

The Impact of Iraq's Anti-Terrorism Law No. 13 of 2005 on Freedom of Expression

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1. Round 1

1.1. Reviewer 1

Reviewer:

In the opening paragraph of the introduction (p. 2), while terrorism's global context is discussed, the paper does not explicitly state the research gap. The authors should clarify how their approach to Iraq's Anti-Terrorism Law differs from previous studies.

The sentence "Freedom of expression signifies that an individual is free to articulate opinions without surveillance, persecution, or fear..." (p. 6) lacks a clear academic or jurisprudential citation. It reads like an assertion rather than a referenced claim.

The section on "Conceptual Definition of Terrorism" (pp. 7–8) repeats information from the "Linguistic Definition of Terrorism." The authors should merge or streamline these sections to avoid redundancy.

The article states, "This tension raises a fundamental legal and political question: To what extent can the necessity of safeguarding national security be reconciled with the commitment to protecting freedom of expression?" (p. 3). However, no theoretical framework (e.g., securitization theory, proportionality principle) is introduced to answer this. The study would benefit from framing the analysis within one or two legal theories.

The conclusion (p. 16–17) repeats much of the analysis. For example, the sentence "The law does not provide a precise, concise, clear, and comprehensive definition of terrorism..." restates earlier findings. Instead, the conclusion should synthesize implications for law reform and policy.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the introduction, the term “terrorism front” (p. 2) is used colloquially. For academic precision, it should be replaced with a term like “terrorist networks” or “terrorist actors” to maintain neutrality.

The first half of the introduction is heavily descriptive, e.g., “The targeting of the World Trade Center towers and the Pentagon inaugurated a new era...” (p. 2). The authors should shorten global history and dedicate more space to Iraq-specific analysis.

In “Linguistic Definition of Freedom of Expression” (p. 5), the manuscript lists dictionary meanings (e.g., “al-hurriyya,” “āzādī”). This section is overly long and detracts from the legal focus. A comparative summary table or a shorter synthesis would improve readability.

When citing Article 4’s definition of terrorism (p. 4), the authors state: “Such ambiguity enables authorities to classify criticism as ‘terrorism.’” This is an important claim, but no case examples or court rulings are cited. Adding concrete cases from Iraq would strengthen this argument.

The sentence “Protests—such as the Tishreen Movement (2019–2021)—were dispersed under anti-terrorism pretexts...” (p. 4) is strong but requires evidence. Which legal instruments were invoked? Were court cases filed? Citing UN or NGO reports would make this more persuasive.

In “The Impact of Terrorism Punishments on Freedom of Expression” (pp. 11–12), the manuscript explains Iraq’s harsh penalties but does not compare them with regional or international anti-terrorism laws. Including a comparison with, for instance, Jordan or Egypt would contextualize Iraq’s severity.

The statement “lawyers lack prior knowledge of the charges...” (p. 12) is powerful, but unclear whether this derives from practice or statutory law. The authors should specify whether this is a procedural failing in implementation or a legislative omission.

In the section “The Impact of the Concept of Attempting to Commit a Crime...” (p. 14), the claim that attempts lead to life imprisonment is significant. A direct quotation of the law’s text would improve credibility.

In “Legality versus Legitimacy” (p. 15), the authors state: “In light of prevailing cultural relativism regarding human rights in Iraq...”. This concept is introduced abruptly without explanation. A short paragraph defining “cultural relativism” in legal scholarship would help.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.