

# Obedience, Responsibility, and the Possibilities of Reconciliation within Post-War Iraq

---

Malcolm Roberts

---

## Biography

Originally from Winnipeg, Manitoba, Malcolm Roberts currently resides in Montreal, Quebec. He is currently studying philosophy and political science at Concordia University. His chief areas of interest are modern and contemporary political philosophy.

Post-war Iraq presents the world with an all too familiar situation, a situation common throughout the second half of the twentieth century and the beginning of the twenty-first: that of a nation attempting to emerge from the shadow of a sadistic dictatorship. The forms the new government and society will take on remain to be determined; however, the one thing that is certain is that the new Iraq will at some point have to confront the demons of the old. If the histories of post-war Germany, post-apartheid South Africa, and post-break-up Yugoslavia (to name but a few examples) teach us anything, it is that the way in which each country deals with its own past follows no general law or uniformity. However, there are two questions that must be answered in every such case: (1) who was responsible for the crimes committed and what should the consequences for these crimes be? And, (2) is reconciliation between victims and perpetrators necessary for the future well being of the country, and what form should this reconciliation, if possible at all, assume?

In order to address the issue of responsibility it might be clarifying to turn to a recently published article by the late Hannah Arendt entitled: "Personal Responsibility under

---

Dictatorship". Written in 1964 and published for the first time last year, the essay is an attempt to examine moral (and therefore personal) culpability under dictatorship. Arendt contends that the banal (and horrendous) progression of the Nazi state and the complete moral reversal within a civil society that nevertheless remained intact within Germany, have forced a re-evaluation of the most fundamental moral questions. Germans under the Nazi regime, Arendt argues, "...acted under conditions in which every moral act was illegal and every legal act was a crime."<sup>1</sup> From the perspective of moral judgement, the idea of legal responsibility became irrelevant during the Nazi era. Activities sanctioned as legal among the Nazis included theft of Jewish property, expropriation of foreign lands and resources through unprovoked warfare, and, most horrifically, the manufacture and operation of human killing factories. To act in a legal manner in Nazi Germany was often necessarily to commit that which, in other civilizations, would be deemed unspeakable crimes. Conversely, those who explicitly and overtly attempted to prevent murder, who advocated the preservation of civil rights, or who refused to swear loyalty to Hitler were, above all else, deemed criminals and punished severely. Yet if direct disobedience was not possible in Nazi Germany, it was nevertheless possible to "step aside" and absent oneself from the process, and maintain both one's life and one's moral integrity.

Similarly, within Saddam Hussein's Iraq (though there are definitive differences between the totalitarianisms of the two regimes), to obey the laws of the state was to commit what in almost any other society would be considered a crime. An Iraqi who chose loyalty to his family over loyalty to the party was a criminal, whereas a general who ordered the gassing of innocent civilians was acting in full accordance with the wishes of the regime, and was therefore acting legally within the Iraqi juridical framework. Legality was also constantly in flux according to the will of the leadership. Being a Baath party member in good standing was no guarantee of immunity from Saddam's numerous bloody purges of his own party. What determined legality under Saddam Hussein was the preservation of power: that which strengthened Saddam was legal, that which weakened him was illegal. As Said Aburish, a one time close aid of Saddam's, stated in an interview with PBS, "the real person [Saddam] has no ideology whatsoever."<sup>2</sup>

The question of legal responsibility under a dictatorship leads away from any notion of moral responsibility. By simply obeying the laws of the state, many Iraqis were behaving immorally. Hannah Arendt attempts to clarify this issue by focusing on the nature of obedience

---

<sup>1</sup> Arendt, Hannah "Personal Responsibility under Dictatorship" in *Responsibility and Judgement*. p. 41

<sup>2</sup> <http://www.pbs.org/wgbh/pages/frontline/shows/saddam/interviews/aburish.html>

in a political system. She argues that obedience has no role within politics and that there is no difference between political *obedience* and political *support*. “An adult consents where a child obeys; if an adult is said to obey, he actually *supports* the organization or the authority or the law that claims ‘obedience’.”<sup>3</sup> There is no way to obey in a properly political sense because obedience is equivalent to blind support, and blind support is the negation of politics (in the full sense Arendt means with this word). To obey is to deny one’s own faculty of judgement. Animals and children are not asked to judge for themselves, and therefore are not part of political life. In order for the political to exist, it is necessary for human beings to exercise their power of judgement. Without this exercise, action cannot be political in a full sense.

To simply apply the schema by which Arendt analyses moral culpability in Nazi Germany to Baathist Iraq would be to draw the following conclusion: those who obey the law are in fact supporting the law. If obedience is support, it is no longer valid to argue that only the leadership of a system is responsible for the outcomes of that system. Although terrorized and threatened into obedience in many cases, those Iraqis who obeyed Hussein’s regime in fact supported it, and therefore are personally responsible for the act of support and for their personal removal from the political process.

However, dramatic differences exist between these two totalitarian states (not the least of which is the fact that Hussein’s power structure was embedded through several generations, while Hitler’s never emerged from its nascency), which often made “obedience” in Iraq a far more necessary choice than it was in Nazi Germany, and hence the currently emerging dissent a far more hopeful sign. Reviewing the evidence, Arendt concludes that while active resistance was quashed in Nazi Germany, it was nevertheless possible to simply absent oneself from a participation which would make one culpable (to neither obey, nor disobey), without endangering one’s own life, or the lives of one’s family. In Hussein’s Iraq (as in Stalin’s Soviet Union, or Kim Jong Il’s North Korea), even this ability to absent oneself was explicitly curbed; to do so was very often to endanger one’s own life, as well as the lives of one’s family and friends.

While we cannot as easily judge those who merely obeyed under Hussein, we can recognize all the more the exceptional act of disobedience as an act of resistance. Those countless Iraqis who fled the country during Saddam’s reign, smuggling their families to foreign countries at great personal risk and loss, were actively resisting the regime. Those military figures that quietly asked for early retirement or escaped to Iran to remove themselves from the mechanisms of murder and intimidation, eroded the strength of Iraq’s fighting forces. Those members of the

---

<sup>3</sup> Arendt p. 46.

professional class, teachers, doctors and lawyers, among others, who chose to abandon their careers and perform menial work instead of joining the party, were disobeying the regime. These acts of civil disobedience eroded in some ways Saddam's grip on the country and slowed his ambitions to completely transform Iraq into a totalitarian state. Although in most cases these individuals did not organize or get involved in guerrilla movements, we can credit these small, courageous acts of resistance.

It is just this political virtue of disobedience that the US-led occupation seems to be ignoring. Perhaps the pre-war propaganda about being greeted with open arms by the Iraqis left the Coalition poorly prepared for their cool reception, but the fact that the Iraqis did not simply obey the commands of the Coalition may be taken as a potentially good sign for the future of the country. The civil disobedience (specifically the large and peaceful demonstrations by Shia loyal to Ayatollah al-Sistani in Basra and Baghdad) occurring on a daily basis within Iraq are a hopeful sign that political judgment may be arising among Iraqis. For the Coalition to simply demand Iraqi obedience for their plans for rebuilding the country is to ask Iraqis to once again disengage themselves from political life. And perhaps now many of the Iraqi people are unwilling to take on, once again, this non-political role of mere obedience.

The future relationship between those who obeyed and those who disobeyed (also – to add nuance to this perhaps too starkly drawn distinction – between those who as far as they could “stepped aside” from morally compromising actions and involvements; and those who, on the other side, not only obeyed, but embraced and greatly profited from the immoral possibilities that existed only within a totalitarian structure<sup>4</sup>) must also be addressed. The current prospects of reconciliation between these two groups and sub-groups seem to be fairly bleak. First of all, Saddam and his loyalists were united simply by their familial ties and by the mutual advantages that resulted from these relationships. There is no historical tradition that roots power among the Baathists, and because of this, their cohesion as a group is fairly fragile. If members of the Baathist regime are to be re-admitted into Iraqi politics, it will not be as Baathists but under another allegiance.

Secondly, the need for reconciliation within Iraq may or may not be essential to the stability of the country. We can compare post-war Iraq with post-apartheid South Africa, a counterexample from history. Both South Africa and Iraq were ruled by minority segments of

---

<sup>4</sup> It is perhaps this last group that we *can*, in an unproblematic way, morally condemn.

the population. In the case of South Africa, it was of course the white minority that held a monopoly of political power during the apartheid era. The power in Saddam's Iraq, though held by a minority, was distributed according to personal and familial connections and loyalty to the Baath party, and specifically to Hussein himself. Simply being white in South Africa guaranteed one a privileged status in society; there was no such guarantee within Baathist Iraq. Whether they were Sunni or Shiite, Christian or communist, the fate of Iraqis under the Baathist regime was determined by the *will* of Saddam Hussein and his supporters.

Reconciliation within South Africa was a political necessity. Whites gave up their monopoly on political power by allowing citizens of all races to vote, and yet continued to maintain control over the majority of the nation's economic resources. The black and coloured citizenry now had control of the political process and exercised their democratic rights as a majority; however, they lagged desperately behind whites in terms of economic power. A situation, in which one group controls the economy of the nation, while another dominates its politics, is a recipe for civil war (as the situation in Zimbabwe perhaps illustrates). It can be argued that the process of Truth and Reconciliation undertaken by South Africans was politically and pragmatically necessary, in order to prevent such a war from taking place.

The Baathists, after their defeat at the hands of the American and British forces, were suddenly left with neither political nor economic power. The only immediate threat posed by the remnants of the regime is now the violence of the insurgency. The Baathists stand no chance of winning any political influence through democratic means, and therefore choose the strategy of attempting to delay democracy by creating chaos. (It cannot be assumed that all insurgents are Baathists; it seems evident now that foreign elements, with their own separate agendas, are also at work in this regard.) As more victims of insurgent violence emerge daily, it is the hope of the insurgents to intimidate the Coalition into withdrawing. This would leave a power vacuum that could be filled with the threat of violence and intimidation.

There would seem to be no strategic advantage to the future well-being of Iraq in making the effort to reintegrate these elements into the current political process. Assuming this process reaches any fruition, by choosing violence and attempting to bring chaos to an already extremely fragile society, the insurgents have effectively placed themselves outside of the emerging politic entirely. While such actions are not a viable political strategy per se, they are quite possibly effective as a last-ditch attempt to divert that political process (in which they would have no voice or power) into a peace process out of which they might be granted (as terms of a kind of truce), asylum, amnesty, even a kind of reconciliation that their current lack of economic and political power would otherwise render unlikely and unnecessary.

Seen in this light, we must distinguish between this insurgency, aimed reactively at chaos; and the genuine voices of dissent aimed at achieving, perhaps for the first time, a genuine political ethos in Iraq. It is of the utmost importance that we do not allow these two very different efforts to be confused, or elided.

The future of Iraq remains to be determined. The possibility still exists that insurrection may drive the Coalition out of the country. If not, the Coalition may not be honest or democratic brokers regarding the forming of an elected Iraqi government, especially if that government attempts to limit the extraction of profit and resources from the country, not to mention if such an elected government were to end up being a fundamentalist Islamic one, a new and quite brutal tyranny. These circumstances present, rather than choices between ideal situations, choices between the marginally lesser and greater evils. On top of this, the possibility that the Kurds will unilaterally declare independence remains just that: a real possibility. While predictions are certainly necessary in order to act within (and ultimately out of) this quagmire of wills and history, such predictions are at this point only hazarded; they are uncertain at best. What can be said with some certainty is that many Iraqis have today had enough of mere political obedience. Perhaps it is just this distaste for obedience that will shape the future of the country in ways that should not be underestimated.

Securing the blind support of the Iraqi people for any political objectives may not only be a difficult or impossible task; it might also undermine what is potentially the most hopeful (if not the only hopeful) circumstance to emerge yet in Iraq: a *public* (and therefore *political*) taste for disobedience and dissent.