddam and his henchmen, not the Iraqi people.

- Coalition commanders are likely to face urgent humanitarian problems; surrender terms that allow Iraqis to focus on those issues might set a positive tone for a later “final peace.” Grant’s famous offer to Lee to allow Confederate officers to retain their horses for spring plowing is a potentially effective model even now.
- The status of US and coalition forces also will need to be defined quickly and in ways that build support for post-Saddam political groups. Iraqis can be expected to jealously guard what remains of their sovereignty; agreement on clear rules on “Status of Forces” will help US authorities and Iraqi postwar administrators define expectations and avoid problems.
- SOFA agreements with West Germany may offer pertinent models, since they dealt with forces from several nations, enhanced support for pro-US parties as they moved from being imposed to being negotiated, but gave the US and Allies a right to intervene to preserve a democratic order. [redacted]

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How unit and regional military surrender terms might be linked to war crimes trials will be a delicate issue—some scholars suggest that mishandling by US authorities in Japan after World War II contributed to Japan’s refusal to accept guilt for its wartime atrocities.

- Lessons from Nazi Germany suggest that surrender terms targeting proscribed organizations—such as the Iraqi Intelligence Service or Special Republican Guards—might reassure Iraqis who were not in the organizations that most directly buttressed Saddam’s tyranny or ran his WMD programs.
- Even as key leaders of Saddam’s regime are rounded up in the immediate aftermath of surrender of Iraqi forces, the 1945 and more recent Balkan experience suggests that US and Allied officials may want to “make haste slowly” in establishing tribunals to ensure that they enjoy broad legitimacy and that verdicts will be accepted by the Iraqi people. [redacted]

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**From Cease-Fire to Armistice to Peace** [redacted]

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Ending a war and building a peace can be thought of in stages: the first is ending local fighting, taking the surrender of defeated (or defecting) units and making immediate ad hoc arrangements for occupied areas; the second is imposing an armistice or general surrender that formally ends all fighting and sets surrender terms.

- These two early, transitional phases will shape the postwar environment before a successor Iraqi regime is fully in place and in a position to make formal agreements that help the US and its partners secure political results from military victory. [redacted]

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Imposing conditions seen as "political" on local surrender agreements could be a recipe for future trouble; terms dictated under such conditions may find little acceptance later. It is also prudent to assume that Iraqis of all stripes will use cease-fire or local surrender terms to enhance their post war political prospects.

- Providing guidance in advance regarding the political parameters for local agreements might avoid potentially embarrassing problems. General Eisenhower's 1942 deal to allow a senior Vichy French leader a position of power in North Africa in return for the surrender of local forces was an embarrassment to FDR and Churchill.
- In the case of Italy and Germany in World War II, Advisory Commissions made up of the major allies drafted in advance initial if notional armistice terms; in the event the situation on the ground determined most decisions. In the case of Japan, the US dominated the surrender process and consulted allies later.
- Including coalition partners in drafting and negotiating terms for a general armistice would probably help enlist international support and participation in Iraq's occupation and reconstruction, and give the armistice and subsequent coalition presence greater legitimacy. [redacted]

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History suggests that armistice terms will be critical to peace terms negotiated later with the successor Iraqi government, for formally ending a US and coalition occupation and establishing any US and international role in guaranteeing the peace and sustaining a post-Saddam order.

- As with an armistice agreement, international participation will be important especially in the case of Iraqi renunciation of WMD. Germany eschewed WMD in the context of a NATO guarantee; Japan did so in light of a bilateral security treaty with the US.
- In addition to permanently forswearing WMD, a peace agreement might be the appropriate instrument for Iraq's providing guarantees of civil liberties and good conduct towards neighbors.
- We caution that post World War I mandates and treaties designed to secure good treatment for minorities were soon defunct absent international enforcement. Versailles terms that linked Germany's enforced disarmament to later broader arms reductions gave Germans an excuse to ignore the terms, first clandestinely and then openly, when others did not agree to reduce their militaries. [redacted]

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