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Imposing Change: Analyzing Lustration Policies in Post-War Iraq and Germany

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Imposing Change: Analyzing Lustration Policies in Post-War Iraq and Germany

A thesis submitted in partial fulfillment of the requirement for the degree of Bachelor of Arts in Government from The College of William and Mary

By

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CHAPTER ONE
INTRODUCTION

The phenomenon of foreign-imposed regime change, the use of military coercion to depose the government of another state, has been the subject of considerable academic interest in recent years. While foreign-imposed regime change (FIRC) is by no means a new phenomenon, the U.S.-led invasions of Afghanistan and Iraq, and their subsequent attempts at democratization, have resulted in a resurgence of scholarly interest in FIRC. However, existing academic literature on FIRC has more or less failed to address one of the most critical questions faced when rebuilding a nation’s political system: what to do with personnel inherited from the former regime.

When rebuilding a state’s political system in the wake of regime change, one of the essential tasks policymakers face is personnel reform. Lustration, personnel reform within the state apparatus, represents a key aspect of political transition, and can have a profound impact on the new government’s security, legitimacy, and ability to function.\(^1\) Failing to effectively manage the problem of personnel inherited from past regimes can have devastating and long-lasting consequences. If the issue of personnel reform is ignored, and corrupt members of the former regime are permitted to retain their positions unchecked, the new government will likely be seen of as illegitimate, and the fragile institutions of the nascent democracy will likely be undermined.\(^2\)

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\(^2\) Failing to address the problem of personnel inherited from past regimes has “effectively impaired democratic consolidation in Chile, undermined credibility of privatization in Poland, and bolstered the semi-authoritarian, nationalistic regime in Slovakia between 1994 and 1998.” While these do not represent cases of FIRC, they nonetheless demonstrate the risks of failing to address the problem of inherited personnel. (Roman David, “From Prague to Baghdad: Lustration systems and their Political Effects,” Government and Opposition, 41, no. 3 (2006): 347).
However, post-regime change personnel reforms may also go wrong for a number of reasons. Post-conflict peace is typically fragile: around half of all civil wars are due to post-conflict relapses.\textsuperscript{3} Strong political pressures to deal with those who served in the repressive regime, coupled with a desire to demonstrate a clear separation between the old and new governments, may result in immediate retribution against a large number of individuals. If handled incorrectly, such action may actually deepen rather than heal the divisions within the nation; potentially creating a large ostracized opposition that threatens the stability of the new system.\textsuperscript{4}

Thus, international actors who opt to pursue FIRC face a number of difficult questions regarding the issue of lustration. Is there a best way to go about pursuing programs of personnel reform? Are some policies more effective than others? What factors are the most influential in determining success? Given the complex nature of foreign-imposed democratization, is it even possible to make predictions about the likely outcomes of particular policies? Unfortunately, there appears to be little, if any, consensus among either academics or policymakers, nor does history offer a clear roadmap.

This thesis examines one set of possible explanations for why some post-FIRC lustration programs succeed, while others fail. It focuses primarily on personnel reform programs that are “exclusive” in nature. As I describe in further detail later on, exclusive systems are those in which individuals associated with the former regime are automatically excluded from holding certain positions in the new government based on their past.\textsuperscript{5} This paper examines whether an exclusive personnel reform program is likely to be effective. I begin by analyzing extant FIRC and lustration

literature. I define important terms, review existing theories, and offer a critique of the literature’s strengths and weaknesses.

Based on my review of the extant literature, I identify and evaluate three key domestic-level variables—regime affiliation, ethnic division, and democratic experience—that are important in determining whether a particular lustration program is likely to be effective. I then propose three hypotheses regarding the conditions under which exclusive policies are most likely to succeed, and three as to when they are most likely to fail. Exclusive lustration systems will typically be most effective in societies where: (1) regime affiliation extends to only a small portion of the country’s population; (2) the population is largely ethnically homogenous; and (3) there is historical experience with democracy. Conversely, exclusive lustration systems will typically be most ineffective in societies where: (1) regime affiliation extends to large portion of the country’s population; (2) the population is ethnically divided; and (3) there has been no previous experience with democracy. Next, I test the validity of my hypotheses by presenting two in-depth case studies: de-Nazification in post-WWII Germany, and de-Baathification in post-2003 Iraq. Finally, I conclude with a summary of my findings and their implications, as well as recommendations for policymaking and future research.
CHAPTER TWO
THEORY CHAPTER

This chapter contains five main sections. First, it offers a definition of lustration. Second, it describes and analyzes various types of lustration systems that may be implemented following a regime change. Third, it distinguishes a set of criteria that can be used to determine whether or not a particular lustration program is “effective.” Fourth, it presents a summary and critique of existing literature regarding those conditions that are most influential in determining whether a post-FIRC lustration program is likely to succeed or fail. Finally, it identifies three domestic-level variables that appear to be of particular importance in determining policy effectiveness (regime affiliation, ethnic division, and democratic experience), and introduces six hypotheses about the role these three variables play in shaping personnel reform following regime change.

WHAT IS “LUSTRATION”?  

Before embarking on an analysis of lustration systems in cases of FIRC, it is first necessary to define the concept of lustration itself. Derived from the Latin verb “lustro,” which means to review, survey, observe, or examine, the practice of political lustration represents the purification, from within or without, of a state’s institutions. Following a regime-changing war, a state’s political and military institutions are typically purged of remnants of the previous system that have been deemed dangerous, corrupt, or culpable. Such a drastic transformation in the fundamental political structure of a society will inevitably result in the need to lustrate some of those individuals

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associated with the previous regime. In such cases, policymakers must answer difficult questions regarding the scope, nature, and goals of lustration, in the hopes of crafting an effective and successful lustration system.

When crafting these personnel reform systems, according to Yvoone Chiu, policymakers must choose between two equally unpalatable alternatives: “to chase inevitably imperfect retribution for the past at the expense of future reconstruction, or sweep aside the past in an effort to set the stage for future justice.” To put it more simply, policymakers must decide whether it is better to look toward the past or the future. “Given the need to simultaneously pursue both goals to some extent and the reality of limited resources, perfect and complete justice will never be achieved.” Thus, policymakers seek to walk a fine line by punishing those responsible for past injustices, while also seeking to move forward and build a new government.

CLASSIFYING LUSTRATION SYSTEMS

Roman David, a leading scholar in the field of political lustration, offers a categorization of the various types of lustration systems that may be enacted in states pursuing democratic reforms. Using a comparative study of seven lustration laws adopted in Czechoslovakia/Czech Republic, Germany, Hungary, Poland, Albania, Bulgaria and Serbia, David identifies several types of systems, and offers brief recommendations for when he believes each is most applicable. According to David, lustration systems can be broadly grouped into two major families: exclusive and inclusive. The fundamental characteristic that distinguishes these two families, he claims, is whether or not the lustration policy allows a public official associated with the previous regime to

8 Ibid.
9 Ibid.
10 Ibid., 441.
hold a position in the new government.\textsuperscript{12} David’s framework is particularly useful because it allows for detailed comparisons to be made across multiple cases.

\textit{Exclusive Systems}

In exclusive systems, public officials associated with the former regime are automatically excluded from holding certain positions in the new government. Exclusive systems are absolute, and do not provide any space for discretion once an individual’s collaboration with the former regime is established, although the individual may be downgraded to a position that is not lustered. David notes that exclusive models are based on the presumption that past actions will reflect future behavior.\textsuperscript{13} The consolidation of peace in an immediate post-conflict period, as well as the maintenance of peace in the long-term, cannot be achieved unless a population is confident that legitimate governing structures have been created, and that the past-regime’s wrongdoings will be redressed.\textsuperscript{14} By decisively removing personnel associated with the former regime, the new government is able to clearly separate the past from the future. Compared to other models, exclusive systems are conclusive and efficient, as new elites are able to quickly launch critical reforms. David notes that exclusive lustration systems were adopted in Czechoslovakia in 1991, Bulgaria in 1992, Albania in 1993, and Iraq in 2003 with varying degrees of success.

Exclusive lustration policies may be the most efficient models in terms of quickly and clearly distancing new governments from their predecessors, but opting for exclusive models can also result in a number of potential problems. First, by implementing an exclusive system, policymakers run the risk of replacing the former regime with its former political opponents, thus,

\textsuperscript{12} Ibid., 353.
\textsuperscript{13} Ibid., 354.
simply reversing the roles of victim and oppressor. Second, policymakers must ensure that there is an adequate pool of qualified replacements for those who will be removed. Particularly in smaller and less educated countries, individuals connected with the former regime may be the only ones with the knowledge and experience to staff ministries, banks, and other institutions. Thus, practical considerations may make many of these individuals essentially indispensable.

**Inclusive and Reconciliatory Systems**

Inclusive systems are second-chance systems focused on transparency. They offer former regime members a place in the new government, conditional upon the public release of their past records. Publicly releasing individuals’ past records helps to gauge their level of involvement in the former regime and assures that former regime members granted a place in the new government have not previously committed atrocities. Inclusive lustration systems were adopted in Hungary in 1994 and Romania in 1999. In contrast to the notion of personnel-based discontinuity associated with exclusive systems, inclusive systems favor value-based discontinuity. Instead of focusing on replacing individuals associated with the former regime, states pursuing inclusive lustration systems emphasize the importance of replacing the ideology of the former regime. Inclusive systems also acknowledge the fact that, for many individuals, affiliating oneself with the former regime was not a choice, but rather a necessity. Individuals who opted against affiliating with the former government often found it difficult to find work, were often mistreated, and were typically viewed as societal outcasts. As such, many scholars claim that lower-level members of the former regime should be granted amnesty for past actions. Finally, inclusive systems tend to

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18 Ibid., 484.
result in a shorter and smoother transition process than exclusive systems, due mainly to the fact that a substantial number of government officials are allowed to remain in office.¹⁹

There are also significant risks associated with inclusive lustration systems. Perhaps the greatest of these is that the policy may be “toothless” and ineffective. Critics of inclusive models have long claimed that by failing to remove individuals linked to the former regime from power, corrupt politicians and leaders will simply remain in power, and the new government will be unable to fully democratize. Additionally, the extensive background checks and administrative paperwork associated with inclusive systems typically require a large pool of civil servants to carry out such a complicated process.²⁰ Similarly, the archives of the past regime are often poorly maintained or intentionally destroyed. Thus, it can sometimes be extraordinarily difficult, if not altogether impossible, to conduct deep background checks on many public employees.

Reconciliatory systems are a subset of inclusive systems in which the burden of public revelation of one’s past is placed on the individual, rather than the political system itself. Each official must submit an affidavit that is verified by a special lustration procedure, which serves as a loyalty test. Individuals connected with the former regime can choose to tell the truth and retain their positions, or to deny the past and risk dismissal. The revelation of past collaboration and any discovery of dishonesty are announced officially. Under this model, individuals are given the opportunity to keep their records private, but are forced to resign if they choose to do so.²¹ The idea behind reconciliatory systems is that by providing public officials with an opportunity to demonstrate that they are disassociating themselves from the former regime and are willing to play by the rules of the new regime, the public will be more accommodating in letting former officials

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¹⁹ David, “From Prague to Baghdad,” 365.
²⁰ Ibid., 359.
²¹ Ibid., 360.
back into the system. David points to the successes of reconciliatory systems in Poland and South Africa as evidence that these types of systems ought to be more widely adopted.

Truth commissions are perhaps the most notable characteristic of reconciliatory systems. As their name suggests, truth commissions are official, temporary, non-judicial fact-finding bodies that investigate patterns of human rights abuses and other major crimes perpetrated by members of the past regime. In recent decades, truth commissions such as the Truth and Reconciliation Commission in South Africa and the ‘truth exchange’ in Poland have gained widespread support within the field of transitional justice. Many scholars argue that truth commissions may be particularly useful in post-conflict societies, as they help to “establish the facts about past human rights violations, foster accountability, preserve evidence, identify perpetrators, and recommend reparations and institutional reforms.” However, reconciliatory systems face many of the same challenges as other inclusive systems, namely the need for accurate public records and a large number of civil servants to carry out the detailed verification process.

**Mixed Systems**

Supporters of inclusive systems claim that such programs are ideal because they succeed in addressing problems of the past, while at the same time retaining experienced and knowledgeable professionals. Critics of such systems, on the other hand, may laugh at the naivety of such practices, arguing that the only way to achieve success is by starting with a clean slate. Mixed lustration systems offer a solution to this dilemma. Mixed systems are those in which

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22 David and Mzioudet, "Personnel Change or Personal Change?" 6.
25 Ibid.
exclusive and inclusive policies are combined, with individuals’ candidacies being determined on a case-by-case basis.26

In contrast to exclusive systems, mixed systems do not attach any automatic consequences to individuals with questionable backgrounds. However, unlike inclusive and reconciliatory systems, they are not simply permitted to retain their positions either. Instead, individuals are judged on a case-by-case basis. Collaboration may or may not cause dismissal. As David notes: “Taking into account the past record of the applicant, the requirements of a particular post, and the overall situation in the labor market, authorities exercise discretion as to whether a second chance should be granted.”27 One of the biggest advantages for mixed systems is its procedural fairness. Discretion allows each case to be examined individually, thus avoiding collective justice.

Despite the apparent advantages of mixed systems, there are also a number of major drawbacks. Because outcomes are not pre-determined, mixed systems are much more likely than other systems to face issues of inconsistent application, favoritism, bribes, and threats.28 Perhaps even more importantly however, mixed systems are extraordinarily time-consuming and can only be implemented in countries with large pools of reliable and trustworthy human resources capable of carrying out a rigorous an independent vetting process. It is primarily for this reason that mixed systems are seldom implemented in cases of FIRC. More often than not, an intervening power simply cannot afford to commit to such a time-consuming and potentially ineffective program of personnel reform.

26 David, “From Prague to Baghdad,” 362.
27 Ibid.
28 Ibid., 363.
EVALUATING “EFFECTIVENESS”

Before presenting my argument about which factors are most important in determining whether or not a particular personnel reform program will succeed, it is first necessary to come up with a set of criteria for measuring the effectiveness of a lustration policy. An effective lustration policy is one that: 29

1. Holds key individuals accountable for their roles in the former regime
2. Promotes and supports legitimate and effective state institutions
3. Fosters reconciliation and forgiveness between those who benefitted under the former regime and those who suffered
4. Encourages political and societal stability
5. Prevents the resurgence of dangerous individuals and/or ideologies associated with former regime

Conversely, an ineffective lustration policy is one that:

1. Fails to hold key individuals accountable
2. Undermines and/or weakens legitimate and effective institutions
3. Inhibits reconciliation and forgiveness
4. Encourages political and societal instability
5. Allows for the resurgence of dangerous individuals and/or ideologies

WHAT FACTORS DETERMINE SUCCESS?

Given the immense complex nature of post-FIRC personnel reform, there are undoubtedly countless factors that play a role in determining the effectiveness of a particular policy. By identifying those factors that appear to be most influential, scholars can more effectively draw connections and identify patterns across historical cases. Furthermore, identifying historical

29 These definitions include those attributes most frequently referred to in existing lustration literature as being of particular importance for an effective personnel reform program. While these criteria can be used to measure all types of lustration systems, exclusive systems typically focus on numbers 2, 4, and 5.
patterns and trends can be helpful when attempting to make predictions regarding future policies. Unfortunately, existing literature remains divided over which factors most heavily influence the effectiveness of a particular lustration policy.

Many analyses emphasize the motives, efforts, and choices of the intervening state in explaining policy success/failure. Jens Meierhenrich, for example, claims that success is mainly dependent on the manner in which the program is created. When crafting a lustration policy, he argues, policymakers must seek to incorporate, as much as possible, the principles of prudence, proportionality, and publicity. Meierhenrich’s argument is essentially that, when crafting a personnel reform policy, an occupying power should (1) act with restraint, making sure to stay within the confines of universally understood ethics regarding post-conflict nation-building; (2) ensure that any methods of transitional justice be applied only so far as their potential benefits outweigh their costs; and (3) ensure that lustration guidelines be publicized to the population of the occupied territory, as well as to the international community, in a timely fashion (ideally prior to intervention). Thus, for Meierhenrich, the actions of the intervening power appear to be the determining factor.

A 2003 study entitled America’s Role in Nation-Building: From Germany to Iraq, led by James Dobbins, reaches a similar conclusion. Much like Meierhenrich, Dobbins et al. contend that varying levels of success among cases of FIRC can best be explained by the actions of the intervening power. Specifically, they argue that success is largely dependent on the level of effort put forth by the intervener. While they acknowledge that a number of factors contribute to nation-building success, they claim that the single most important variable “is the level of effort—

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31 Ibid., 106.
32 Ibid., 107.
33 Ibid., 109.
measured in time, manpower, and money—the United States and the international community put into their democratic transformations.”

Whereas scholars like Meierhenrich and Dobbins argue that success is mostly the product of the intervener’s actions, others contend that domestic conditions within the target state are equally, if not more, important. By solely focusing on the intervening power, these critics argue, important factors such as the ethnic composition, political history, and economic development of the targeted state, are being minimized or overlooked entirely. Furthermore, by placing a majority of causal weight on the actions of the intervening power, arguments such as Meierhenrich’s and Dobbins’ appear to suggest that domestic circumstances play little, if any, role in determining the success of a particular lustration policy. Of the many domestic-level factors that may play a role in determining the success or failure of a particular lustration policy, this thesis will focus on three that appear to be of particular importance: regime affiliation; (2) ethnic division; and (3) experience with democracy.

REGIME AFFILIATION

As was described above, policymakers charged with crafting lustration laws must make sure to not exclude too large a segment of the target state’s population. Making this mistake has the potential of creating instantaneous widespread unemployment, alienation of significant portions of the state’s population, and deep-seeded resentment of both the occupying power and

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34 James Dobbins et al., *America's Role in Nation-Building: From Germany to Iraq* (Santa Monica, CA: RAND, 2003), xix.
36 There are a number of other domestic level variables that may also be important, but are outside the scope of the paper. Other domestic level variables that may also be worth taking into consideration include cultural similarity between the target society and the intervening power, whether or not the target society was thoroughly defeated by the intervening power, economic strength, and the nature of neighboring states.
the new government. According to Jens Meierhenrich, “excessive mechanisms of postwar justice can have disastrous effects for international peace and security. They may exacerbate, rather than cure, the consequences of war.”

It is for this reason that the scope of regime affiliation among the target state’s population must be closely considered when crafting a personnel reform policy. That is to say, failing to take into consideration what portion of the population is affiliated with the former regime can have disastrous consequences. Under authoritarian regimes, there are typically no political parties other than that of the ruling party. Dissent or criticism of the state party, or membership of any unapproved party, whether public or private, is often a crime. Through coercion, authoritarian regimes seek to monopolize their hold on domestic political power by preventing the emergence of grassroots civil societies and organized opposition groups.

While large single-party political systems may prove useful for authoritarian leaders seeking to maximize political control, they represent an enormous challenge to policymakers following FIRC. Perhaps the most significant of these challenges is that under authoritarian regimes, party membership, which includes high-level elites, also typically extends to large segments of general population. In Iraq, for example, while nearly all of those individuals responsible for atrocities committed under the Saddam Hussein regime were members of the Ba’ath Party, many of Iraq’s most capable scientists, teachers, civil servants and other professionals were also members. Under authoritarian regimes such as this, however, an individual’s party membership does not necessarily mean he or she agrees with the party’s beliefs.

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or activities. More often than not, in fact, individuals associate themselves with the regime simply because they have no alternatives.

Thus, in states where a large percentage of the population is affiliated with the former regime, post-FIRC personnel reform cannot mean dismissing from their jobs all of those individuals associated with the former regime, or conducting witch-hunts based on rumors and allegations. Because state party membership is highest among government employees, the summary dismissals typically seen in exclusive lustration systems will likely decimate the nation’s civil service, educational system, police, and other essential institutions, depriving the new government of valuable skills, historical knowledge, and experience.39 This analysis suggests the following hypotheses:

H₁ₐ: The greater the extent of regime affiliation within a target society, the lower the likelihood that an exclusive lustration system will be effective in strengthening state institutions and promoting political/societal stability.

H₁₈: The more limited the extent of regime affiliation within a target society, the greater the likelihood that an exclusive lustration system will be effective in strengthening state institutions and promoting political/societal stability.

When testing the validity of a theory it is useful to begin by identifying a number of observable implications that should occur if the theory is indeed true. With regards to the hypothesis that exclusive systems are typically less effective in states where a large portion of the society is affiliated with the former regime, there are several such observable predictions. First, I predict that when a significant portion of the target population is affiliated with the former regime,

there is a greater risk of policymakers *underestimating* the number of individuals that will be affected by the policy. When combined with an exclusive lustration system, this miscalculation can lead to too many individuals being dismissed from their jobs and excluded from the new government. Unsurprisingly, excluding too large a segment of the population is likely to raise a number of major challenges. First, dismissing too many individuals will likely result in a shortage of qualified replacements. Whether these positions are filled by unqualified replacements, or whether they are simply left unfilled, the end result of dismissing too many individuals should be an overall weakening/ineffectiveness of institutions.

The weakening of state institutions is not the only problem likely to result from an occupying power excluding too large a segment of the target state’s population. I also predict that dismissing too many individuals will cause large segments of the target population to become ostracized. According to Barbara Walter, post-conflict violence is most likely to occur when two conditions are met: first, disenfranchised segments of the population perceive the status quo to be worse than the possibility of death in combat; and second, violence must be perceived as the only available tool for the disenfranchised individuals to improve their situation.\(^{40}\) Based on this logic, it follows that as the number of ostracized individuals in a society increases, so too does the likelihood of post-conflict violence. Additionally, I predict that resistance against both the new government and the occupying power is also likely to occur as a result of high unemployment caused by widespread dismissals. These predictions are outlined below in Figures 1 and 2.

Figure 1. Hypothesized effects of imposing an exclusive policy on a society with high regime affiliation ($H_{1A}$)

Figure 2. Hypothesized effects of imposing an exclusive policy on a society with low regime affiliation ($H_{1B}$)
ETHNIC DIVISION

Many democratization scholars argue that there is a strong relationship between a state’s ethnic composition and the likelihood of that state achieving meaningful democratic reform. Specifically, it is argued that democratic reforms, such as lustration programs, are much more difficult to implement in countries with higher levels of ethnic, linguistic, and religious diversity.\textsuperscript{41} High levels of ethnic diversity can impede the development of democratic institutions in a number of ways. First, following the collapse of an authoritarian regime, and the subsequent creation of democratic parties, it is theorized that in more heterogeneous societies, political parties are likely to organize predominantly around ethnic cleavages. This encourages politicians to “outbid” one another by appealing to their respective in-groups, thus making consensus and compromise more difficult.\textsuperscript{42} Similarly, by their very nature heterogeneous societies run a greater risk of sectarian violence, further hardening communal boundaries and inhibiting democratic consolidation.\textsuperscript{43} Furthermore, during periods of political instability, minority groups are likely to fear a loss of power, particularly in the absence of strong state institutions or constitutional limits on the exercise of power by the majority.\textsuperscript{44} Governments that address and settle key grievances between groups are believed to have a higher chance of avoiding post-conflict violence than government that leave important issues unanswered.\textsuperscript{45}

Alternatively, when a society is more homogenous, ethnic divisions are much less likely to play a major role in personnel reform. In ethnically homogenous societies, citizens are more likely to ascribe to collective national identities instead of ethnic ones. Fewer ethnic divisions will

\textsuperscript{42} Downes and Monten, "Forced to Be Free?" 104.
\textsuperscript{45} Walter, “Does Conflict Beget Conflict?” 373.
typically mean less pre-existing ethnic conflicts. Thus, imposing an exclusive lustration system on an ethnically homogenous society should lead to far fewer challenges than doing so on an ethnically divided society. Based on these assessments, I offer the following hypotheses:

H2A: The more ethnically divided a target state’s population, the less likely an exclusive system will be effective in strengthening state institutions, fostering reconciliation, and promoting stability.

H2B: The more ethnically homogeneous a target state’s population, the more likely an exclusive system will be effective in strengthening state institutions, fostering reconciliation, and promoting stability.

There are several outcomes that ought to occur when exclusive systems are imposed on ethnically divided societies. Whenever an exclusive lustration system is implemented, it becomes necessary to fill the positions of former regime supporters with new individuals. Thus, we should expect to see an inversion of the political system as former regime members and opposition leaders change places. This however, creates a unique set of challenges in ethnically divided societies, where individuals’ political identities are often closely associated with ethnic identities. Consequently, in ethnically divided societies, such an inversion will typically benefit some ethnic groups at the expense of others. As the balance of power between ethnic groups shifts, those groups that believe they are losing power will typically project their frustrations outward toward other ethnic groups. As a result, those negatively affected groups will likely begin to feel alienated and disenfranchised. The final predicted results of imposing an exclusive system on an ethnically divided society are: (1) a widespread distrust and rejection of the state’s new institutions by

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46 David, “From Prague to Baghdad,” 364.
alienated ethnic groups, and (2) increased sectarian violence as ethnic groups struggle for power in the new system. This predicted causal sequence is outlined in Figure 3.

Figure 3. Hypothesized effects of imposing an exclusive policy on an ethnically divided society (H2\textsubscript{A})

In contrast, implementing an exclusive personnel reform system on a largely homogenous society ought to result in significantly fewer challenges. In ethnically homogenous societies, individuals are much more likely to ascribe to a collective national identity over ethnic identities. Thus, when an exclusive lustration policy is imposed on a more homogenous society, the resulting inversion of the political system will typically be limited to political identities, as opposed to ethnic ones, and the shift in balance of power that occurs as a result of imposing an exclusive system will occur along political/ideological lines, rather than ethnic ones.\textsuperscript{47} As a result, the homogenous society is more likely to remain united by a sense of national identity than to fragment along ethnic lines. Because of this, the more homogeneous a target state’s population, the more likely an

\textsuperscript{47} Ibid.
exclusive system will be effective in strengthening state institutions, fostering reconciliation, and promoting stability (Figure 4).

![Figure 4](image-url)

**Figure 4.** Hypothesized effects of imposing an exclusive policy on an ethnically homogenous society (H2a)

### DEMOCRATIC EXPERIENCE

A third, and final, variable worth taking into consideration is the target society’s past experience with democracy. Many scholars contend that societies with at least some level of democratic experience have a significant advantage over those without previous democratic experience when undergoing political reforms such as lustration. First and foremost, there is a higher likelihood of preexisting democratic norms and institutions. Rather than having to build entirely new institutions, policymakers may be able to co-opt preexisting institutions into the new political system.⁴⁸ Societies that have had at least some experience with democracy are also more likely to demand greater political and bureaucratic transparency, as well as to support the removal

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of corrupt and dangerous elites. Similarly, greater democratic experience suggests that individuals are more likely to abide by norms of compromise and the nonviolent resolution of political disputes.\(^{49}\) Finally, and perhaps most importantly, states with democratic histories are more likely to have a pool of qualified professional and civil administrators who can step in to replace individuals affiliated with the deposed regime.

Pre-existing democratic institutions can also play an important role in preventing the outbreak of post-conflict violence. According to Barbara Walter, democratic institutions can foster stability in post-conflict situations in several ways. First, democratic institutions serve as a check on executive power, thereby helping to ensure that the government serves the interests of the wider population. This creates fewer motives for rebels to seek conflict. Second, they create multiple nonviolent avenues to influence government policy, making violence less essential as a means to promote change. Third, strong political and legal institutions help hold incumbent elites accountable to their commitments, making lasting bargains more likely. Finally, checks on executive power create a situation where rebels need not maintain militias and the threat of violence to hold political elites in line.\(^{50}\) When imposing an exclusive system on a society with democratic experience, I offer the following hypothesis and causal outline (Figure 5):

\[ H3_A: \text{The more extensive a target society’s historical experience with democracy, the more likely an exclusive system will be effective in promoting stability and strengthening institutions.} \]

\(^{49}\) Downes and Monten, "Forced to Be Free?" 105.

Conversely, imposing an exclusive personnel reform program on a society with little, or no experience with democracy will likely lead to a number of challenges. In societies lacking democratic experience, democratic norms and institutions must be built from scratch. An absence of pre-existing democratic norms and institutions may lead societies to be less likely to demand political and bureaucratic transparency, thus opening the door for corrupt elites to step in and fill important positions previously held by regime affiliates. A lack of democratic experience may also mean disenfranchised individuals will be more likely favor non-democratic methods of problem solving, such as violence. Finally, societies without significant experience with democracy will typically suffer from a shortage of trustworthy and/or qualified replacements to fill important positions in the new government. Therefore, I present the following hypothesis and outline (Figure 6):

Figure 5. Hypothesized effects of imposing an exclusive policy on a society with democratic experience (H3A)
H3B. The more limited a target society’s historical experience with democracy, the less likely an exclusive system will be effective in promoting stability and strengthening institutions.

Figure 6. Hypothesized effects of imposing an exclusive policy on a society with no democratic experience (H3B)
CHAPTER THREE
RESEARCH DESIGN

METHODOLOGY

This study evaluates the impact of three key domestic-level factors, regime affiliation, ethnic division, and democratic history, on the success of post-FIRC lustration programs. It combines methods of process-tracing analysis and structured, focused comparison to test the hypotheses presented above by means of two, in depth, case studies: de-Baathification in Iraq following the U.S.-led 2003 invasion, and de-Nazification in post-WWII Germany.

To obtain a better understanding how certain factors can ultimately lead to particular outcomes, social scientists often employ process tracing. When utilizing methods of process-tracing analysis, scholars seek to identify the causal chain and causal mechanisms between an independent variable and the outcome of the dependent variable. This study employs process-tracing methods to analyze the predicted causal pathway between its three independent variables (regime affiliation, ethnic division, and democratic experience), and its dependent variable of policy effectiveness.

In addition to process tracing, I also utilize structured, focused comparison to identify and evaluate key similarities and differences between my two case studies. There are two main characteristics of an effective structured, focused comparison. First, it asks a set of standardized, general questions of each case. These questions must be carefully developed to reflect the research objective and theoretical focus of the inquiry. Utilizing a set of standardized questions is necessary

to ensure the acquisition of comparable data in comparative studies.\textsuperscript{52} Additionally, it is important to ensure that the research is focused. A single study cannot possibly address every important aspect of a particular phenomenon.\textsuperscript{53} Therefore, when conducting a structured, focused comparison, it is best to limit the scope of the study to a manageable number of variables, within a clearly identified universe of cases. Thus, the scope of this thesis is limited to analyzing the influence of three domestic-level variables within the universe of exclusive lustration systems following FIRC.

**CASE SELECTION**

To test the validity of the hypotheses outlined in the previous chapter, this thesis makes use of two in-depth case studies: de-Baathification in Iraq, and de-Nazification in post-WWII Germany. Both of these cases policies fall within the category of “exclusive” system described above, as each involved the “automatic exclusion of persons associated with particular department or activities in the former regime from certain state positions.”\textsuperscript{54} These case studies, in particular, are useful for answering the question of how different domestic-level variables can influence policy outcome as they share several key similarities and differences.

Beyond both being exclusive policies, the programs of de-Baathification and de-Nazification are also comparable in terms of implementation and scope. Both were highly complex, ambitious, personnel reform programs that were crafted by U.S. policymakers and implemented by means of an occupation government.\textsuperscript{55} In fact, many Bush-administration

\textsuperscript{52} Ibid., 69.
\textsuperscript{53} Ibid.
\textsuperscript{54} David, “From Prague to Baghdad,” 354.
officials have publicly stated that policymakers used de-Nazification as a model for the de-Baathification policy.\footnote{Chandrasekaran, \textit{Imperial Life in the Emerald City}, 69; Charles H. Ferguson, \textit{No End in Sight: Iraq's Descent into Chaos} (New York: PublicAffairs, 2008), 154.} In a 2006 interview with PBS, Paul Bremer, who served as the Presidential Envoy to Iraq and Administrator of the Coalition Provisional Authority from May 2003 to June 2004, Bremer claimed that Saddam Hussein had modeled his Baathist regime after Nazi Party. As a result, Bremer stated, “the model for de-Baathification was to look back at de-Nazification.”\footnote{L. Paul Bremer, “The Lost Year in Iraq,” Interview by PBS – Frontline, available from http://www.pbs.org/wgbh/pages/frontline/yeariniraq/analysis/fuel.html.}

I also selected these cases based on their relevance to my three independent variables of regime affiliation, ethnic division, and democratic experience. As I describe further in the subsequent two chapters, regime affiliation was high in both Baathist Iraq and Nazi Germany. Thus, if my first hypothesis is correct, we should expect to see similar patterns of institutional weakening and increased resentment in both cases (H1A). However, the two cases vary with regards to ethnic division and democratic experience. Iraq’s population was highly ethnically divided, while Germany’s was largely homogenous. Therefore, we should expect to see effects similar to those outlined in H2A and H2B, respectively. I also expect to seen contrasting outcomes in terms of hypotheses 3A and 3B, regarding democratic experience. Whereas Iraq had no experience with democracy prior to the 2003 U.S.-invasion, Germany did have some experience in the decades preceding the rise of Nazism. Thus, these two cases should prove useful in testing my hypotheses.

However, it is also important to acknowledge that using these two cases also has its limitations. Post-conflict nation building is an extraordinarily complex process, and every case is profoundly unique. Similarly, as Alexander B. Downes and Jonathan Monten demonstrate in their article “Forced to be Free,” cases of FIRC are exceedingly rare in the field of international
relations.\textsuperscript{58} Even rarer are cases of FIRC where the goal of the intervening power is democratization. According to Downes and Monten, there have been only 40 cases of FIRC enacted by democracies since 1816, with the vast majority of them occurring prior to 1930.\textsuperscript{59} Thus, as they are both extraordinarily complex and exceedingly rare, finding two cases of post-FIRC personnel reform represents a difficult task.

With regards to Iraq and Germany, there are several key differences worth acknowledging. The first major difference between post-WWII Germany and post-2003 Iraq is the extent to which each society viewed itself as a defeated nation. When Nazi Germany finally surrendered in May 1945, it did so unconditionally and after several years of bloody fighting and relentless Allied bombing. By the end of the war, most Germans likely viewed themselves as a thoroughly defeated population.\textsuperscript{60} In the case of Iraq, however, such a clear military victory never occurred. Rather than viewing themselves as a defeated population, many Iraqis thought of themselves as a liberated population. Thus, the Iraqis may have been less willing to acquiesce to the desires of their American occupiers than were the Germans after the Second World War.\textsuperscript{61}

Similarly, when World War II ended, the entire international community was essentially in agreement with regard to both the necessity and legality of a post-war Allied occupation. A similar situation did not exist in Iraq following the 2003 U.S. led-invasion.\textsuperscript{62} Other major differences include the economic and industrial capacity of the two countries, as well as the fact the U.S. was much more culturally similar to Germany than to Iraq.\textsuperscript{63}

\textsuperscript{58} Downes and Monten, "Forced to Be Free?" 111.  
\textsuperscript{59} Ibid., 112.  
\textsuperscript{60} Howard, “Lessons Learned,” 9.  
\textsuperscript{61} Ibid.  
\textsuperscript{62} Ibid.  
\textsuperscript{63} Ibid.
Despite these challenges, however, I believe that this analysis should nonetheless reveal how regime affiliation, ethnic division, and democratic experience within the target state can have a profound impact on policy outcome. An examination of the importance of these domestic-level variables in the cases of Iraq and Germany should prompt further questions regarding personnel reform policies in other post-conflict situations. The next chapter begins this investigation with an analysis of the de-Baathification program in Iraq.
CHAPTER FOUR
DE-BAAITHIFICATION IN IRAQ

DE-BAAITHIFICATION OVERVIEW

In March 2003, a U.S.-led force invaded Iraq with the explicit goal of overthrowing Saddam Hussein and replacing his authoritarian Baathist regime with a stable democratic government. The rationale behind the decision to invade was a fundamental belief among U.S. decision-makers that regime change provided the only sure way to disarm Iraq of its weapons of mass destruction, enact much-needed political reforms, and ultimately, to bring stability to the Middle East.64

U.S. pre-war planning for Iraq has been widely criticized as inadequate, inefficient, and unrealistic. By many accounts, planning for de-Baathification suffered similar shortcomings. From the moment it was introduced, the de-Baathification program was controversial. Most U.S. policymakers were in agreement that Saddam Hussein’s Baath Party would need to be dismantled, and many of its senior members removed from positions of authority. There was significant disagreement over what the policy ought to look like, and how it should be implemented. In the months leading up to the war, a vigorous debate arose between the Pentagon and the State Department over the scope of de-Baathification. The State Department favored a policy of selective “de-Saddamification” targeting Baathists that had committed crimes and individuals at the very top of the command structure.65 The Department of the Defense advocated for a much broader purge, along with a prohibition on lower level Baath Party members holding senior government. The CIA agreed with the State Department, while the Vice President’s Office sided

64 Dobbins et al., America’s Role in Nation-Building, 167.
65 Chandrasekaran, Imperial Life in the Emerald City, 69.
with the Pentagon. A number of Iraqi exiles, led by Ahmed Chalabi, also supported the
Pentagon’s position. Ultimately, the hardline approach triumphed, and the U.S. officials in Iraq
began laying the groundwork for a broad, ambitious program of de-Baathification.

The task of creating and implementing the de-Baathification program fell to U.S.
Ambassador Paul Bremer III, the newly appointed head of the Coalition Provisional Authority
(CPA). On May 16, 2003, only four days after arriving in Baghdad, Bremer issued CPA Order 1,
“De-Ba’athification of Iraqi Society,” which outlined the basic objectives and framework of the
de-Baathification policy. The primary stated objective of the order was to completely destroy the
Baath Party by “removing its leadership from positions of authority and responsibility in Iraqi
society.” It identified two categories of individuals that would be dismissed and permanently
prohibited from public administration positions:

1. All individuals in the top four ranks of Baath Party membership, deemed “senior party
members”
2. All individuals holding positions in the top three levels of management in any government
ministry, affiliated corporation, or other government institution who held any level of party
membership

De-Baathification can best be classified as an exclusive personnel reform policy. Under the
program, individuals suspected of being former Baathists were automatically dismissed and
excluded from holding certain positions of authority depending on their rank in the civil service or

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66 Ibid.
67 There is significant debate over whether Bremer’s CPA Order 1 accurately reflected the wishes of the National
Security Council and the president. Bremer claims that he cleared the order through the chain of command, while
others contend that Bremer drafted and issued the de-Baathification order without any prior consultation with the
NSC, State Department, CIA, or chairman of the National Intelligence Council.
http://nsarchive.gwu.edu/NSAEBB/NSAEBB418/docs/9a%20-
%20Coalition%20Provisional%20Authority%20Order%20No%201%20-%205-16-03.pdf.
69 Defined in Section 1(2) as ‘Udw Qutriyya (Regional Command Member); ‘Udw Far’ (Branch Member); ‘Udw
Shu’Bah (Section Member); and ‘Udw Firqah (Group Member).
Baath Party.\textsuperscript{70} The fundamental assumption of the de-Baathification order was that members of
the party’s top four levels were most likely to be ideologically committed to Baathism, and/or most
likely to have committed acts that seriously violated either international human rights standards or
other social norms.\textsuperscript{71} The order also barred all individuals who had been party members, regardless
of rank, from holding positions in the top three levels of any ministry. Exceptions could be granted
only on a case-by-case basis by a commission appointed by Bremer, who chose former exile
Ahmed Chalabi as the head.\textsuperscript{72}

Shortly after issuing the de-Baathification order, Bremer issued CPA Order 2, “Dissolution
of Entities,” which disbanded the Iraqi military, security, and intelligence organizations. With the
stroke of a pen, all Iraqi military ranks and titles were abolished, conscripts released, and
employees dismissed.\textsuperscript{73} CPA Order 2 is generally considered to be closely associated with the de-
Baathification order. Much like CPA Order 1, many experts point to the disbanding of the Iraqi
military, security, and intelligence institutions as a major factor contributing to the rise of
insurgency groups. However, a detailed analysis of the impact of CPA Order 2 is outside the scope
of this paper.\textsuperscript{74} While such an analysis would undoubtedly be valuable, for practical reasons, this
paper focuses solely on the impact of de-Baathification on Iraq’s public administration and civil
service.

\textsuperscript{70} In his article “From Prague to Baghdad,” Roman David argues that de-Baathification was actually a ‘mixed’
system. However, based on my own research, I believe that de-Baathification is best classified as an exclusive
system.
\textsuperscript{71} Miranda Sissons and Abdulrazzaq Al-Saiedi, "A Bitter Legacy: Lessons of De-Baathification in Iraq,”
\textsuperscript{72} Bremer’s decision to appoint former exile Ahmed Chalabi to head the de-Baathification Commission was, and
continues to be, an extraordinarily controversial decision. Critics of the decision argue that, rather than acting as an
unbiased arbiter, Chalabi used the position to target Sunnis and eliminate political enemies. To quote one former
CPA staffer, Bremer’s decision to appoint Chalabi as head of the de-Baathification Commission was, “like putting
the fox in charge of the henhouse.” (Chandrasekaran, Imperial Life in the Emerald City, 73.)
\textsuperscript{73} Sissons and Al-Saiedi, “A Bitter Legacy,” 11.
\textsuperscript{74} For more detailed analyses of the impact of CPA Order 2 on post-war Iraq, see: Charles H. Ferguson, No End in
Sight: Iraq's Descent into Chaos (New York: PublicAffairs, 2008); Rajiv Chandrasekaran, Imperial Life in the
After the CPA created the Iraqi Governing Council (IGC) in July 2003, power over the de-Baathification process was transferred to the Iraqis. In September 2003, the Iraqi de-Baathification commission significantly changed the program’s framework. Although it targeted the same party and managerial ranks as under the CPA, the commission vastly expanded the scope of de-Baathification by prohibiting certain categories of individuals from holding high-level positions in the new state bureaucracy, politics, civil institutions, or the media.

Unfortunately, the de-Baathification program suffered from a lack of regular and transparent reporting by both the CPA and the Iraqi government. As a result, it is difficult to come up with an accurate assessment of the true impact of de-Baathification on Iraqi society. Estimates regarding the number of Iraqis affected by the de-Baathification policy vary immensely. According to some reports, approximately 50,000 civil government employees, not including those affected by CPA Order 2, were affected and removed from their positions as a result of the de-Baathification order. Other estimates place the number of individuals dismissed at more than 100,000. The true number is likely to be somewhere in between. Regardless, the number appears to be far larger than pre-war planners had anticipated. Figures on the number of senior bureaucrats who were dismissed as a result of the policy are even harder to obtain. Reports suggest that many high-level Iraqi officials simply retired, rather than go through the formal de-Baathification process.

By mid-2003, it had become apparent to nearly everyone involved that the de-Baathification program was facing a number of unanticipated challenges. The widespread

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76 Ibid.
77 Charles H. Ferguson, No End in Sight: Iraq’s Descent into Chaos (New York: PublicAffairs, 2008), 156.
78 Ibid.
dismissals brought about by the policy had badly undermined Iraq’s government and military structure and fueled a sense of grievance among those affected, not just employees, but also their families and communities.80

Attempts by the CPA to rectify the situation by offering to rehire many of the former Baathists proved largely ineffective. The irreversible implications of the de-Baathification policy had already alienated tens of thousands of Iraqis, many of whom felt as though they had no place in the new government. These problems were made worse by the fact that the de-Baathification program was being run by corrupt Iraqi politicians, such as Ahmed Chalabi, who began wielding the de-Baathification commission as a tool to target political opponents.

In retrospect, the vast majority of those involved in crafting and implementing the de-Baathification policy have publically recognized that the program was deeply flawed. Former Under-Secretary of Defense for Policy Walter Slocombe, for example, later acknowledged in an interview that the CPA lacked full knowledge of how many people were actually fired as a result of the order and the manner in which it was implemented.81 President George W. Bush also admitted later that the de-Baathification program had a much deeper impact than he had expected. “[It] had a psychological impact that I did not foresee,” he notes in his 2010 memoir Decision Points, “Many Sunnis took [it] as a signal they would have no place in Iraq’s future. This was especially dangerous in the case of the army. Thousands of armed men had just been told they were not wanted. Instead of signing up to fight for the new military, many joined the insurgency.”82

While most experts agree that the de-Baathification program implemented in Iraq following the 2003 U.S.-led invasion was largely ineffective, there is less agreement over why

81 Ferguson, No End in Sight, 157.
exactly it failed. In the following three sections, I use the de-Baathification program as a case study to test the three hypotheses outlined above in the theory section. By applying these hypotheses to the case of Iraq, I hope to demonstrate the importance of domestic-level variables in determining whether or not a particular lustration system is likely to be effective.

**REGIME AFFILIATION**

The first domestic-level variable that this case study will evaluate is that of regime affiliation, specifically how a large portion of the target state’s population was affiliated with the former regime. As I outlined in the theory chapter, an occupying power that imposes an exclusive lustration system on a society with a large former regime-affiliated population is likely to face a number of challenges. First, as the level of regime affiliation within the target society increases, policymakers pursuing an exclusive policy will typically underestimate how many individuals the program will affect. More often than not, this miscalculation is caused by a lack of accurate information and a desire to ensure that the former regime is sufficiently purged. Second, I predict that this underestimation on behalf of the policymakers will cause too many individuals to be dismissed from their positions and excluded from the new government. The hypothesized effects of excluding too many individuals are threefold: a shortage of qualified replacements, the ostracization of large segments of the target population, and a rapid rise in unemployment. When combined, I predict that these challenges will ultimately lead to weak and ineffective state institutions, and resistance against both the new government and the occupying power.

**Regime Affiliation in Baathist Iraq**

It is difficult to overstate the importance of the Baathist regime in everyday life in pre-war Iraq. As historian Joseph Sassoon notes, “From cradle to grave, it is hard to find any aspect of state
or society in which the [Baath] Party did not wield some influence.”  
During its thirty-five years in power, the Baath party was able to systematically penetrate nearly every stratum of Iraqi society, and construct an impressive political machine that drew large numbers of people into its sphere of influence. By the time of the 2003 U.S.-led invasion, somewhere between 1.2 million and 2 million Iraqis were affiliated with the Baath party at some level. The Baath Party also played a central role in pre-war Iraq’s economic sphere. According to most reliable estimates, government employment accounted for upwards of 60 percent of all jobs, including nearly all important business and professional positions.

Much of the literature on Saddam Hussein’s Baathist regime focuses on the use of fear and violence to suppress opposition movements and consolidate control. While coercion was undoubtedly a major characteristic of Baathist rule, however, it is important to understand that the regime also garnered public support through a parallel system of rewards and benefits for its supporters. Indeed, much of the regime’s success can be attributed to its ability to attract large numbers of supporters who felt a vested interest in the system.

During the 1970s and 1980s, the Baath Party sought to strengthen its popular support by widening its base dramatically and recruiting new members from all sectors of the population. This strategy continued throughout the 1990s following Iraq’s defeat in the Gulf War and the subsequent international sanctions. During this era, the Baath Party leadership sought to achieve a

higher percentage of women members and, more importantly, to overcome the aging of its cadre by attracting younger members.\textsuperscript{88} The ultimate result of these policies was that, by the time of the 2003 invasion, the Baath Party had come to dominate nearly every aspect of Iraqi political, economic, and civil society.

Unfortunately, reliable data on pre-war Baath Party membership is scarce. It remains somewhat unclear if these records ever actually existed, if they were intentionally destroyed by the regime, or if they were simply lost in the widespread looting that occurred following the U.S-led invasion. Regardless, a lack of accurate data makes it difficult to gain a clear understanding of the Baath Party’s pre-war structure and membership. The latest and most accurate estimates come from the International Center for Transitional Justice’s (ICTJ) 2013 report, “A Bitter Legacy: Lessons of De-Baathification in Iraq” by Miranda Sissons and Abdulrazzaq Al-Saiedi. According to this report, when the regime fell in 2003, at least 400,000 Iraqis held the rank of full Baath Party members or above.\textsuperscript{89} Of these, somewhere between 110,000 and 150,000 were civil service employees. There are few reliable figures about the overall size of the Iraqi civil service prior to the war, but informed estimates range from 900,000 to more than a million, excluding the military.\textsuperscript{90} Furthermore, the ICTJ report estimates that of the roughly 111,144 civil servants who were Baath Party members, approximately 45,111 represented “senior party members.”\textsuperscript{91} Based on these figures, it is obvious that a significant portion of Iraq’s population was affiliated with the Baath Party at some level.

The Baath Party encompassed its share of thugs, in addition to the vast majority of Iraq’s most capable scientists, engineers, civil administrators, and other professionals.\textsuperscript{92}

\textsuperscript{88} Ibid., 8.
\textsuperscript{90} Ibid., 22.
\textsuperscript{91} Ibid.
membership was a standard requirement to gain admission to the best colleges and graduate schools, get a coveted government job, or earn a promotion. If individuals excelled at their jobs, they might be promoted into the party’s upper ranks, even if that was not something they actively sought. Declining a promotion could result in termination or imprisonment.\textsuperscript{92} As the Iraqi Opposition Report on the Transition to Democracy noted, “Iraq’s civilian agencies [employed] a large class of competent professionals and technocrats, including doctors, engineers, educators, civil servants and others, who maintained some distance from the regime and provided service[s] to the community.”\textsuperscript{93}

An April 2003 interview conducted by \textit{Washington Post} journalist Rajiv Chandrasekaran with a high ranking official in Iraq’s Ministry of Industry demonstrates the ever-present role of the Baath Party in pre-war Iraqi society.\textsuperscript{94} When asked by Chandrasekaran whether he was concerned that his Baath Party membership would disqualify him from serving in a senior ministry position, the official responded by insisting, “[There is] no Iraqi who was not in the party.\textsuperscript{95} Most of them are highly educated and technical. In the past, if you [were not] a Baathist, you [would not] be able to rise in the hierarchy.”\textsuperscript{96}

The key takeaways of regime affiliation in Baathist Iraq are threefold: (1) a significant portion of Iraq’s population (approximately 1.2 million to 2 million individuals) were affiliated with the Baath Party at some level; (2) most of Iraq’s qualified professionals were Baath Party members; and (3) party membership/affiliation in itself did not necessarily mean an individual supported the party’s beliefs or activities.

\textsuperscript{92} Chandrasekaran, \textit{Imperial Life in the Emerald City}, 48.
\textsuperscript{93} “Iraqi Opposition Report on the Transition to Democracy,” 15.
\textsuperscript{94} Chandrasekaran, \textit{Imperial Life in the Emerald City}, 48.
\textsuperscript{95} While this was obviously an exaggeration, Baath Party membership was undoubtedly high among Iraqis. As was mentioned previously, most reliable estimates put party affiliation at somewhere between 1 million and 2 million.
\textsuperscript{96} Chandrasekaran, \textit{Imperial Life in the Emerald City}, 48.
Regime Affiliation and De-Baathification

In many ways, the impact of de-Baathification on Iraqi society closely follows my predicted causal pathway (see Figure 7). The Baath Party’s enormous web of influence may have proven useful for Saddam Hussein to maximize his regime’s control, but the broad scope of Baathist affiliation also represented an enormous challenge for U.S. policymakers following regime change. By the early fall of 2003, CPA leaders were beginning to realize that number of individuals dismissed by the de-Baathification policy had been far larger than anticipated.97 This miscalculation proved to have disastrous consequences over the next several months, causing a shortage of qualified replacements, which crippled many of Iraq’s most important institutions. At the same time, high unemployment and growing fears of alienation among many Iraqis led to increased resentment toward U.S. occupying forces as well as the new Iraqi government. The following sections analyze these developments in further detail.

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Weak & Ineffective Institutions

The first hypothesized outcome of imposing an exclusive personnel reform system on a society where a large portion of the population is affiliated with the former regime is an overall weakening of state institutions. The logic behind this prediction is that when an exclusive system is imposed on a society where a significant portion of the population is affiliated with the former regime, there is a greater probability of policymakers underestimating the number of individuals who will be affected by the policy. If policymakers underestimate how many individuals will be affected by the policy, there is a higher chance that too large a number of individuals will be dismissed from their positions. Releasing too many people from their positions will typically result in a shortage of qualified replacements, leading to the weakening of state institutions.

In the case of Iraq, there is strong evidence that the de-Baathification policy played a central role in severely weakening the country’s political, civil, and economic institutions. As was described previously, many of Iraq’s most qualified professionals and valuable technocrats were
mid-to-low level Baath Party members. Thus, the de-Baathification order had a profound impact on nearly all of Iraq’s ministries. At the Ministry of Health, for example, the de-Baathification order resulted in the removal of eight of the ministry’s top dozen directors, and over one-third of its staff.98 Iraqi’s ministries of Finance, Electricity, Foreign, Industry, Interior, and Information faced similar challenges.99 The impact of de-Baathification on Iraq’s education sector was particularly devastating since Saddam, highly encouraged party membership among teachers, professors, and administrators. As a result of the summary dismissals brought about by the de-Baathification order, Iraq’s education system was effectively decimated. According to official CPA reports, the de-Baathification order resulted in the dismissal of more than 12,000 headmasters, headmistresses and teachers.100 The purge forced schools and universities across the country were forced to shut down due to the shortage of personnel.101 In some areas, entire schools were left with just one or two teachers.102

The impact of the de-Baathification program on the new government’s ability to function was instantaneous and noticeable. By June 2003, the International Crisis Group was already reporting that the removal of top management in ministries based solely on Baath Party membership had led to confusion, deprived the CPA of technocratic help and further delayed resumption of normal activity.”103 When later asked about the Iraqi government’s inability to provide many basic services, former U.S. ambassador Barbara Bodine responded that: “One very

98 Chandrasekaran, Imperial Life in the Emerald City, 71.
99 Ibid., 69-74.
101 In April 2004, Bremer and the CPA attempted to alleviate these problems by reversing thousands of these dismissals and speeding up the appeals process. (L. Paul Bremer, "Turning the Page," Baghdad. 23 Apr. 2004. Coalition Provisional Authority.)
102 Chandrasekaran, Imperial Life in the Emerald City, 73.
simple reason [was] that the technocrats who ran the programs before were all fired. You [cannot] fire that which operates your state and your society, and not have it collapse.**104

**Resentment & Resistance**

My hypothesis also predicts that imposing an exclusive system on a society with high regime affiliation may lead to increased unemployment, and a large segment of the target population becoming ostracized as a result of exclusion. I argue that if combined, these two factors can result in increased resentment toward both the new government and the occupying power, and the case of Iraq supports my hypothesis.

Initially, most former Baath Party members and former soldiers expressed a willingness to compromise and work with the Coalition forces.105 However, as time passed and the situation for many Iraqis continued to deteriorate, frustration mounted and resentment toward both the U.S. occupation and the new Iraqi government turned increasing more violent. One of the most immediate and deeply felt affects the CPA’s de-Baathification order, along with its decision to disband of the military, was a rapid spike in unemployment across the country. Indeed, many Iraqis interviewed during the early months of the occupation cited unemployment as the single biggest problem facing the country.106 According to The Economist, by October 2003, unemployment in Iraq had reached somewhere between 60 and 75 percent.107

Politically ostracized and presented with few opportunities for employment, many of those affected by the de-Baathification order began searching for alternative sources of income. For many disenfranchised former Baathists, Iraq’s rising insurgency networks provided both an

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104 Ferguson, No End in Sight, 159.
105 Ibid., 319.
106 Chandrasekaran, Imperial Life in the Emerald City, 116.
opportunity for income, as well as a way to fight back against the American occupiers who had forced them out of their jobs. Emerging shortly after the U.S. invasion, the Iraqi insurgency quickly became the primary concern for U.S. and coalition forces in Iraq. Thousands of American soldiers and hundreds of thousands of Iraqi civilians would be killed as a result of the insurgency over coming years.\textsuperscript{108}

Members of the insurgency came from a variety of backgrounds. But, by many accounts, the backbone of the nascent insurgency consisted of former members of Iraq’s security forces, former military officers, and other Baath Party members.\textsuperscript{109} Some chose to join to fight back against the Americans, while others chose to join simply as a means to provide for their families.\textsuperscript{110}

ETHNIC DIVERSITY

As I noted in the theory section above, whenever an exclusive lustration system is implemented it is necessary to fill the positions of former regime supporters who are removed from office. We therefore should expect to see an inversion of the political system as former regime members and opposition leaders change places.\textsuperscript{111} This creates a unique set of challenges in ethnically divided societies since individuals’ political identities are often closely associated with ethnic identities. Thus, in ethnically divided societies, such an inversion will typically benefit some ethnic groups at the expense of others. We then expect to see that the losing group will project its frustrations outward toward other ethnic groups. As a result, those negatively affected groups will likely begin to feel alienated and disenfranchised. The final predicted results of imposing an

\begin{footnotes}
\item[110] Interview with journalist Chris Allbritton (Ferguson, \textit{No End in Sight}, 162).
\item[111] David, “From Prague to Baghdad,” 364.
\end{footnotes}
exclusive system on an ethnically divided society are: (1) a widespread distrust and rejection of the state’s new institutions by alienated ethnic groups, and (2) increased sectarian violence as ethnic groups struggle for power in the new system.

**Ethnicity in Baathist Iraq**

Few countries in the world are as ethnically divided as Iraq. Iraq’s three major ethnic groups are Shia Arabs, found largely in country’s central and south; Sunni Arabs, concentrated mainly in the northwest; and Kurds in the north. Although no formal census has been taken in Iraq for many years, a 2002 CIA report estimated that at the time of the U.S.-led invasion, Shias comprised approximately 65-80 percent of Iraq’s population; Sunni Arabs, 20-30 percent; and Kurds, around 20 percent.\(^{112}\) Other minority ethnic groups include Assyrians, Turkmen, Shabakis, Yazidis, Armenians, Mandaeans, Circassians, and Kawliya.\(^{113}\)

Ethnicity has long played a central role in Iraqi politics. This was particularly true under Saddam Hussein’s Baathist regime. The Baath Party came to power in the mid-1960s, on a platform of united Arab nationalism. The party’s ideology was vague and heavily nationalistic, emphasizing a goal of Arab nationalism under the motto of “Unity, Freedom, Socialism.”\(^{114}\) Middle East experts Miranda Sissons and Abdulrazzaq Al-Saiedi note in describing the emergence and growth of the Baath Party in Iraq that, “it would be a mistake to over-emphasize Baathism’s ideology as its distinguishing characteristic.”\(^{115}\) The Baath Party may have come to power

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\(^{115}\) Ibid.
preaching a unified secular nationalist identity, but in reality ideology became of minimal importance, and the party became increasingly sectarian in nature.

By the time Saddam came to power in 1976, the Baath Party’s ruling elements were drawn almost exclusively from Tikriti Sunnis.\textsuperscript{116} By most accounts, the 1980s and 1990s witnessed a rise in party membership among non-Sunnis, as the government tried to strengthen public support following the Iran-Iraq War (1980-1988), the first Gulf War (1989-1991), and international sanctions (1990-2003). It is important to note that non-Sunnis were typically limited to lower level party positions. Thus, by the time of the 2003 U.S.-led invasion, Sunni Arabs, despite representing just 20-30 percent of Iraq’s total population, continued to comprise the vast majority of the Baath Party’s upper leadership.\textsuperscript{117} Therefore, the relationship between ethnicity and politics in Baathist Iraq was one of domination by the Sunni minority, with the Shia and Kurd majority wielding little to no true influence in the system. As I discuss later, one of most important consequences of this relationship was that Iraq’s ethnic and political identities became closely intertwined.

Considerable debate exists among experts over the prevalence of ethnic conflict in Iraq prior to the 2003 U.S.-led invasion. Most academics and policymakers agree that, although some sense of national identity existed in pre-war Iraq, it failed to override communal forms of ideology along ethnic, geographic, tribal, or religious grounds.\textsuperscript{118} While ethnic tensions undoubtedly existed in pre-war Iraq, evidence suggests that overt violence between ethnic groups was actually uncommon.\textsuperscript{119} This was largely the result of simple repression, but also due to government policies and to more genuine tolerance. Under Saddam’s rule, ethnically mixed marriages were fairly

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\textsuperscript{116} Charles Tripp, A History of Iraq (Cambridge: Cambridge University Press, 2000), 143.  \\
\textsuperscript{117} Ferguson, No End in Sight, 356.  \\
\textsuperscript{118} Dobbins et al., America’s Role in Nation-Building, 169.  \\
\textsuperscript{119} Saddam Hussein’s violent reaction to the Shia and Kurdish uprisings following the Gulf War serves as a major exception to this trend. However, the violent attacks against the Shia and Kurds were perpetrated by the Iraqi government, not by other ethnic groups.
\end{flushright}
common across much of Iraq. Similarly, among educated Iraqis, it was typically considered impolite to even ask whether someone was Sunni or Shia.\textsuperscript{120}

In sum, then, it is possible to identify four key characteristics of ethnic identities in pre-war Iraq: (1) pre-war Iraq’s population was ethnically divided; (2) ethnic identities played a central role in society; (3) ethnicity had historically played an important role in Iraqi politics; and (4) despite being an ethnically divided society, overt ethnic conflict in pre-war Iraq was fairly uncommon.

**Ethnicity and De-Baathification**

In many ways, the case of Iraq closely follows the causal pathway predicted in this paper’s theory section. Figure 8 below applies the causal argument to the Iraq case.

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\textsuperscript{120} Ferguson, *No End in Sight*, 355.
As predicted, the effect of the de-Baathification policy on Iraq’s political system was one of inversion along ethnic lines. By removing and prohibiting former Baathists from holding positions of authority in the new political system, the de-Baathification order effectively reversed the roles of oppressor and opposition, which had been in place for nearly four decades. Iraq’s Sunni minority, which formerly held a preferential position in Iraqi politics, was now at the mercy of the country’s previously oppressed Shia majority. For Iraq’s Sunni minority, the results of the inversion were also damaging since there were relatively few qualified Sunnis who had not been affiliated with the regime. As a result, the vast majority of the empty positions were given to non-Sunnis.

In crafting the de-Baathification order, the American occupiers attempted to right Saddam’s wrongs by favoring the once oppressed Shias and Kurds at the expense of the once-ruling Sunnis. “It was the easy and obvious strategy,” Iraq expert Rajiv Chandrasekaran argues, “but it was fraught with danger. The Shias and Kurds had political leaders who were known to the Bush administration; the Sunnis did not. The Shias and the Kurds had been the victims of the Sunnis, who were willing accessories to Saddam’s despotism.” 121

The ethno-political inversion of Iraq’s political system following the de-Baathification order was both swift and profound. The most obvious result of this inversion was a major shift in the balance of power among Iraq’s major ethnic groups. It should not come as a surprise, therefore, that in the weeks and months following the de-Baathification order, ethnic tensions rose as each group sought to acquire power and consolidate its position in the new political system.

When the de-Baathification order was signed on May 16, 2003, Iraq’s Sunni minority was profoundly affected. With the stroke of a pen, hundreds of thousands of Iraq’s Sunnis

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121 Chandrasekaran, Imperial Life in the Emerald City, 196.
instantaneously became unemployed and essentially unemployable. As was noted earlier, in some Sunni-dominated areas, entire schools were left with just one or two teachers. Many Sunnis feared what would happen to them in a Shia-dominated political system. Given these developments, it is unsurprising that tensions began to rise between Iraq’s major ethnic groups.

As I described in the theory chapter, the predicted end results of imposing an exclusive personnel reform system on an ethnically divided society are twofold: (1) widespread distrust and rejection of the state’s new institutions by alienated ethnic groups; (2) increased sectarian violence as ethnic groups struggling for power in the new system. There is significant evidence of both in the case of Iraq.

**Sunni Rejection**

Perhaps the clearest example of Sunnis’ distrust and rejection of the new institutions occurred during Iraq’s January 2005 parliamentary elections. Protesting what they perceived as widespread injustices brought about largely by the de-Baathification policy, thousands of Iraq’s Sunnis boycotted the election. Heralded as a triumphant success across much of Iraq’s Kurdish and Shia-dominated regions, the election actually represented a tremendous failure throughout the country’s Sunni-dominated areas, where local politicians boycotted the balloting, and insurgents warned residents to stay away from polling stations. In Ramadi, only six people voted at one polling station. The Sunni-dominated city of Dhululyah, located north of Baghdad, fared even worse, with none of its eight polling stations even opening. In the key central Iraqi province of Anbar, less than one percent of Sunnis cast ballots. For Iraq’s Sunni minority, the results of the election mirrored its turnout. Shia parties won the election by a landslide. All told, Sunni Arabs,

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122 Ibid., 73.
123 Ibid., 297.
124 Ibid.
125 Michael Weiss and Hassan Hassan, *ISIS: Inside the Army of Terror* (New York: Regan Art, 2015), 42.
who comprised about twenty percent of Iraq’s population, wound up with fewer than eight percent of the seats in the legislature. In many ways, the 2005 boycott marked the climax of Sunni rejection.

Sectarian Violence

The first clear signs of widespread sectarian violence in post-war Iraq appeared in two forms: the early, scattered attacks of the Sunni insurgency, and the initially more organized actions of fundamentalist Shia militias. As was mentioned in previous sections, one of the most profound effects of the de-Baathification order was the dismissal of tens of thousands of former Baathists from their positions, the vast majority of which were Sunnis. As a result, many of these Sunnis joined Iraq’s growing insurgency movement, both as a means to fight back against the U.S. forces and new Iraqi government, as well as a source of income. Sunnis across Iraq grew increasingly fearful of what would happen under the new, Shia-dominated, Iraqi government. Betrayed by the U.S. occupiers, and ostracized by the Shia-dominated government, huge numbers of Iraq’s Sunnis began turning to the insurgency to provide protection and voice their outrage. As ethnic tensions grew increasingly volatile, acts of violence against Shias in Sunni-dominated areas across Iraq became more common.

While the Sunni insurgency targeted Shia neighborhoods in Iraq’s north and west, Shia militias began responding by targeting Sunnis in the country’s southeast. The two largest and most powerful Shia militias to emerge in the months following the invasion were the Badr Corps, which was controlled by the Supreme Council for Islamic Revolution in Iraq (SCIRI), and the Mahdi Army, created and controlled by the populist, anti-American cleric Moqtada al-Sadr. Initially,
these militias fought primarily against Sunni groups. However, as the U.S. occupation drew longer, they also began targeting American and Coalition forces.\footnote{Ibid.}

Beginning the fall of 2003, Iraq was characterized by a period of extensive sectarian violence and ethnic cleansing of many urban neighborhoods, especially in Baghdad. The so-called “Sunni triangle” in northern Iraq emerged as an area of particular concern. In this region, many Sunnis who had become unemployed and unemployable as a result of de-Baathification started to join the insurgency.\footnote{Weiss and Hassan, \textit{ISIS: Inside the Army of Terror}, 38.}

U.S. military commanders on the ground soon found themselves in the middle of a two-front conflict: the bloody Sunni insurgency to the north and west of the capital, which American troops had tried for months to quell but could not, was compounded by a Shiite revolt to the south and east.\footnote{Chandra sekaran, \textit{Imperial Life in the Emerald City}, 272.} By 2005, sectarian violence across Iraq spiraled out of control. Hundreds of thousands of Iraqis had been killed as a result of ethnic conflict, and millions more had been displaced.\footnote{Iraq Body Count. Accessed March 9, 2016. https://www.iraqbodycount.org/.}

A memorandum prepared by national security advisor Stephen J. Hadley for cabinet-level officials shows that, by 2006, the Bush administration was growing increasingly concerned with Iraq’s rising sectarian violence, and more importantly, the will and ability of Prime Minister Nouri al-Maliki’s government to address it. Hadley points to reports of non-delivery of services to Sunni areas, interventions by al-Maliki’s office to stop military action against Shia targets and to encourage action against Sunni ones, removal of Iraq’s most effective military and police commanders on sectarian bases, and efforts to ensure Shia majorities in all ministries, as evidence of a “campaign to consolidate Shia power in Baghdad.”\footnote{“Text of U.S. Security Adviser’s Iraq Memo,” \textit{The New York Times}, November 29, 2006, http://www.nytimes.com/2006/11/29/world/middleeast/29mtext.html?_r=1.}
More than a decade later, sectarian violence continues to be a critical problem across much of Iraq. Perhaps the clearest example of this is the widespread ethnic cleansing being committed by the self-proclaimed Islamic State (ISIS) across much of northern and western Iraq.

In 2014, a collection of former Baathist officials and retired military commanders, known as the Naqshbandi Army, helped ISIS win some of its most important military victories, including the takeover of Mosul, Iraq’s second-largest city. By many accounts, a significant number of the Naqshbandi Army’s members were former technocrats and government officials who had been dismissed from their positions in the Iraqi government during de-Baathification. While ISIS and the Naqshbandi Army may have differed in terms of their ideologies and overall goals, they were aligned in their opposition to, and hatred of, former Iraqi Prime Minister Nouri al-Maliki’s Shia-dominated government. As Letta Tayler, a senior researcher at Human Rights Watch, noted while describing the June 2014 takeover of Mosul, “The Baathists and ISIS had a marriage of convenience. Baathists got muscle from ISIS, and ISIS got local legitimacy through the Baathists.”

DEMOCRATIC EXPERIENCE

The third, and final, variable that this chapter will analyze is that of democratic experience. As I described in the theory chapter, imposing an exclusive personnel reform program on a society with little, or no experience with democracy will likely lead to a number of challenges. First, societies lacking democratic experience may be less likely to demand political and bureaucratic transparency, thus opening the door for corrupt elites to step in and fill important positions

136 Ibid.
137 Ibid.
previously held by regime affiliates. A lack of preexisting democratic norms and institutions may also cause individuals to revert to non-democratic methods of problem solving, such as intimidation and violence. Finally, societies without significant experience with democracy will typically suffer from a shortage of trustworthy and/or qualified replacements to fill important positions in the new government. Therefore, I predict that imposing an exclusive lustration system on a society lacking democratic experience will weaken institutions and lead to increased political and societal instability.

**Democracy and Pre-War Iraq**

The consensus among most historians and academics is that, prior to the 2003 U.S.-led invasion, historical experience with democracy in Iraq was essentially non-existent. According to James Dobbins et al., “Iraq has no tradition of pluralist democracy. Politics has always been about authoritarian rule and the settlement of disputes by force... [With] the majority of the population, the Kurds and Shia, [having] no real tradition of representation in national Iraqi politics.”138 Middle Eastern specialist Murhaf Jouejati agrees, arguing that, “there has not been a single day of democracy in Iraq in its history.”139 Lacking any previous experience with democracy, there was no manual or guide to which Iraqis could turn once Saddam’s Baathist regime was toppled.140

Along with the absence of democratic governance came an absence of democratic norms and institutions. According to Barbara Walter, one of the most important strengths of democratic political systems is that that they create multiple nonviolent avenues to influence government policy, making violence less essential as a means to promote change.141 This point is worth noting

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138 Dobbins et al., *America's Role in Nation-Building*, 169.
because violence has long played a central role in Iraq’s political sphere. Since at least the early 20th century, Iraq’s ruling regimes have often used violence to suppress opposition movements.\footnote{Dobbins et al., America's Role in Nation-Building, 169.} This was particularly true under Saddam Hussein’s Baathist rule. Similarly, throughout Iraq’s history opposition groups have often turned to violence when attempting to enact regime change.\footnote{Ibid.} Since the 1950s, Iraq’s coups and revolutions have been significantly bloodier than those of its Arab neighbors.\footnote{According to historian Charles Tripp, “the use of violence in political life has… been an important part of Iraqi history.” (Tripp, A History of Iraq, 7.)}

The impact of Saddam’s authoritarian rule on Iraqi political and civil society was summed up well by John Agresto, the CPA’s Senior Advisor to the Ministry of Higher Education from August 2003 to June 2004. “Thirty years of tyranny can do terrible things to people,” Agresto noted, “it breeds a culture of dependency, it breaks the spirit of civic responsibility; it forces people to fall back on tight-knit familial, ideological, or sectarian groups for safety and support.”\footnote{Chandrasekaran, Imperial Life in the Emerald City, 284.}

**Lack of Democratic Experience and de-Baathification**

Many aspects of the Iraq case appear to support my predictions. The near complete absence of pre-existing democratic norms and institutions in the case of Iraq played a significant role in shaping how country’s population responded to the de-Baathification policy (see Figure 9).
There are several key developments in the Iraq case that support my hypothesis that imposing an exclusive lustration system on a society lacking democratic experience will weaken institutions and lead to increased political and societal instability. First, as I discussed extensively in the first section of this chapter, Iraq’s lack of democratic experience resulted in few trustworthy and/or capable replacements available to fill empty positions in the new government. As a result, many of Iraq’s most essential ministries and institutions were crippled by ineffectiveness. Similarly, corrupt Iraqi elites wielded the de-Baathification commission as a political weapon, targeting their opponents while advancing the interests of their associates.

An absence of pre-existing democratic institutions may also help to explain why so many of the Iraqis affected by the de-Baathification order chose to respond with violence. As I described earlier, thousands of Iraqis who were dismissed from their jobs eventually joined the insurgency. If Iraq had pre-existing democratic institutions, however, it is likely that many of those excluded

Figure 9. Lack of democratic experience and de-Baathification (H3β)
by the program would have pursued more nonviolent avenues to influence government policy, thus lowering the risk of post-conflict violence. Therefore, one cannot help but wonder if the situation would have been different if Iraq had at least some pre-existing democratic institutions.
DE-NAZIFICATION OVERVIEW

Following the unconditional surrender of Nazi Germany in early May 1945, Allied policymakers found themselves faced with the daunting task of rebuilding Germany’s political system and state institutions. The Allies’ post-war policies were developed in a series of summit meetings, most notably at Casablanca in January 1943, Yalta in February 1945, and Potsdam in August 1945. In Casablanca, U.S. President Franklin D. Roosevelt and British Prime Minister Winston Churchill decided to accept only unconditional surrender from Germany, a decision that was reiterated in future meetings with Soviet leader Joseph Stalin.146

The four major Allied powers also agreed to divide Germany into four zones of occupation, each under the administration of one Allied power. Thus, following the unconditional surrender of Nazi Germany on May 7, 1945, each of the Allied powers established a military government in its respective sector. The U.S. sector was organized under the command of the Office of the Military Government, United States (OMGUS). The U.S. occupation government was tasked with two major goals: first, to create stability in conditions verging on chaos, and second, to act as an instrument of political change.147 The initial concern for the occupying forces was that of security. Allied military leadership anticipated an armed resistance by underground organizations and

146 James Dobbins et al., America’s Role in Nation-Building, 3.
“werewolves,” cells of fanatical, violent Nazis who would harass the occupation forces through suicide attacks and sabotage.\textsuperscript{148} Fortunately for the Allies, such a resistance movement never arose.

With the security situation under control, OMGUS quickly shifted its focus towards the second task: political reform. Millions of men, women, and children had been killed in battle or in Nazi concentration camps. The Allies wanted to ensure that the atrocities committed by Nazi Germany did not go unpunished. As a result, a number of Nazi leaders were tried and convicted of crimes against humanity during the Nuremberg Trials in late-1945 and early-1946. But for many, addressing the Nazis’ obvious leaders and culprits would not be enough; everyone who had supported the Nazi regime should be made to suffer.\textsuperscript{149} Moreover, Allied leaders felt it was necessary to make sure that Nazism would never again play a role in Germany’s government. To accomplish this, the Allied occupiers devised a series of measures and policies targeting various areas of German social, economic, and political life. “De-Nazification” refers to the process of prosecuting and removing active Nazis from positions of public power.\textsuperscript{150} In the areas of Germany controlled by the United States, the de-Nazification program fell under the control of OMGUS.

The basic framework for de-Nazification in the American occupation zone was agreed upon at the Potsdam Conference and outlined in Joint Chiefs of Staff directive 1067 (JCS 1067). Its primary goal was the removal from “public office and from positions of importance in quasi-public and private enterprises” those Germans who had been “active supporters of Nazism or militarism and all other persons hostile to Allied Purposes.”\textsuperscript{151} The proposed scale of the de-Nazification program was extraordinarily ambitious, but U.S. policymakers were determined to

\textsuperscript{149} Ibid.
remove all Nazis from positions of power in the new system. Those in charge of the American occupation zone saw de-Nazification as a critical first step in rebuilding Germany’s political system into a functioning democracy. As General Lucius Clay, the military governor of the U.S. zone of occupation, put it, “A democratic house cannot be built with Nazi bricks.”

The de-Nazification program was implemented through a series of laws passed by OMGUS beginning in mid-1945. The occupation authority began by identifying 136 mandatory removal categories, which barred Nazi affiliates from holding important positions in the new government and restricted them to manual labor or “simple work.” Shortly thereafter, OMGUS issued Military Government Law No. 8, which expanded de-Nazification to the country’s private sector. Military Government Law No. 8 removed and excluded Nazi affiliates from holding positions in all business enterprises other than low-level agriculture. This sweeping and controversial decision was intended to prevent former Nazis from exercising direct or hidden influence on the economic development of post-war Germany. By early 1946, former Nazis living in U.S. occupied Germany had been barred from nearly every aspect of political, civil, and economic life.

As part of the de-Nazification process, all adults in the American occupation zone were required to fill out a detailed six-page questionnaire, known as a Fragebogen, about their activities.

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152 Levy, “Promoting Democracy and Denazification.” 618.
156 Plischke, “Denazification in Germany,” 215.
157 It is worth noting that the de-Nazification process was largely disregarded when it came to Germany’s valuable rocket scientists and other technical experts under Operation Paperclip, hundreds of German scientists, technicians, and engineers were brought to America by the U.S. government. (Frederick Taylor, Exorcising Hitler: The Occupation and Denazification of Germany (New York: Bloomsbury Press, 2011), 258.)
and membership in the Nazi regime.\textsuperscript{158} Based on their responses, individuals would be assigned to one of five categories: 1. “Major Offenders,” 2. “Offenders,” 3. “Lesser Offenders,” 4. “Followers,” and 5. “Exonerated Persons.”\textsuperscript{159} Individuals in categories 1 and 2 were subject to automatic arrest by Allied forces, on the grounds of either criminal involvement or potential danger to the security of the occupation.\textsuperscript{160} Based on the severity of their transgressions, those in categories 3, 4, and 5 faced a range of punishments, from dismissal to exoneration. By early 1947, American authorities had removed 292,089 people from public or important private positions and excluded an additional 81,673 individuals.\textsuperscript{161}

Ultimately, more than one-fourth of the total population of the U.S. zone was affected by the de-Nazification program. More than 13,400,000 adults were required to register, of which nearly 3,700,000 (28\%) were charged under the law.\textsuperscript{162} Many of those charged were later amnestied after control of the program was transferred over to the Germans.

\section*{Regime Affiliation}

\textit{Regime Affiliation in Nazi Germany}

As is often the case under authoritarian governments, regime affiliation in Nazi Germany was high. Over the course of its twelve years in power, the Nazi Party was able to penetrate nearly every aspect of German civil, political, and economic society. Under the Nazi regime, party membership was a standard requirement for public employment. Those who refused to join risked being arrested, killed, or sent to a concentration camp. The result of this was hundreds of

\textsuperscript{158} Individuals’ responses could then be compared with official party membership records to determine their veracity.
\textsuperscript{159} Plischke, “Denazification in Germany,” 215.
\textsuperscript{161} Merritt and Merritt, \textit{Public Opinion in Occupied Germany}, 36.
\textsuperscript{162} Plischke, “Denazification in Germany,” 216.
thousands, if not millions, of Germans being coerced into joining the Nazi Party simply as a means of self-preservation. Despite many individuals being coerced into joining the Nazi Party, however, it is important to realize that equally as many, if not far more, Germans joined voluntarily.

According to most reliable estimates, by the end of the war Nazi Party membership in Germany totaled more than 8 million (nearly 10% of the country’s total population). More were members of Nazi-affiliated organizations such as the German Labour Front (25 million), the National Socialist People’s Welfare organization (17 million), the League of German Women, the Hitler Youth, and others. By the time Germany surrendered in May 1945, as many as 45 million Germans were affiliated with the Nazi regime at some level. Thus, the de-Nazification program envisioned by Allied decision-makers represented an immensely ambitious undertaking. It was estimated that there were 3.5 million registered party members in the American zone alone.

**Regime Affiliation and De-Nazification**

With regard to my first hypothesis, that imposing an exclusive personnel policy on a society with high regime affiliation will typically lead to a general weakening of state institutions and increased resentment towards the occupying power, the case of post-WWII Germany follows the predicted causal pathway quite closely (see Figure 10). By all accounts, regime affiliation in Nazi Germany was significantly high. Following the unconditional surrender of Nazi Germany in early May 1945, Allied policymakers adopted an exclusive lustration policy, known as de-Nazification, whereby individuals with Nazi affiliations were automatically dismissed and excluded from many

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164 Ibid.
165 Ibid., 255.
positions in the new German government. In crafting this policy however, Allied decision-makers appear to have underestimated the number of individuals who would be affected by the policy, thereby causing the dismissal and exclusion of too many people. As my theory predicted, the results of this miscalculation were threefold: first, it led to a shortage of qualified professionals to staff the country’s political and civil institutions; second, it alienated and ostracized large segments of the German population; and third, it led to a rapid rise increase in unemployment. Ultimately, when combined, these three developments led to (1) an overall weakening of political institutions, and (2) increased resentment toward the U.S. occupying government. It is worth noting, however, that unlike in the case of Iraq, the resentment felt by many Germans did not translate to overt violence against the occupying force.

Figure 10. High regime affiliation and de-Nazification (H1_\lambda)
Weakening of Institutions

While de-Nazification remained one of the occupation’s key objectives, by mid-1945 the proposed scale of the program proved to be impractical for two primary reasons. First, the occupying powers often lacked the manpower and resources necessary to carry out such a deep purge of German society. Second, and perhaps more importantly, many U.S. policymakers quickly realized that it would be almost impossible to keep the country running without the aid of competent bureaucrats and professionals, many of whom had been complicit in the Nazi regime.\textsuperscript{167} Thus, as historian David Cohen notes: “the [occupation’s] political goal of removing all former Nazis from government positions increasingly clashed with the economic necessities of maintaining and rebuilding even a rudimentary system of public services.”\textsuperscript{168}

By the end of 1945, the deep shortage of competent German professionals and technocrats eligible for employment emerged as a major problem for the U.S. military officials tasked with rebuilding and re-staffing the country’s political and civil institutions. At the same time, 3.5 million former Nazis awaited classification, the vast majority of them barred from employment in the meantime.\textsuperscript{169}

A series of exchanges between General George S. Patton, then Military Governor of Bavaria, and several high-ranking OMGUS officials from August 1945 demonstrate how concerned many high ranking U.S. military officials were about the situation in Germany. After being asked by an OMGUS official about progress being made in de-Nazifying Germany’s civil administrations, reports say General Patton responded by asking the official, "if he did not think it

\textsuperscript{167} Dobbins et al., America’s Role in Nation-Building, 14.
\textsuperscript{169} Taylor, Exorcising Hitler, 268.
silly to try to get rid of the most intelligent people in Germany." ¹⁷⁰ By many accounts, this was not the only time General Patton voiced his concerns over the de-Nazification program. In a letter written by Patton to the U.S. High Command in early August 1945, he suggested that Eisenhower pass "a word to the people responsible for civil government" to go more slowly on de-Nazification.¹⁷¹ Like many other officials on the ground, Patton believed that far too many of Germany’s trained professionals were being removed, and too many inexperienced or inefficient replacements brought in. As far as Nazism was concerned, Patton argued: "It is no more possible for a man to be a civil servant in Germany and not have paid lip service to Nazism than it is for a man to be a postmaster in America and not have paid lip service to the Democratic Party or Republican Party when it is in power." ¹⁷²

Resentment & Resistance:

One of the first actions taken by U.S. military leaders in occupied Germany was creating the Information Control Division (ICD), a branch of OMGUS tasked with disseminating important information and pro-Allied propaganda to the German public. ICD’s second job: monitoring German public opinion regarding the occupation remained an important mission.¹⁷³ From October 1945 through September 1949, the ICD completed seventy-two surveys, an average of one every three weeks.¹⁷⁴ The OMGUS surveys sought to gauge public opinion on a wide range of important topics, from the availability of food rations to attitudes towards Judaism. The information obtained by these surveys proved to be a valuable resource to OMGUS decision-makers. It allowed them to

¹⁷¹ Ibid.
¹⁷² Ibid.
¹⁷³ OMGUS officials did their best to ensure that the polls included a representative slice of the German population and conducted studies to check the validity of their findings.
¹⁷⁴ Merritt and Merritt, *Public Opinion in Occupied Germany,* 3.
evaluate major changes in public opinion over time, and also to see which policies were succeeding and which were not.

The OMGUS surveys also serve as a valuable resource for contemporary scholars seeking to obtain a better understanding of the post-WWII Germany. They offer unique insight into the attitudes of the millions of everyday Germans who lived in U.S. occupied Germany, as well as their relationship with the American occupiers. An analysis of these surveys suggests that, despite starting off relatively high, German public opinion regarding the de-Nazification program decreased considerably over the course of the U.S. occupation.\(^{175}\) While most Germans initially supported de-Nazification, the program’s broad scope and the manner in which it was implemented ultimately increased resentment toward the American occupation.

Since Germans without clearances were only permitted to work as day laborers, millions of capable and politically indifferent Germans were forced to remain idle or engage in ordinary labor indefinitely. By January 1946, 42% of Germany’s public officials had been dismissed under the de-Nazification program, increasing resentment toward the policy itself, as well as the U.S. occupiers.\(^{176}\)

By mid-1946, it was clear to the occupying forces that they needed to take a different approach. Approval ratings of de-Nazification fell steadily as the German public became increasingly angry with several of the policy’s seemingly arbitrary and unfair aspects.\(^{177}\) According to the OMGUS surveys, the number of respondents satisfied with the way which de-Nazification was being carried out declined from roughly half in late 1945, to about one-third in early 1947.\(^{178}\) In the minds of many Germans, the de-Nazification process considerably damaged

\(^{175}\) Levy, “Promoting Democracy and Denazification,” 615.
\(^{176}\) Payne, “Did the United States Create Democracy in Germany?” 215.
\(^{178}\) Merritt and Merritt, Public Opinion in Occupied Germany, 37.
America’s prestige. Approximately midway through 1947, OMGUS officials began to weaken and expedite the de-Nazification program because of negative German public opinion. Shortly thereafter, they transferred control over the de-Nazification program to the Germans.

In conclusion, a high level of regime affiliation among Germans led to several of the problems predicted by my theory. Much like in Iraq, imposing an exclusive lustration system on a society with high regime affiliation resulted in an overall weakening of institutions, the alienation of a significant portion of the population, and increased resentment toward the occupation. Unlike in Iraq, however, German resentment towards the American occupation never escalated to the point of overt violence.

ETHNIC DIVERSITY

In this section, I use the German case to evaluate my hypothesis that, in ethnically homogenous states, exclusive policies will be more effective than in diverse states in strengthening state institutions, fostering reconciliation, and promoting stability (H2b). Germany had a much higher degree of political, ethnic, and cultural unity than Iraq. Thus, we should expect to see ethnicity and sectarianism playing a far more limited role in the lustration process.

Ethnicity in Nazi Germany

Racism, particularly anti-Semitism, was a central tenet of the Nazi ideology. Nazi Germany’s racial policy was based on belief in the existence of a superior master race. It was believed that the Germanic peoples were the purest of the Aryan race, and thus considered to be the “master race.” As a result, Nazi leadership postulated the existence of a racial conflict between

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180 Levy, “Promoting Democracy and Denazification,” 615.
the Aryan master race and inferior races, particularly Jews.\textsuperscript{182} Under the Nazi regime, millions of Jews, Poles, Serbs, Romani and other ethnic minorities were deported or killed in the Holocaust. As a result, by the end of the war, the vast majority of Germany’s ethnic minorities had either been forced out of the country or killed.\textsuperscript{183}

\textit{Ethnicity and De-Nazification}

Unlike Iraq, post-war Germany did not need to overcome the major challenges of having an ethnically divided society. Since post-WWII Germany’s population was largely homogenous, its citizens were far more likely to ascribe to a collective national identity than to an ethnic identity. When de-Nazification was imposed on the population of U.S.-occupied Germany, the resulting inversion of the political system was limited to political identities, as opposed to ethnic identities. In other words, the shift in the political balance of power that occurred as a result of the de-Nazification program was limited to an ideological shift, from pro-Nazi to anti-Nazi. Moreover, since those living in the American zone of occupation were more likely to identify as “Germans” above anything else, they remained united by a sense of national identity, rather than fragmenting along ethnic or other sectarian lines. Because of this, stronger state institutions were able to emerge, and the threat of sectarian violence remained almost non-existent (see Figure 11).


In the theory section, I described how societies with previous democratic experience have a number of distinct advantages over those without previous democratic experience when undergoing political reforms such as lustration. First, societies with preexisting democratic norms and institutions are more likely to demand greater political and bureaucratic transparency, as well as to support the removal of corrupt and dangerous elites.\textsuperscript{184} Second, greater democratic experience suggests that political elites are more likely to abide by norms of compromise and the nonviolent resolution of political disputes.\textsuperscript{185} Third, pre-existing democratic institutions help minimize the likelihood of post-conflict violence by creating multiple nonviolent avenues to influence government policy.\textsuperscript{186} Finally, states with democratic histories are more likely to have a pool of trustworthy and qualified professional and civil administrators who can step in to replace individuals affiliated with the deposed regime. Based on these assessments, I predicted that

\textsuperscript{184} Downes and Monten, "Forced to Be Free?" 105.
\textsuperscript{185} Ibid.
\textsuperscript{186} Walter, “Why Bad Governance Leads to Repeat Civil War,” 1243.
exclusive lustration systems are more effective at promoting stability and strengthening institutions when imposed on societies with historic democratic experiences.

**Democracy in Pre-War Germany**

Germany’s historical experience with democracy has its roots long before World War II. By 1871, Germany was a democracy, with universal manhood suffrage and a national parliament. Thus, many scholars argue, the rise of the Nazism in the 1930s actually represented a bizarre departure from a long democratic tradition.\(^{187}\)

Prior to WWII, Germany’s most recent experience with democracy had been the Weimar Republic. The post-Versailles Weimar Republic had a parliamentary system with active political parties.\(^{188}\) While certain features of the Weimar Republic are often credited with allowing the Nazi Party to gain control of Germany, it is important to note that the democratic experiences of the Weimar Republic may have also provided a framework for democratic institutions to take root in Germany following WWII.

**Democratic Experience and de-Nazification**

Again, my hypotheses regarding democratic experience and exclusive lustration policies are supported by the de-Nazification case. Germany’s historical experiences with democracy shaped the de-Nazification process in a positive manner. First, I predicted that societies with preexisting democratic norms and institutions are more likely to demand bureaucratic and political transparency, as well as to hold leaders responsible. Indeed, following the war, many Germans endorsed the ideas of de-Nazification and holding high-level Nazis responsible for their actions. In January 1949, when the Nuremberg hearings were coming to a close, two-thirds (66%) of Germans still thought that it was important to hold accountable “such people as furthered National

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\(^{187}\) Payne, “Did the United States Create Democracy in Germany?” 220.

\(^{188}\) Dobbins et al., *America’s Role in Nation-Building*, 6.
Socialism in any way.” Thus, while many Germans were unhappy with the manner in which the de-Nazification policy was implemented, they appear to have supported de-Nazification in principle. Preexisting democratic norms may also help to explain why German resentment toward the program never became violent. As was noted above, societies with democratic experience are more likely to engage in nonviolent problem solving than societies without democratic experience. Finally, the U.S. military government recruited thousands of Germans who had fled the Nazi regime to come and staff the new state institutions. Many of them had held important government positions in the Weimar era. However, it is worth noting that this pool of German exiles would prove to be far too small to fill the positions left open by the de-Nazification policy. Overall, Germany’s democratic experiences promoted stability and strengthened institutions (Figure 12).

![Figure 12. Democratic experience and de-Nazification (H3_A)](image)

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189 Merritt and Merritt, Public Opinion in Occupied Germany, 37.
190 Levy, “Promoting Democracy and Denazification,” 615.
CHAPTER SIX

CONCLUSION

This final chapter has three sections. First, I review my hypotheses, case studies, and findings. Second, I assess the contribution this thesis has made to the extant field of literature and offer suggestions for policymakers. Finally, I conclude by suggesting further areas of investigation on the topic of post-conflict lustration.

REVIEW OF HYPOTHESES, CASES, AND FINDINGS

In the second chapter, I offered six hypotheses about the roles of three domestic-level variables—regime affiliation, ethnic division, and democratic experience—in shaping the effectiveness of exclusive post-conflict lustration programs. First, I predicted as the level of regime affiliation within a target population increases, exclusive lustrations become less effective in strengthening state institutions and promoting stability (H1A). The greater the portion of individuals affiliated with the former regime, the higher the likelihood that imposing an exclusive lustration policy will weaken institutions and promote political/societal instability. I argued that imposing an exclusive policy on a population with a high level of regime affiliation will typically lead to too many individuals being dismissed from their jobs and excluded from the new government. As a result, there will be a shortage of qualified replacements, increased unemployment, and a large segment of the target population will become ostracized. I argued that these would ultimately lead to an overall weakening of state institutions, as well as growing resentment toward the new government and/or the occupying power.
Conversely, I predicted that as the level of regime affiliation within a target population decreases, exclusive lustration systems will be more effective in strengthening institutions and promoting stability (H1B). When regime affiliation is low, there is a lower risk that too many individuals will be dismissed and/or excluded from positions in the new government. As a result, capable professionals, administrators, and technocrats will be allowed to keep their jobs. This ensures that most important state institutions will be able to continue functioning at high levels following regime change. Similarly, when regime affiliation is low, fewer individuals will be dismissed from their jobs, meaning that there will be fewer people who will feel ostracized by being excluded. Therefore, I predicted that imposing an exclusive lustration system on a society with low levels of regime affiliation will ultimately strengthen state institutions and promote stability.

My third and fourth hypotheses focused on the role of ethnic divisions on policy effectiveness. First, I predicted that the more ethnically divided a target state’s population, the less likely an exclusive system will be effective in strengthening state institutions, fostering reconciliation, and promoting stability (H2A). Exclusive personnel reform policies typically lead in an inversion of the target state’s political system as former regime members and opposition leaders change places.\(^1\)

\(^1\) This creates a unique set of challenges in ethnically divided societies since individuals’ political identities are often closely associated with ethnic identities. In ethnically divided societies, such an inversion will typically benefit some ethnic groups at the expense of others. Consequently, I predicted that imposing an exclusive lustration on an ethnically divided society will lead to an inversion of the political system along ethnic lines. This shift in the balance of power will cause ethnic tensions to rise as some groups begin to feel increasingly

\(^1\) David, “From Prague to Baghdad,” 364.
alienated and disenfranchised. Ultimately, this can lead to widespread distrust and rejection of the state’s new institutions by alienated ethnic groups, as well as increased sectarian violence as ethnic groups struggle for power in the new system.

More ethnically homogenous populations, however, do not face nearly as many of these challenges. Therefore, I predicted that the more ethnically homogeneous a target state’s population, the more likely an exclusive system will be effective in strengthening state institutions, fostering reconciliation, and promoting stability (H2B). In ethnically homogenous societies, individuals are much more likely to ascribe to a collective national identity over ethnic identities, so the political inversion caused by an exclusive lustration policy is limited to the society’s political identities. Therefore, because homogenous societies are more likely to remain unified by a sense of national identity, I predicted that exclusive policies will typically strengthen institutions without the risk of sectarian violence.

My final two hypotheses focused on the role of historical democratic experience in determining whether or not an exclusive lustration policy is will be effective. Following regime change, societies with democratic experience typically hold a number of distinct advantages over those lacking historical democratic experience. First, societies with democratic experience are likely to have preexisting democratic norms and institutions, making them more likely to demand political and bureaucratic transparency, support the removal of corrupt and dangerous elites, and abide by norms of compromise and the nonviolent resolution of political disputes. Moreover, countries with democratic experience are more likely to have a pool of qualified and trustworthy professionals who can step in and replace those individuals removed from their positions because of their affiliation with former regime. I predicted that as a target society’s historical experience

\[192\] Downes and Monten, "Forced to Be Free?" 105.
with democracy increases, exclusive systems will be more effective in promoting stability and strengthening state institutions (H3A).

Since these preexisting norms and institutions are far less likely to exist in societies lacking democratic experience, I argued that imposing exclusive lustration policies on populations without democratic experience will likely be far less effective. In countries lacking democratic experience, I predicted that individuals will be less likely to demand bureaucratic and political transparency and hold corrupt elites accountable. Similarly, a lack of preexisting democratic norms and institutions suggests that alienated individuals are more likely to revert to violence as a tool for political change. Finally, societies lacking democratic experience are less likely to have a pool of qualified and trustworthy replacements. Based on these assumptions, I predicted that imposing an exclusive lustration policy on a society without historical democratic experience will lead to increased political and societal instability and an overall weakening of state institutions (H3B).

To test these hypotheses, this thesis employed two in depth case studies: de-Baathification in Iraq following the 2003 U.S.-led invasion, and de-Nazification in post-WWII Germany. Both cases represented large-scale exclusive lustration policies following instances of FIRC. The populations of Iraq and Germany both represented cases of high regime affiliation. However, the two cases varied considerably in terms of ethnic division and democratic experience. Following the 2003 invasion, the population of Iraq was highly divided along ethno-religious lines. Similarly, the country lacked any real previous experience with democracy. In contrast, the population of post-WWII Germany was more homogenous, and did in fact have previous democratic experience.

My hypotheses are largely supported by both cases. In both Iraq and Germany, high regime affiliation resulted in far too many individuals being dismissed from their jobs and barred from future employment as a result of exclusive lustration programs. In Iraq, the ill-conceived de-
Baathification program resulted in the dismissal of somewhere between 50,000 and 100,000 former Baath Party affiliates from public employment. A severe shortage of qualified replacements effectively crippled the country’s most important ministries and state institutions. The huge numbers of unemployed Iraqis who in turn felt ostracized, stemming from the deBaathification program is more troubling. Resentment toward the new Iraqi government as well as U.S. occupying forces skyrocketed, culminating in political chaos and rise of a deadly insurgency movement.

High regime affiliation in post-WWII Germany appeared to have been a major challenge to the de-Nazification program as well. Under the Nazi regime, more than 8 million Germans had joined the Nazi Party. Major problems began arising when the U.S. military government in occupied Germany declared that former Nazis would not be able to hold positions in the new government. Much like in the case of Iraq, a shortage of qualified replacements crippled the country’s institutions, and anti-American resentment began to rise. Ultimately, these challenges were overcome only after the program was transferred to the Germans, and many former Nazis were able to return to their jobs. While anti-American resentment resulted in overt violence in the case of Iraq, the same was not true in the case of Germany.

The cases of Iraq and Germany also support my hypotheses regarding the impact of ethnic division on exclusive lustration policies. Iraq’s ethnically divided society proved to be a major challenge for the de-Baathification program. It pushed thousands of members of Saddam Hussein’s Baath Party, the vast majority of who were Sunni Muslims, out of important government jobs and deepened resentments between Sunnis and Shias. Since political and ethnic identities were closely intertwined in Iraq, the political inversion that occurred as a result of the exclusive de-

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193 Ferguson, *No End in Sight*, 156.
Baathification policy also occurred along ethnic lines. Many of Iraq’s Sunnis felt increasingly alienated and threatened by the new majority-Shia Iraqi government. This exacerbated long-standing ethnic tensions and ultimately widespread sectarian violence. More than a decade later, these divisions have only worsened with the rise of the Islamic State (ISIS) and creation of a physical partition of Iraq that mirrors is sectarian differences.\footnote{Alissa J. Rubin, "Ahmad Chalabi and the Legacy of De-Baathification in Iraq," \textit{The New York Times}, November 3, 2015, http://www.nytimes.com/2015/11/04/world/middleeast/ahmad-chalabi-and-the-legacy-of-de-baathification-in-iraq.html.} In contrast, Germany’s largely homogenous population has been helpful in promoting stability following the Allied defeat of Nazi Germany in 1945. The lack of major ethnic divisions in post-war Germany meant that inversion caused by de-Nazification was limited to political identities.

Finally, my hypotheses regarding democratic experience are also supported by evidence from the case studies. In Iraq, an absence of preexisting democratic norms and institutions resulted in corrupt elites utilizing the de-Baathification commission as a political weapon to target rivals. Similarly, many alienated Iraqis turned to violence as a means to enact political reform, something that may not have happened if democratic norms of nonviolent conflict resolution had existed in Iraqi politics. A lack of democratic experience also meant that there were few trustworthy replacements for important positions in the new Iraqi government. In the case of Germany however, historical experience with democracy appears to have laid a framework of democratic norms and institutions. As a whole, Germans proved to be largely supportive of political and bureaucratic transparency, as well as holding corrupt and dangerous elites responsible. Similarly, German resentment toward the de-Nazification program and U.S. occupying government did not turn violent. This can also be explained by Germany’s democratic experience.
RETHINKING POST-FIRC LUSTRACTION

This thesis represents a valuable contribution to the study of post-regime change personnel reform, as well as the broader study of post-conflict nation building. It demonstrates that domestic level factors, such as regime affiliation, ethnic division, and democratic experience, can play a central role in determining whether a particular lustration policy is effective. The findings of this thesis should prove particularly useful to individuals seeking to understand exclusive lustration systems. They show that policymakers must be extraordinarily careful when making decisions about what types of policies should be pursued following instances of FIRC. The findings of this study suggest that policymakers may wish to avoid imposing exclusive lustration policies on societies with high regime affiliation, ethnic divisions, and lacking democratic experience. However, exclusive policies may prove more effective in societies with limited regime affiliation, more ethnically homogenous population, and historical experience with democracy. It is essential to realize that broad generalizations regarding post-conflict nation building have their limitations. Post-conflict societies are extraordinarily complex and volatile environments. Thus, one size fits all generalizations should not be trusted blindly.

FUTURE RESEARCH

Perhaps the most obvious extension of this research would be increasing the number of case studies or amount of data utilized, thereby giving its findings a broader scope. Limited case studies were useful in my research as I sought to develop detailed causal chains. However, incorporating more cases of exclusive lustration systems would undoubtedly yield additional valuable information about larger trends or patterns. Incorporating more cases may also provide this thesis’ findings will more predictive value. Whereas my hypotheses were largely supported
by the two cases of Germany and Iraq, they may not necessarily hold true across a broader number of cases. Analyzing more cases of exclusive lustration systems could answer these questions.

It would also be worthwhile to expand this analysis to evaluate the role of regime affiliation, ethnic division, and democratic experience in shaping inclusive, reconciliatory, or other categories of lustration. Once again, the scope of this analysis was rather limited, so expanding its scope to evaluate other types of personnel reform programs would provide useful information. These findings may also be applied to lustration policies that are undertaken by states voluntarily, such as those in Eastern Europe following the collapse of the Soviet Union in 1991. Finally, it would be interesting to expand this analysis by evaluating the role of other important domestic-level variables, such as GDP, the level of cultural similarity between the occupier and target population, or geography in shaping policy outcome.

To conclude, my thesis has only begun the scholastic investigation into post-FIRC personnel reform. Based on my findings, I assert that not only do regime affiliation, ethnic division, and democratic experience play a central role in shaping post-conflict lustration programs, but they also do so in predictable ways. Namely, they suggest that exclusive lustration systems tend to be more effective when imposed on societies with low regime affiliation, more ethnically homogenous populations, and societies with previous experience with democracy. In contrast, exclusive systems are less effective in societies with high regime affiliation, ethnic divisions, and no democratic experience. These findings alone have important policy implications for post-conflict democratization, but further analysis is necessary to obtain a more complete understanding of the phenomenon of post-FIRC lustration.
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