



INSS Research Memorandum

The De-Ba'thification of Iraq: Achieving Success, Avoiding Unintended Consequences

By Judith Yaphe*

In September 2003, INSS examined the impact of de-Ba'thification on Iraq's political and social reconstruction and considered next steps in creating a non-Ba'thist environment in Iraq. Public and private sector specialists on Iraq considered the impact and options in building an Iraq without Ba'thists. The intention was to focus on the impact of the several de-Ba'thification processes that have been applied in Iraq, consider the unintended consequences of various measures, and suggest ways to improve and refine decisions on de-Ba'thification as a process and mind-set.

The study identified several key points:

- Iraqis are deeply divided on the nature and extent necessary to purge Ba'thism from Iraq. Banning the Party is easy, but Ba'thism also represented a culture and self-view for Iraqis. It said, you are the best of the Arabs, you are exceptional, you are the natural leaders of the Gulf and the Arab World. Some joined the Party because it was secular and promised equal access to education, jobs, and status, regardless of ethnic or sectarian background. Others joined out of fear or from pressure to keep their jobs, status, and security. Ba'thism is a mind-set that may be hard to change, even if it is banned as a political movement. Real change could require a generational shift, in which case there is little the United States, the U.S.-led Coalition Provisional Authority (CPA), or the provisional Governing Council can do.
- Cutting too deeply risks weakening the restoration of civil government and administration, especially in areas requiring intensive reconstruction, wide-spread distribution of goods, and the services of skilled technicians and administrators. It also reinforces a sense of Sunni Arab isolation, even though many Sunni Arabs from the privileged areas and class favored by Saddam were also regime victims. Returning Ba'thists not guilty of regime crimes to jobs in middle management positions in government could help speed up reconstruction while restoring public confidence more quickly. On the other hand, casting them out simply because they were Party members will probably create a larger pool of those opposed to the U. S. and increase the brain drain out of Iraq.

- Not cutting deeply enough risks perpetuating the influence and power of those who behaved criminally under the Ba'thists. Those committing crimes and acts of terror in ruthless pursuit of Saddam's goals must be removed. The crimes were too great, the abuses too pervasive to be excused in the name of reconstruction or reconciliation. If we remove too many-cut too deep-then we risk losing sympathy, understanding, and competence. But, if we remove too few, then what will we have changed? The impact is particularly onerous in the universities, the media, and public service jobs, including those related to public health.
- Iraqis need to build a nation based on national reconciliation. The emphasis should be on ceremonies, rituals, and observances common to all Iraqis, and those catering to particular segments of the population, such as the Kurds or the Turkmen or the Shi'i. Customs and traditions important to local areas or specific ethnic or sectarian factions should be observed locally. When Iraqis will be ready for this process is uncertain. Principles of Arabism, nationalist or religious exceptionalism, and Kurdish and Turkmen uniqueness are as deeply engrained in the Iraqi psyche as is hatred of Ba'thists. These are self-views that may be hard to change, even if Ba'thism as a political movement is banned. It could require a generational shift, in which case there is little the United States, the CPA, or the provisional Governing Council can do to accelerate the process.
- Many Iraqis are uncertain of U.S. goals in Iraq, willingness to persist until calm is restored, or intentions regarding Iraq's political future. Bringing democracy to Iraq and empowering Iraqis have different meanings for different groups. The U.S. should not, they say, favor one group, faction, tribe or individual at the expense of the others. De-Ba'thification is seen, especially by those worried about the efforts of the INCKurdish-SCIRI coalition, as one more tool to eliminate potential political opponents rather than to purge Saddam loyalists.
- Failure to manage the twin processes of de-Ba'thification and national reconciliation raises several risks, including the collapse of education, security and health care systems; disenfranchisement of many Sunni Arab Iraqis, including those in the military who helped the U.S. win the war because they hated Saddam's regime; an exodus of skilled, professional Iraqis-remnants of the middle class of doctors, teachers, lawyers, and other professionals-who feel threatened by the new laws; and ultimately though least likely, the prospect of civil war.
- Success in de-Ba'thification requires the articulation of clear policies and application of consistent rules and regulations by the U.S., the CPA, and the GC. Particularly important is the establishment of a clear definition of de-Ba'thification goals and proper vetting mechanisms to screen out unsubstantiated accusations, creation of an appeals process, establishment of legal procedures to judge the accused, and better communications between the CPA and the GC and between the CPA and Iraqis. Iraqis, and not the U.S., need to determine what crimes will be punishable and the reason for exclusion from posts in government or in civil society.

- Finally, effective de-Ba'thification cannot be run as a zero-sum game. Though the loss of Saddam-era patronage will disproportionately affect the Sunni community, all sides must feel as though they are "winners" in the process, or else the transition will falter. The process will not of itself make Iraqi society whole again or guarantee a democratic Iraq but done well it can help hasten the process of reconciliation. Some Iraqis are happy with the progress that has been made thus far in recreating locally-run security organizations, rebuilding economic infrastructure, and reconstructing incipient (and appointive) political institutions in Iraq's many cities, towns, and villages. For many other Iraqis, progress is too slow and the new politics is a closed appointive system based on whom you know and what your connections are. It is not elective and therefore it is not representative. They are bitter, too, that no Ba'thist has yet been punished for his/her crimes.

There remains a pervasive intolerance between Iraqis returning from long years in exile and those who remained in Iraq, suffered and therefore may be keener on rigorous de-Ba'thification regardless of the consequences. Some Diaspora Iraqis are seen as more willing to compromise on de-Ba'thification in order to move forward by forgetting and forgiving too quickly. Others are seen as favoring total removal of all Ba'thists from the public sector as a means of removing potential political rivals. Over the longer term, success in de-Ba'thification will be essential in putting Iraq on a track toward recovery.

* This research memorandum was prepared by Dr. Judith S. Yaphe, Senior Research Fellow in INSS. Its findings are based on several workshops and seminars within the past month at the National Defense University. The conclusions represent the sense of the meetings and their participants, but Dr. Yaphe is responsible for the assessment and the conclusions noted here.