



OBSERVATOIRE DE LA TURQUIE ET DE SON ENVIRONNEMENT GÉOPOLITIQUE

FROM VERSAILLES TO DE-BA'ATHIFICATION

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De-Ba'athification, which was to rid Iraq of Ba'athist structures and ideology, has too often been compared to De-Nazification, which aimed to rid German society and state institutions of National Socialist ideology. However, imposed rather than negotiated, demands to owe up to guilt, sectarian fragmentation, political uncertainty and the Sunnis' association with the former regime, made De-Ba'athification closer to the Treaty of Versailles, a victor's justice that paved the way for more radical forces to dominate the political scene in Europe at the time.

Just as the Treaty of Versailles amounted to a botched peace, which spawned Germans' frustrations and generated inequalities, bolstering the rise of extremism and militarism for the following decades, De-ba'athification was at the core of the Sunni's marginalisation, which fed the insurgency. The Sunni community increasingly feared that its key role in Iraq's political and military institutions would not only disappear, but that they would also become the main targets of the new regime's efforts to prosecute former Ba'athists.

Rather than address its past abuses and facilitate a transition, De-Ba'athification was highly ideological, both for the people in charge of implementing the policy and for those who underwent the process. Iraqi officials involved at the time in the De-Ba'athification process noted that the rate of successful appeals to the Higher National De-Ba'athification Commission among the Sunnis was significantly lower than their Shi'a counterparts.

In the meantime, the ministries started staffing their offices with members adhering to the sectarian groups or political parties under the control of the Minister in charge: it was particularly evident for the Ministries of Health or Interior. What seemed justice to a person through De-Ba'athification was injustice to another.

If it is true that Sunni Arabs played an important part in the power structure of the Ba'ath Party, it was far from exclusive and Sunnis were not exempt from Saddam Hussein's brutal policies. Contrary to the Coalition and Bush Administration's idea that Sunnis were uniformly pro-

Saddam, most attempts to overthrow the Iraqi dictator had actually been made by Sunnis, which consequently impeded the development of independent political activity among them.

Yet, in the post-2003 environment, the Kurdish and Shi'a political parties exercised a monopoly over the narrative of martyrdom through the Anfal campaign and the Shaaban uprisings, leaving the Sunnis with little to claim or reorganize themselves around. A worsening factor was the fact that Sunnis faced an identity crisis in Iraq, whereby in the new political environment they failed, to establish themselves politically with parties or organizations that could articulate their grievances and draw people away from the insurgency. The heavy infiltration of Security forces with Shi'a militias was also considerably problematic in that it not only painted the security apparatus as a sectarian force and consequently bolstered the legitimacy of Sunni insurgent groups among their own followers. As such, former Ba'athists found sympathetic ears among the disenfranchised Sunnis, attributing their past collaboration to forces beyond their control in one political regime, only to be punished for it by another.

Banned from political participation through De-Ba'athification, the insurgency also became for a number of Sunnis and former Ba'athists a means of political expression, self-protection and mainly a rejection of the new order legitimated by the occupation. This was further evidenced in their targeting of Coalition forces and then entering tit-for-tat rounds of retaliation killings against Shi'a populations.

Identity politics traced the trajectory for Iraqi political development, as evidenced by the Sunnis' self-inflicted wound in refusing to join the political process for the passage of the Transitional Administrative Law (TAL) and the Constitution thereafter in 2005. The latter element was particularly a sore point in sectarian relations and a victory for the proponents of the De-Ba'athification. While the Sunnis reluctantly accepted the Constitution under the promise of future amendments, they soon realized that it would not materialize, as opponents to reforming De-Ba'athification laws would argue that it was 'unconstitutional'.

Today, marginalized and fragmented, the Sunnis of Iraq are still struggling to find their place, while De-Ba'athification remains the Carthaginian peace ruling over them. Recent attempts to

overturn the De-Ba'athification policy and constant demands of former Ba'athists in Jordan to put an end to it demonstrate how central it is for them.

MOVING FORWARD

It is time to reconsider this approach and face the fact that Sunnis are a real component of Iraq and it is not a matter of re-engaging with them but accepting that they are a part of the country. The Sunnis are pivotal to a return to normality in Iraq. However, to this day, few Sunnis identify themselves with the current leadership in Baghdad, may it be from the centralized government or the Sunnis political leaders.

IS has aptly exploited those gaps and grievances by receiving the support of the pro-Ba'athist JRTN group, among others, whose rhetoric echoes the Ba'athist's military and political nationalistic ideology. Although, their alliance was purely tactical rather than strategic and provided the former with the latter's political clout in entering and controlling Mosul, De-Ba'athification has been a core element in their rapprochement.

One flagrant and recent example is in formulating and addressing security and fighting IS in Sunni areas with the full support and participation of local residents. While the idea of a National Guard came as a possible solution to a sectarian equation, it may amount to little more than formalizing the presence of Sunni insurgents and fail to provide a basis for the rule of law and accountability in Sunni areas. The remilitarization of Sunni areas is a token gesture that cannot substitute the necessary political steps.

The lack of a coherent Sunni leadership empowers local leaders -religious or tribal -, which also means that the National Guard force would be vulnerable to the current power dynamics in those provinces. More importantly, the framework of a sectarian-regional military force that would answer to local command fails to address the root of the problem and could further weaken the national government's legitimacy.

Mechanisms such as De-Ba'athification should have a clearly defined timeline, which was never dealt with. Its current standing in the Constitution is problematic and the need to amend the document is urgent. Putting a term to the policy does not need to equate re-legitimizing former Ba'athists, as many fears, but rather should be a sign that Iraq is moving onwards, turning towards a future it can build. Equally, by putting a term to the policy, the government of Iraq would deprive insurgents of a key tool.

It remains critical that any engagement with the Sunnis at a political level calls for a reconsideration of key outstanding issues, such as De-Ba'athification. The policy, and the political system into which it fits, crystallized the dominance of one group over another and consequently perpetuating the practices of the former regime. As the Treaty of Versailles hard-pressed new realities in Europe that provided a fertile ground for extremists and far-right parties to rise out of the populations' frustrations and anger, so did De-Ba'athification. The policy, although necessary to address the crimes of the former regime, was considerably flawed in its formulation and its implementation. It has been right at the heart of the Sunnis' resentment, impeding them from having a stake in the institutions of Iraq or from legitimating their grievances. Should we wait for another war to push for true reforms and admit the realities on the ground? ■

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