



## HUMAN RIGHTS VIOLATIONS AND POST-SADDAM IRAQ

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### Abstract

Human rights in post- invasion Iraq have been the subject of concerns and controversies since the 2003 invasion. Iraq's sense of national unity was never strong. Years of misrule, particularly the brutality of Saddam, has only worsened communal relations. Removing Saddam, however, was not an answer for Iraq's miseries. Irredentism has a long history in Iraq. Ten years after the US-led invasion that toppled the dictatorship of Saddam Hussein, Iraq remains mired in human rights abuses. There were five million orphans in Iraq - nearly half of the country's children. Iraqis have no access to safe drinking water. Half of Iraqi doctors have left the country since 2003. During the entire occupation; there have been human rights abuses on all sides; by the Iraqi government, and mainly the torture by U.S. forces. Human rights abuses in Iraq are as bad as they were under Saddam Hussein. Most Iraqis hoped that the fall of Saddam Hussein would enable them to recover their right to an independent union.

**Key words:** Human Rights, Iraq, U.S. Occupation, Humanitarian Crisis.

The power transition from Saddam to his successor was expected to be almost certainly hectic, but there was confusion as to whether the transition would ensue from a coup, assassination, insurrection, lucky bomb, or natural causes.<sup>1</sup> At the same time Iraq had no tradition of peaceful regime change, and civil society to be shattered. The substitution could have come either from inside Saddam's current power base or outside it (Davis 2005). For ending Hussein's regime many Iraqis had welcomed U.S. troops as liberators and as the price, were willing to accept some hardship from the devastation of the invasion, to start a new era of freedom. Iraqis believed that that the U.S. would go quickly to fix the spoiled infrastructure, to re-establish basic services, and to capture Hussein.<sup>2</sup> They also anticipated that Bush would stand by his pre-war assurance to turn the country over to the Iraqis. The fledging political order would come under a concerted two-pronged assault that in the summer and fall of 2004 would create the worst conditions of instability since the fall of Saddam (Dawisha 2009). That stability with the transfer of sovereignty to the people of Iraq was the blissful hope of the long suffering population and they had their hopes cruelly dashed almost immediately.

### Historical Study of Iraq

The removal of the regime of Saddam Hussein has presented the U.S. with a historic opportunity as large as anything that has happened in the Middle East since the fall of the Ottoman Empire and the entry of British troops into Iraq in 1917. Iraq is rich enough, developed enough, and has the human resources to become as great a force for democracy and economic reconstruction in the Arab and Muslim worlds as it has been a force for autocracy and destruction (Makiya 2003). Unfortunately, much of the pre-war debate over Iraq that took place in Europe, in the Arab world, and even in the U.S., was a selfish one, centred on the threats to the West and its friends on the one hand and on the moral issues arising from U.S. hegemony on the other. The post-1991 divide inside Arab politics is still alive, for understandable reasons. But what might become of it in the months and years to come depends above all on the quality of the U.S.' commitment to securing a transition to and consolidation of democracy in Iraq. The change that has occurred in U.S. policy toward Iraq is driven of course by strategic U.S. considerations since September 11, 2001. This change has been heartily welcomed in Iraqi opposition circles, even as it is feared and criticized in the rest of the Arab world. It is not the time to pay attention to these fears. They have and will come to nothing in the end, as they came to nothing during the Gulf War and the war in Afghanistan.

After the overthrow of Saddam Hussein's regime by the invasion, the U.S. administrators were handicapped by their lack of a post-war plan for occupation and stabilization. There was no talk about democracy or a quick transfer of power to Iraqis during the early months of the occupation, in its place, the U.S. occupying authorities used nondemocratic means to rule Iraq (Karsh 2002). Saddam's removal deferred at least two benefits for the region and for the U.S. First, any successor to Saddam would very likely be far more cautious. In the aftermath of the Islamic revolution of 1979, considering Ayatollah Khomeini a potential threat, Saddam made a pre-emptive attack on Iran rather than go to the negotiating table. In 1990, to avoid economic hardship Saddam attacked Kuwait rather than to focus on economic development. Nor have the repeated crises in Baghdad since then given any sign that Saddam had learned his lesson: he persists to bully, threaten and provoke. Although a successor to Saddam would possibly be a risk-taker, in Iraq's foreign policy, any alternate even one who shared Saddam's aims would most likely be far more cautious than Saddam is. The second focal point is that relation between Iraq and its



neighbours and between Iraq and the U.S. Saddam was a revengeful man and he preserved his honour, which in turn entailed dominating any argument. He was willing to wait for years to take revenge on his distinguished enemies, killing and torturing those he considered to have slighted him or his family. With a similar motive in mind, Saddam tried to assassinate former President George Bush, the designer of the military coalition that defeated him. His sense of honour demanded that those who were ashamed or defeated him be punished, a view that made better relations with Kuwait, Saudi Arabia, or the U.S. unlikely. Saddam also played up domestic hostility to the U.S. and its regional allies, blaming them for the impoverishment and isolation of Iraq. Improving relations at that point undermined what little credibility he possessed amidst the Iraqi public. Saddam's replacement would have neither affected the personal nor political baggage that has arisen from ten years of confrontation, making moving beyond the past and working with Iraq's former opponents easier. The U.S. and its allies shouldn't have continued to seek Saddam's removal, but should have prepared for trouble down the road, especially in the event that they succeeded incompletely as a leader from the same power base emerged.

A post-Saddam regime which was less willing to embrace risks and less aggressive in its intentions was also less likely to seek biological and nuclear weapons. Most leaders would probably recognize the tremendous political and economic price that Iraq would have paid and has already paid for pursuing biological and nuclear weapons (Layne 1991). A new regime, therefore, was expected to be willing to abandon the quest for these weapons if international pressure was high. If not, a key distinction is the possession of WMD particularly biological and nuclear weapons-as opposed to the use of WMD. A successor regime led by a more cautious individual than Saddam was also more likely to be satisfied with the defensive possession of WMD. Even possession, however, will lead to proliferation in the region and increase the chance of accidental use. Any future Iraqi regime would also face tough choices in its quest for balance between Iraqi unity, domestic peace, and human rights. Iraq's sense of national unity was never strong. Years of misrule, particularly the brutality of Saddam, has only worsened communal relations. Removing Saddam, however, was not an answer for Iraq's miseries.

The conditions of Iraqi people in post-invasion period have been the subject of concern and controversy (Roberts et.al 2004). Concerns have been expressed about conduct by insurgents, the U.S.-led coalition forces and the Iraqi government. In the summer of 2003, the multinational forces focused on hunting down the remaining leaders of the former regime. Most significantly, Saddam Hussein himself was captured on December 13, 2003, on a farm near Tikrit. Shortly after the capture of Hussein, elements left out of the CPA began to agitate for elections and the formation of an Iraqi Interim Government (Otterman 2004). The CPA opposed allowing democratic elections at this time. The insurgents stepped up their activities. The two most turbulent centers were the area around Fallujah and the poor Shia sections of cities from Baghdad (Sadr City) to Basra in the south. Toward the end of 2003, the intensity and pace of insurgent attacks began to increase. A sharp surge in guerrilla attacks ushered in an insurgent effort that was termed the "Ramadan Offensive", as it coincided with the beginning of the Muslim holy month of Ramadan.

An attack on the Yazidis in August 2007, which killed about 500 persons, appeared to reflect the precarious situation for Iraqi minorities. U.S. military forces do not specifically protect Christian sites at all times. The State Department's report on human rights for 2008, released February 25, 2009, said that: "Insurgent and extremist violence, coupled with weak government performance in upholding the rule of law, resulted in widespread and severe human rights abuses."7 Similarly, the report on International Religious Freedom attributed restrictions on the free exercise of religion (by religious minorities) to "terrorists, extremists, and criminal gangs," while praising the Iraqi government for endorsing free exercise of religious rights. The status of Christians was one major issue was that the Christians of Mosul (Nineveh Province) have blamed the Kurds for threatening them to leave the province in order to strengthen the Kurdish position there (Lewis 2003). In the run-up to the January 2009 provincial elections, about 1,000 Christian families reportedly fled the province in October 2008, although Iraqi officials report that most families returned by December 2008 and the issue appears to have faded in 2009. Some Iraqi Christians blamed the attacks on Al Qaeda in Iraq, which is still somewhat strong in Nineveh Province and associates Christians with the U.S. UNAMI (United Nation Assistance Mission for Iraq) coordinated humanitarian assistance to the Christians and others displaced. Previously, some human rights groups alleged Kurdish abuses against Christians and other minorities in the Nineveh Plain, close to the KRG controlled region. Kurdish leaders deny the allegations. Christian priests have been kidnapped and killed; the body of Chaldean Catholic archbishop Faraj Rahho was discovered in Mosul. However, some Christians in Baghdad have felt safe enough to celebrate Christmas at churches in Baghdad

### **Violations of Human Rights**

Violence did increase during the Iraq Spring Fighting of 2004 with foreign fighters from around the Middle East as well as al-Qaeda in Iraq (an affiliated al-Qaeda group), led by Abu Musab al-Zarqawi helping to drive the insurgency. As the insurgency grew there was a distinct change in targeting from the coalition forces towards the new Iraqi Security Forces, as hundreds of Iraqi civilians and police were killed in a series of massive bombings. An organized Sunni insurgency, with deep



roots and both nationalist and Islamist motivations, was becoming more powerful throughout Iraq. The Shia Mahdi Army also began launching attacks on coalition targets in an attempt to seize control from Iraqi security forces. The southern and central portions of Iraq were beginning to erupt in urban guerrilla combat as multinational forces attempted to keep control and prepared for a counter offensive. Another major event was the revelation of widespread prisoner abuse at Abu Ghraib, which received international media attention in April 2004, U.S. military personnel taunting and abusing Iraqi prisoners (Synovitz 2013). These revelations dealt a blow to the moral justifications for the occupation in the eyes of many people, especially Iraqis, and a turning point in the war.

### **Living Standard of Iraqi People**

In Iraq there were 5 million orphans in Iraq - nearly half of the country's children. Iraq's health has deteriorated to a level not seen since the 1950s, said Joseph Chamie, former director of the U.N. Population Division and an Iraq specialist. "They were at the forefront", he said, referring to health care just before the 1991 Persian Gulf War. "Now they are looking more and more like a country in sub-Saharan Africa." Malnutrition rates have risen (Roug 2006). Iraqi children are suffering from psychological problems too. Iraqis have no access to safe drinking water. A cholera outbreak in northern Iraq thought to be the result of poor water quality. Half of Iraqi doctors have left the country since 2003. During the entire Iraq war; there have been human rights abuses on all sides; by the Iraqi government, and mainly the torture by Iraqi security forces. The Iraqi police from the Interior Ministry were accused of forming Death Squads and committing numerous massacres and tortures of Sunni Arabs. The police collusion with militias in Iraq have compounded the problems (Lapkin 2004). Human right abuses by the Coalition forces and private contractors, such as Abu Ghraib torture and prisoner abuse, use of white phosphorus in Iraq (Steinberg 2013). Controversy continued over disproportionate force used, during the assaults by Coalition and mostly Shia and Kurdish Iraqi government forces on the Sunni insurgent stronghold of Fallujah in 2004 (Schleifer 2005). Though the Iraq is a resource-rich country, yet workers hardly earn enough to feed their families. Economic revival has been slow and sporadic, and working Iraqis are seeing little in the way of progress after the long occupation and withdrawal (West 2003). Sectarian violence means that travel to work can be a risk in many cities, and indiscriminate roadside bombs continue to kill people just trying to work to maintain their families. For retirees, the situation is worse; Iraqis describe the social security system as not providing enough "to pay for the taxi to pick up the check." While the government claims that unemployment has dropped to 11 percent, unofficially it is estimated to be as high as 30 percent. Employment for people who can find work is often unstable. Wages and salaries are not keeping up with inflation, and so living standards, instead of improving, continue to deteriorate for the Iraqi working class. While actual wages vary according to sector, skill, and location, most workers are not earning a sufficient wage to afford a decent standard of living. The official poverty rate was 23 percent in late 2011. Many industrial facilities in Iraq were destroyed as a result of the war, and targeted bombing seriously depleted the productive economic sector. The lack of clean drinking water and electricity supply affects millions daily. Suhad Ibraheem, who works for the Ministry of Transport in Baghdad, said, "he started work in 1985 when the work conditions were very good, but things deteriorated significantly between 1991 and 2003. There have been some improvements since then, but salaries do not keep pace with inflation, especially affecting food, energy, housing, and transportation. And it is worse for many in the private sector." Unions report that the weakness of occupational safety and health laws and measures, along with the lack of labour inspection, leaves millions of workers at risk daily, especially in industrial facilities, where most workers have little or no safety equipment. Workplace accidents cause death and injury, and workers had exposed to hazardous materials while toiling for less than \$1 an hour. Yet when they protest, unions still face the wrath of the courts.

Iraq has suffered from internal violence resulting from the differences between the major political factions that have heightened the instability in the country. Throughout the war and related violence and instability, union groups have demanded change, only to see their efforts spurned (Fox 2008). The right to real collective bargaining remains prohibited for most Iraqi workers. Its importance is manifest in cases where enterprises with no trade union representation are privatized and the ability to resist massive layoffs is considerably reduced. Unions say the proposed privatization initiatives and deregulation in the major utility and transportation sectors, with a major port facilities being operated by Gulf companies, threaten to leave more Iraqi workers without employment and the country dependent on foreign ownership of crucial national interest. Underemployment meanwhile, was 43 percent in rural areas and 21 percent in urban areas in 2011, according to the government. With nearly one-fourth of the working population jobless, this means that roughly 55 percent of the workforce was either out of work or working short-time.

Youth and rural unemployment remain huge causes of concern. More than 40 percent of Iraq's population is younger than 15. 21 percent of females and 23 percent of males age 15-24 are unemployed; 33 percent of youth who intend to migrate are looking for jobs. With the decline of agriculture, Iraqis are flocking to the cities, exacerbating unemployment. Women are even more economical disadvantaged. Across the country, only 14 percent of all women are either working or actively seeking work, and of those, more than one in five is unemployed. Nine years on, the economy is dependent upon oil, which is



not a labor-intensive industry. The government remains the largest employer, but corruption and political patronage are still major issues. Protests against corruption in management have become a frequent event over the last two years. Hashmeyya Muhsin Hussein, president of the Electrical Utility Workers Union in Basra, said, "With all the energy wealth Iraq has, we still cannot get a regular supply of electricity, and it is workers' families that suffer the most." Migrant workers, primarily from Asia, also are very vulnerable, facing high levels of exploitation. Given the lack of systematic inspection of work sites, it is difficult to estimate the amount of forced labor in Iraq (Clark 2003). But anecdotal information suggests that migrant workers in the construction industry often work overtime without proper compensation. The only bright spot in this bleak economic picture, at least for private-sector workers, is Iraqi Kurdistan, but even that is dimming. Access to safe drinking water is a basic condition of good health and is also a human right (Stoltman 1996). Unsafe drinking water can be a carrier of serious diseases such as cholera, typhoid, and diarrhoeal diseases such as amoebic and bacillary dysentery. Drinking water can also contaminate with chemical, biological and radiological contaminants with potentially harmful effects on human health. In addition to its association with diseases, access to drinking water is of great significance, especially in rural areas where children and women bear the burden of carrying water often from great distances. The populations using improved drinking water sources are those who use any of the following types of water supply: piped water, public tap or standpipe, tube-well or borehole, protected well or spring, rainwater, water treated with Reverse Osmosis, or bottled water (only if the water source used for cooking and hand washing is an improved one). About 89 per cent of the population has access to improved drinking water - 97 percent in urban areas and 76 per cent in rural areas. More than half of the population (53 percent) has water piped into their dwellings. Water supply sources from the surface and tanker trucks are the main unimproved sources of unsafe drinking water, especially in rural areas (Furber 2004). The sources of drinking water vary greatly by area of residence: about 47 percent of the population uses drinking water piped into their dwellings or to the house courtyard in rural areas, while 67 percent in urban areas have these water sources in urban areas.

Human rights abuses in Iraq are as bad as they were under Saddam Hussein if not worse, compared to occupation period, former Prime Minister Ayad Allawi has said. "People are doing the same as in Saddam's time and worse," Allawi said in an interview published in Britain on. "It is an appropriate comparison," Allawi told The Observer newspaper. "People are remembering the days of Saddam. These were the precise reasons that we fought Saddam and now we are seeing the same things" (Stockman 2005). Allawi's comments come as Hussein's trial was all set to resume in Baghdad. The remarks also follow the discovery of an Iraqi government facility holding 170 prisoners, including some showing signs of torture. "They are hearing about secret police, secret bunkers where people are being interrogated," said Allawi, who was Iraq's first prime minister of the post-Saddam Hussein era. Allawi, a secular Shiite and former Baathist, is standing in parliamentary elections scheduled for December 15. He failed to win January's election, which brought Prime Minister Ibrahim Jaafari, an Islamist Shiite, to power. "A lot of Iraqis are being tortured or killed in the course of interrogations," Allawi said, "they are even witnessing Sharia courts based on Islamic law that are trying people and executing them." The Ministry of the Interior is at the heart of the matter," Allawi said. "I am not blaming the minister himself, but the rank and file are behind the secret dungeons and some of the executions that are taking place." Allawi warned that if no action was taken, "the disease infecting (the ministry) will become contagious and spread to all ministries and structures of Iraq's government." In a news conference, Interior Minister Bayan Jabr defended the prison facility, saying it held "the most criminal terrorists" and that "nobody was beheaded or killed."

Workers, meanwhile, are still subject to labour law from the Saddam Hussein era, and modifications affecting corporate law have removed trade union input into corporate decision-making. Most Iraqi workers hoped the fall of Saddam Hussein would enable them to recover their right to an independent union. In 1987, the regime reclassified most Iraqi workers, including those in large state enterprises, as civil servants, thus prohibiting them from forming unions and bargaining. Despite changes to much of Iraq's legislative structure, this decree remains in effect. And there is no indication as to where and when the rights of trade unions will be codified. Union leaders, with support from the international labour community, continue to press for worker rights, but neither U.S. nor Iraqi politicians have made this rights agenda a priority over the past nine years. Despite the Saddam-era labour decree, Iraq has seen a significant resurgence in trade union activity since the U.S. intervention. The country has a long and proud history of defiant trade unionism, as was manifest in its resistance to British imperial control decades ago. Unions have been formed in many sectors. They carry out official business, fight for improved terms and conditions of work, and campaign against corruption in the management of public companies. Trade union organizations across the country are striving for improvements despite the lack of a legal framework for their operation (Gilchrist 2003). In 2011, Iraqi workers renewed protests about the poor public services and lack of employment. None of their demands have been met. In a major protest in 2011, Abdul Kareem Abdul Sada, vice president of the General Federation of Workers' Councils and Unions in Iraq-Basra Branch, addressed the crowd: "We are demonstrating here to demand electricity, drinking water, essential services, and political reforms as the occupation has failed to do that. We are demonstrating for real democracy, social freedoms, and worker rights." Even though the protesters are increasingly met by





armed security forces, workers and their unions are striking back against low wages, poor conditions, and dangerous work. Given the lack of bargaining rights, workers engage in mass protest activity, and even without legal status unions are finding ways to win some demands. Nine years after the fall of Saddam Hussein, workers are still struggling in Iraq-for decent jobs, for dignity, for security, for safety, for public services they once enjoyed, and for basic rights still denied them. But, they say, they will continue to call for a better environment for working people and for a better Iraq for all Iraqis.

### **Victims of the War**

Casualties of the Iraq war, which has casualty numbers for coalition nations, women, non-Iraqi civilians, journalists, media helpers, aid workers, contractors wounded, etc. There have been several attempts by the media, coalition governments and others to estimate the Iraqi casualties (White 2003). There have been major criticisms by numerous human rights organizations and Shiite officials that currently Sunnis have systematically kidnapped, tortured and killed Shiites or those who they deem the enemy (Rubin 2006). After the invasion, the conditions of the Iraqi people grew worse as their roads, schools, hospital, homes, museums and other tourist attractions were blown up. The death rate in Iraq increased after the war and the new born came out deformed (Stiglitz and Linda) 2012). Diseases and illnesses also reached unbelievable catastrophic proportions (Lynch 2006). The reason to these was type of destructive weapons used by the U.S. during the war. Even their sources of electricity and water supply were destroyed during the invasion. The war generated an increase in the number of fatal jihadist attacks, amounting to literally more additional terrorist attacks causing thousands of innocent civilians to lose their lives.

Simply every one can identify that U.S. acted on the pursuit of its 'primacy' and not to secure international peace and security. There is evidence that before the war, the price of crude oil was on the rise. The U.S. being the highest importer of crude oil products in the globe saw this as a threat to its economy because U.S. citizens will have to spend more of their daily income on gasoline and heating than before (Stiglitz and Linda 2008). To make things worse, Saddam Hussein converted the currency for crude oil transactions from the U.S. dollar to the European euro currency and this increased the pressure for the invasion of Iraq. The Bush Administration also saw the period, as a golden opportunity to finish up what was started during the First Gulf War with Iraq. The U.N. should have stopped the aggression of U.S. if failed because they rely on the U.S. to carry out some of their laws. U.N. was created after League of Nations failed because of lack of support from the U.S. and other great powers of the European nation. It was meant to act as an international organisation whose aims include conducting cooperation of international law and security to achieving world peace. But it failed to prevent the aggression of U.S. on Iraq, while pursuing their 'primacy'. For U.N. providing international laws is not what makes it an active organisation, but the implementation of the laws they make. Saddam Hussein was accused wrongly of possessing Weapons of Mass Destruction (WMD) because U.S. had interest in Iraqi oil. The cost of the war affected U.S. economy which led to the establishment of the Central Bank in order to recover for the huge money spent in sending troop to Iraq. Thousands of people have died as a result of the 2003 war and its aftermath. U.S. pursuit of 'primacy' resulted to severe violence which accounted for these deaths, particularly during the air strikes by the coalition forces. The Iraqi people had faced wars after wars, but the invasion of 2003 worsened the threat to health posed by the damage inflicted by previous wars, tyranny and sanctions. In general, the war created further decline of infrastructure, road, schools, hospital and homes of the Iraqi society (Bilmes and Joseph 2011). Today, there is lack of suitable system to determine the real numbers of the Iraqi troops that died during the war because U.S. disbanded their army after the war.

### **Conclusion**

More than eighty years of hegemony by the central government left its imprint on peoples' psyche, making devolution of power to the provinces which seems to be irrelevant or even fraudulent. Visible improvements in the security situation in 2008 raised hopes that some kind of national reconciliation may follow and result in a peaceful compromise. The history of the Iraqi state is one of the muscular central governance. Throughout the state's existence, it was the midpoint that possessed supremacy and controlled resources, and provincial government had little role away from make possible central jurisdiction. Still what remains uncertain is whether the future Iraq would much resemble the unified political and geographic entity that the British sowed together in 1921 and which survived more or less intact under various monarchical and republican rulers until 2003. Considerable resources were invested to discourage Iraqis from fillet their country. Yet the gaping grazes acquired on the way to seeming national destruction would not heal lightly.

### **End Notes**

1.Iraq: Saddam's Capture a 'Coup' for the Coalition, Saddam's capture is a "political and psychological triumph" for the U.S. and coalition; Optimists view the arrest as a turning point for Iraq and an opportunity for reconciliation. Critics say nabbing Saddam doesn't solve Iraqi crisis, rather it could "inflare" the resistance. Global media call for justice not revenge; most want Saddam to be tried in an Iraqi court. Available online at <http://www.globalsecurity.org/>



wmd/library/news/iraq/ 2003/12/www31215.htm, accessed on 15/12/2003.

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