

HUMANITARIAN INTERVENTION IN IRAQ IN 2003

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ABSTRACT

The present study reveals the geo-political significance of Iraq and traces the major events in history of Iraq that led to the intervention in 2003. The events of humanitarian intervention in Iraq in 2003 and the impact of this intervention on state sovereignty of Iraq is also examined. It is made clear that any one intervention does not simply violate the sovereignty of any given target state in any one instance; it also challenges the principle of a society of states resting on a system of well-understood and habitually obeyed rules.

KEY WORDS: *Humanitarian intervention, Iraq, State Sovereignty, Human rights, Self-Defense.*

INTRODUCTION

Wars are cataclysmic events, out of the destruction of major wars emerge new fault lines of international politics. Wars are equivalent to the international, political earthquakes, eruptions on the surface reflecting deeper underlying seismic shifts in the pattern of major power relations. Iraq is considered as a political earthquake prone country. Throughout the history, from ancient times to modern era, from WWI to WWII, from cold war to post cold war, from Gulf War I to Gulf War II and from post 9/11 period to present times, Iraq had faced various destructive ups and downs that had left great impact on the political, social, economic and almost every aspect of human life. The U.S. led invasion of Iraq in 2003 has entered the discourse on humanitarian intervention with much controversy. The reason being that the intervention was not initially justified as a humanitarian intervention, but rather as an act of preemptive self-defense, whereby the United States perceived Saddam Hussein's alleged illegal weapons programs and his potential ties with al Qaeda terrorists as an intolerable threat to its security. Once the original justification for the intervention turned out to be largely overstated and based on faulty intelligence as no evidence of WMD found and Saddam had no links with al Qaeda, then the George W. Bush administration continued to insist that the intervention was still justified on humanitarian grounds because it liberated Iraq from the yoke of tyranny.

GEO-POLITICAL SIGNIFICANCE OF IRAQ

The republic of Iraq is also called al-Jumhuriya al-Iraqiya. The current boundaries of Iraq are an artificial creation of the British and French after World War I. Prior to

that time, Iraq was roughly equivalent to Mesopotamia. The term "Mesopotamia" means the land between the rivers and is associated with the cradle of civilization. Iraq is located on the historical trade routes connecting East and West. Being at the crux of early civilization gave Iraq access to the wealth, culture, and splendor of the world. Over the millennia of recorded history, Iraq was frequently invaded and conquered, leading to the dynamic heritage, rich history, and vibrant cultural tapestry of Iraq today. Iraq's richest natural resource is the black gold found beneath the surface: gallons of petroleum that make up more than 95 percent of contemporary Iraq's economy. Iraq ranks second largest reserves in the world as Saudi Arab is on first rank. Iraq is a member of Organization of Petroleum Exporting Countries (OPEC). The Iraq Petroleum Company was nationalized in 1972 and produces most of the oil in Iraq. Nationalism in the Western sense of supreme loyalty to the nation does not exist. Iraqis might identify themselves as Iraqi but only after first identifying their religion and tribal heritage. It is impossible to speak of an Iraqi identity without also discussing the Religion. The overwhelming majority of Iraqis, 97 percent, are Muslim, which is the official religion. Shia account for between 60 and 65 percent of the population; Sunni are 32 to 37 percent. The other remaining 3 percent are Christian.

THE HISTORY OF IRAQ

Historically, Iraqi society boasts a number of firsts: Ancient Mesopotamia was the site of the world's first cities, first irrigation systems, first states, first empires, first writing, first monuments, and first recorded religions. The region's absorbent borders were never sealed, a constant wave of immigrants bringing new ideas and technologies

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poured into ancient Iraq and contributed to its economic growth, architectural heritage, and overall culture.

Iraq admitted to the League of Nations under the sponsorship of the British in 1932 as British Mandate over Iraq officially ends. Ghazi I, the second Hashemite monarch, takes the throne in 1933 and in 1939 Ghazi I die in a car accident; his son, Faisal II, takes the throne; as Faisal II is a minor, a regent is appointed. Rashid Ali al-Gailani leads revolt in 1941. Iraq joins in World War II against the Axis powers. Iraq becomes a member of the United Nations in 1945. Faisal II reaches majority age and takes the throne in 1953. The Free Officers, a secret military group supporting Arab nationalism led by General Abduel Karim Quasim, on July 14, 1958, overthrew the British backed monarchy. This date is still celebrated in Iraq as Iraqi Independence Day. King Faisal II, the regent Abdullah, and Prime Minister Nuri as-Said were executed.

After the obligatory period of mourning of Aref's death as a result of a helicopter crash in 1966, Abdul-Salam Aref's older brother, Abdul-Rahman Aref (1916–2007), also an army officer was elected as the president. By 1968, familiar foes had come together to plot the demise of the Aref government, finally succeeding in dismantling an ineffectual government with virtually no bloodshed. In July 1968, the Ba'ath party wrested control of Iraq in the so-called Bloodless Revolution. Al-Bakr was installed as president of Iraq and carried out the consolidation of power with his chief deputies, Saddam Hussein. The oil bloom of the early 1970s brought great wealth to Iraq. By 1975, all of Iraq's oil industry was controlled by the government. Although al-Bakr was nominally the head of state in Iraq, Saddam Hussein increasingly gained power and influence behind the scenes. Saddam would rule Iraq through the Iran-Iraq War, two Gulf wars, and 10 years of UN sanctions before the US would oust him from power in 2003.

In 1980, the Iran-Iraq War broke out, partially over border disputes but also based on differences between Iran's Islamic religious-based state and Iraq's more secular Ba'athist government. The Iran-Iraq War was the longest and costliest war ever fought between the two countries. It was truly a war without a winner. After the Iran-Iraq War ended, Iraq needed to keep oil prices high to rebuild its war-torn country. Kuwait increased its oil production, thereby driving prices lower. In retaliation, Saddam Hussein invaded Kuwait in August 1990. As a result of the improved relations between the superpowers, the condemnatory response of the Security Council was immediate: it passed UNSC Resolution 660 (Meeting 2932, 2 August, 1990) on the day

of the invasion, demanding that Iraq 'withdraw immediately and unconditionally all its forces' from Kuwait. Although the US opposed this act of aggression mainly as a result of its state interest concerns about excessive Iraqi control over the world's oil production and about growing Iraqi preponderance in the Gulf region.

UNSC Resolutions 661 (Meeting 2933, 6 August, 1990) prohibited all UN members from buying oil from Iraq and from having virtually any other commercial, financial, or military dealings with the country. "[S]upplies intended strictly for medical purposes and, in humanitarian circumstances, foodstuffs" were exempted from the resolution. Once negotiations proved fruitless, the coalition launched *Operation Desert Storm* in conformity with Security Council resolution 678 (Meeting 2963, 29 November, 1990) which authorized all necessary measures to evict Iraq from Kuwait. Meanwhile France spearheaded the effort to build a consensus among the permanent members of the Security Council that permitted the adoption of UNSC Resolutions 688, (Meeting 2982, 5 April 1991) which specified that, the Council: Condemns the repression of the Iraqi civilian population in many parts of Iraq, including more recently in Kurdish populated areas, the consequences of which threaten international peace and security in the region; Demands that Iraq, as a contribution to removing the threat to international peace and security in the region, immediately end this repression and expresses the hope in the same context that an open dialogue will take place to ensure that the human and political rights of all Iraqi citizens are respected; Insists that Iraq allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and to make available all necessary facilities for their operations.

From claiming the authority to act under UN Security Council Resolution 688, France, Turkey, the United Kingdom and the USA launched the first humanitarian intervention of the post-cold war era. In the post-Cold War international relations, the United Nations Security Council resolution 688 of 1991 broke new ground in terms of intervention in what had previously been regarded as the domestic affairs of a member state. The resolution had a humanitarian objective in its insistence on an immediate end to the repression of the Kurdish population of Iraq by the Iraqi government. For the first time, the Security Council had linked humanitarian concerns to international peace and security and had given humanitarianism greater weight than non-intervention and state sovereignty. On 7 April, the United States launched *Operation Provide Comfort*,

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dropping food and relief supplies from the air on the Iraqi side of the border. To ensure the safety of these aerial missions as well as to deter further helicopter gunship attacks against the Kurds, the US informed Iraq on 10 April that a no-fly zone was now in effect above the 36th parallel. To enforce this requirement, the UN wanted to dispatch security inspectors to Iraq to verify that Saddam had indeed destroyed these weapons. The UN Special Commission (UNSCOM) and the International Atomic Energy Agency were charged with overseeing Iraqi inspections. Saddam continued his cat-and-mouse games with the UNSCOM inspectors. By 1998, he refused to allow any further weapons inspections until the UN-imposed economic sanctions were lifted.

The Clinton administration and Great Britain began Operation Desert Fox in retaliation for Saddam's refusal to allow entry to the UNSCOM weapons inspectors. These precision bombing strikes did little to temper Saddam's belligerence. The UN ruled that UNSCOM would now be known as the UN Monitoring, Verification, and Inspection Commission (UNMOVIC) and that, if Saddam allowed an additional nine months of weapons inspections, the UN would lift all economic sanctions against Iraq. Saddam refused, and the matter reached a stalemate until the second Bush administration took action after the attacks of September 11, 2001.

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The 9/11 terrorist attacks brought the pace of change and sharpened the new post-Cold War contours of international politics. This was clearest in the cases of intervention in Afghanistan in 2001, and, most controversially, the intervention in Iraq in 2003. In the aftermath of the terror attacks of September 11, 2001 on the World Trade Center in New York City and the Pentagon outside Washington, D.C. (as well as a failed attempt in which an airliner crashed in a field in Pennsylvania), Americans felt horror, anger and outright astonishment. The U.S. government publicly identified al-Qaeda as the group behind the attacks, a terrorist group that had close ties with Afghanistan's Taliban leadership. On October 7, 2001, U.S. and British bombers targeted Taliban forces and al-Qaeda strongholds within Afghanistan in support of insurrectionary ground forces from the so-called Northern Alliance. Kabul, the capital, was one of the targets. The purpose of the intervention was to capture al-Qaeda leader Osama bin Laden and to overthrow the Taliban. The Taliban was quickly overthrown, by early 2002, the United States and its allies got control over Afghanistan.

With the comparatively easy "success" of the Afghanistan phase of the "war on terror" President Bush linked Iraq, Iran, and North Korea "and their terrorist allies" in what he called an "axis of evil", on January 29, 2002, in the annual State of the Union speech. Bush declared, "This is a regime that has something to hide from the civilized world". What Hussein was hiding, the Bush administration claimed, was WMD. This (mis)information was allegedly given to the Central Intelligence Agency (CIA) by the INC. The United States alleged that Saddam possessed WMD, was attempting to purchase fissile material to constitute a nuclear weapon, and possessed ties to al-Qaeda and therefore posed an imminent threat to the United States. The United States highlighted the appalling Iraqi human rights record, especially Saddam's use of chemical weapons against his own people. The neoconservatives of the Bush administration also sought to introduce democracy in Iraq as a model for the remainder of the Middle East and the world.

The United States and its allies issued an ultimatum to Iraq on March 17, 2003 that required Saddam and his sons (Uday And Qusai) to relinquish power and leave the country within 48 hours or face military action. On March 20, after Saddam failed to comply with the ultimatum, the coalition initiated airstrikes on command and control installations and air defense sites. Air superiority was quickly achieved and maintained throughout the campaign, as was control of Iraq's territorial waters. By March 21, the ground war began, led by U.S. General Tommy Franks, as the aerial assault on Baghdad continued. On April 8, 2003, U.S. forces captured Baghdad and toppled a statue of Saddam Hussein, symbolically ending his regime. As U.S. forces approached the capital, Saddam made use of human shields, suicide attacks, and urban street fighting to prevent the capture of the Iraqi capital. American troops first took the airport and renamed it Baghdad International. The fall of Baghdad brought home the realization that Hussein was no longer in power, yet he had managed to escape capture. Deputy Prime Minister Tariq Aziz surrendered to U.S. forces on April 24, after formally handing over the reins of government to the coalition forces.

On May 1, 2003, President Bush, in a staged television event, landed in a jet fighter to its home port of San Diego from the Persian Gulf. The president came out from the jet in a flight suit and helmet with a banner declaring "Mission Accomplished" in large letters as a backdrop, said, "The battle of Iraq is one victory in a war on terror that began on September 11, 2001, and still goes on." He also stated in reference to al-Qaeda that "no terrorist

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network will gain weapons of mass destruction from the Iraqi regime, because that regime is no more.” Thus, in declaring victory, the president had reiterated two falsehoods: that Iraq possessed WMD and that Hussein was in alliance with bin Laden. With the notion of regime change firmly in their minds, the war planners, as had many others, posited a golden Iraqi future once Hussein was deposed. But they gave little thought as to how to go about building such a golden future. Many felt that with the downfall of the Baath Party would come a U.S. assisted democracy that would reflect the pluralism of Iraqi society. Outwardly, this appeared so. Approximately a month and a half before the intervention, President Bush decided to leave the reconstruction of Iraq in the hands of the Pentagon, thus making Secretary of Defense Donald Rumsfeld a major player in the postwar scenario. To handle this, the Office for Reconstruction and Humanitarian Affairs (ORHA) was established and headed by retired general Jay Garner.

On May 22, 2003, the U.S. and British-sponsored United Nations Security Council Resolution 1483 (Meeting 4761) authorized the Coalition Provisional Authority (CPA) to ease Iraq’s transition to democracy and, while doing so, carry on the reconstruction of the country. The United States reserved the right to name the head of the CPA, and Rumsfeld chose L. Paul Bremer whom President Bush earlier in the month had named U.S. envoy to Iraq. On December 13, 2003, Saddam was captured near his hometown of Tikrit hiding in a "spider hole" on a farm near the village of Daur. The trial lasted until November 5, 2006, when Hussein was found guilty of crimes against humanity and sentenced to death. The verdict was upheld on appeal to the Iraqi Supreme Court of Appeals. Hussein was hanged on December 30, 2006.

Thus, On January 30, 2005, the Iraqis held their first free elections in more than 50 years. In keeping with the form of the constitution, on April 22, 2006, al-Maliki was designated as prime minister by President Jalal Talibani, who himself reelected by the Council of Representatives on April 6, 2006, and sworn in the next day. The reelection of Talibani, a Kurd, was testament to the increased influence the Kurds now enjoyed in Iraq. Al- Malili was sworn in as prime minister on May 20, 2006, the day the new government took over. From 24 July, 2014 Muhammad Fuad Masum is working as a president of Iraq and Haider Al Abadi is working as prime minister of Iraq from 8 September 2014. Besides security and sectarian violence, the most urgent problems facing Iraq’s government were the wrecked economy, the decreased energy output, massive

food shortages, and a shattered health care system. In the years since taking power, the government received massive amounts of foreign aid to help offset these problems, but it also took steps of its own to alleviate them.

IMPACT OF INTERVENTION ON STATE SOVEREIGNTY OF IRAQ

The humanitarian intervention in Iraq in 2003 had great impact on state sovereignty of Iraq. It became clear that Iraq had no WMD and Saddam had no link with al Qaeda, but the intervening powers did not respect the domestic jurisdiction and non-intervention principle and Iraq had to face the consequences. The importance of the intervention relates to the justifications offered before and after the military intervention occurred. The primary rationale proffered for intervention Iraq centered on the arsenal of weapons of mass destruction Iraq was said to possess, the regime’s purported links with al-Qaeda and its attempt to import nuclear material from Niger. However, while greatest emphasis was placed on the security orientated rationale, the extent to which a humanitarian rationale was additionally proffered cannot be ignored. Indeed, in clarifying the United States’ goals shortly after the intervention had begun, President Bush stated, ‘our mission is clear, to disarm Iraq of weapons of mass destruction, to end Saddam Hussein’s support for terrorism, and to free the Iraqi people’. When it became clear that the Security Council was not going to sanction the intervention the emphasis shifted markedly from the security-orientated rationale to the humanitarian justifications. It appears that humanitarian justifications were abused to justify a war that could not be justified by either positive international law or reasons of the state. ‘It is high time to realize that the term “humanitarian”, when employed in such conditions, is purely propaganda.’ The scale of the ensuing insurgency and the exposé of the enormous intelligence failure regarding the non-existent of WMDs and the lack of any link between Hussein and al-Qaeda soon undermined support for the intervention.

At this point, great emphasis was again placed on the moral aspect of the intervention which, it was claimed, meant that even though the security-orientated rationale proved largely false, the intervention was still justifiable on humanitarian grounds. As Blair stated, “I can apologise for the information that turned out to be wrong, but I can not, sincerely at least, apologise for removing Saddam. The world is a better place with Saddam in prison not in power...success for us in Iraq is not success for America or

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Britain or even Iraq itself but for the values and way of life that democracy represents.”

Bush had justified the intervention by arguing that the Iraqi dictator Saddam Hussein was a genocidal fascist dictator who deserved to be overthrown for the sake of human rights. The rationale defines the US war effort in Iraq as a moral enterprise. Now the question come into sight why his crimes against freedom identified Saddam Hussein in particular as the top priority target for intervention, when there were plenty of worse offenders around—including Saudi Arabians. The intervention is criticized as a struggle for oil. If the Bush really wanted to grab oil, Saudi Arabia would have been a far more lucrative place to go. Moreover, such a seizure would have been arguably justifiable, since, unlike Saddam Hussein, the Saudis had, in fact, been using their oil wealth to promote devastating attacks upon America. So why did the Bush administration attack Iraq? Was it just the son trying to set right the error of his father? Maybe. There are various reasons. First among them raises question: who benefited most from the action? To what nation was Saddam Hussein the greatest threat?. Answer: Saudi Arabia. In fact, it was the threat posed by Saddam Hussein that forced the Saudis to accept US troops on their soil. Such forces posed a serious concern for the Saudis, because they were a potential springboard for an American seizure of their oil fields. But with Saddam gone, the Yanks could be sent packing, too. By taking down Iraq, US dramatically weakened its leverage with the Saudis. Furthermore, in the post intervention chaos, Wahhabi terrorists have had a field day killing Shiites (as well as US troops), and have also done wonders for the kingdom's bottom line by keeping Iraqi oil off the world market.

Another reason for intervention in Iraq by US is the Palestine connection. Much of the Arab world is already seething with anger at the perceived injustices and humiliations heaped on the Palestinian people by their Israeli occupiers and what is perceived to be the near total lack of U.S. concern for their plight. It is the common perception in the Arab world that a major reason for the U.S. decision to invade Iraq is related to Washington's commitment to ensure Israel's hegemony in the region. In an interesting reversal of roles, the U.S. is now perceived by most Arabs as acting as Israel's proxy.

A further reason for the negative regional fallout of the war in Iraq is related to post-Saddam Iraq. Washington has seemingly decided to set up a U.S. occupation regime for a relatively lengthy period because it does not have the confidence that squabbling Iraqi factions will be able to

provide governance and stability to the country. Top U.S. officials in Iraq have signaled that the process of putting an interim Iraqi authority into office will take much longer than originally envisaged. There is no nucleus for an alternative regime, as there was in Afghanistan in the shape of the Northern Alliance, the chances of installing a post-Saddam regime that is not dependent upon the Baathist structure appear close to nil. Furthermore, the U.S. administration appears afraid of unleashing a democratic process that may lead to pro-Iranian Shiite groups garnering the lion's share of the political spoils. All this has made Washington wary of transferring power to Iraqi hands, even those handpicked by the U.S.

Paradoxically, if the U.S. leaves early it could lead to the disintegration of the Iraqi state into possibly two entities, which may end up being at war. Any possibility of Iraq's disintegration as a legal entity is likely to bring its neighbors, Turkey and Iran, into the fray. The fundamental fault line in Iraq lies between the Kurdish north and the rest of Iraq, which is Arab. The Sunni-Shi'a division among Iraqi Arabs is overdrawn. Both Sunni and Shi'a Arabs share Arab and Iraqi identities—the first is nonexistent among the Kurds and the second very weak. This means that Iraq, if it disintegrates, is likely to split into a Kurdish and an Arab state. This would make it all the more likely that Turkey would intervene to prevent the Kurdish state from being established, while Iran may come to exercise substantial, if not dominant, influence in the rump of Iraq where the Shiite Arabs will constitute 75 percent of the population. If even a part of this scenario unfolds, the United States will be caught in the unenviable position of being blamed by all sides. This could well be the case because the U.S. will try to prevent a Kurdish state from emerging in deference to the wishes of its Turkish ally, thus alienating its Kurdish friends. At the same time, the U.S. will attempt to checkmate Iran's involvement in Iraq, thus getting further sucked into the domestic political maneuverings in Iraq and maybe into another pre-emptive war, this time against Iran.

One another reason for US intervention in Iraq in 2003 is the U.S. ambitions regarding Iraq are likely to escalate in the post- Saddam era, and long-term control of Iraqi oil resources can be expected to become the overriding goal of U.S. policy toward that country. Despite claims by some Iraqi technocrats that Iraq will control its oil.. Iraq's oil resources could pay for the war and keep Saudi Arabia and the other oil exporters from arbitrarily increasing oil prices and from pursuing oil policies that may hurt the United States.

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David Harvey gave some different interpretation to intervention in Iraq. The neoliberal vision of a world made secure by market forces, Harvey argued, was in trouble before 9/11. In the Iraq war, Harvey noted, those interests included ensuring access to the world's second largest known oil reserves, and the forcing open of substantial new areas for profitable investment by privately owned American capital. In a new theorising of Marx's term 'primitive accumulation', Harvey called this 'accumulation through dispossession' – a process that he argued was intrinsic to all stages of capitalist development, not just its formative period as Marx had argued. The virtue of Harvey's re-routing of old Marxian theory about primitive accumulation was that it theorised clearly the relationship between neoliberal capitalism and the shift to a more coercive and less consensual American empire after 9/11. Harvey brought 'globalisation' and the war on terror together by viewing each as a symptom of more deeply embedded contradictions in the workings of late twentieth- and early 21st century capitalism. The public goods envisaged by admirers of American empire simply evaporated, like Saddam Hussein's weapons of mass destruction, in the dry desert air of Iraq after the invasion in 2003.

There is, however, an even grander perspective from which to understand the oil question. It can be captured in the following proposition: whoever controls the Middle East controls the global oil spigot and whoever controls the global oil spigot can control the global economy, at least for the near future. Is the US, in short, exercising leadership and seeking to regulate the use of Middle Eastern oil in everyone's interests through consent that the US is 'acting for the benefit of the planet'? Or is it seeking domination to realize its own far narrower strategic interests? It is obvious by now that all the stated and unstated objectives of the intervention of Iraq have failed and failed disastrously: - Control of oil supplies - oil prices have risen since the intervention; - No weapons of mass-destruction were ever found. The various task forces and investigative committees concluded that Saddam Hussein did not have any weapons of mass destruction in 2003.

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