

An Inquiry into the Legitimacy of the Iraq War Initiated by the United States from the Perspective of International Law

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Abstract: In 2003, the U.S. launched the Iraq War on the pretext that Iraq had weapons of mass destruction, the Saddam Hussein regime was accused of dictatorship, and Iraq was linked to terrorist organizations. Iraq's internal environment has been severely affected, the country has been plunged into long-term political instability, countless Iraqi people have lost their lives and their homes have been destroyed. The war also had an important impact on the situation in the Middle East and world politics. This paper analyzes the Iraq War launched by the United States from the perspective of international law, expounds its background and reasons, and reveals the violation of the UN Charter. The conclusion shows that the war has done great harm and the international community should learn from it, safeguard international law and promote the peaceful settlement of disputes. The international community should draw a profound lesson from the Iraq War, and all countries should enhance their respect for and observance of international law, so that international law can truly serve as a solid guarantee for world peace and stability

Keywords: Iraq War, United States, International Law, Legitimacy, UN Charter

1. Introduction

The United States launched the Iraq War at the beginning of the 21st century, a bombshell that spread across the world and continues to this day. This war not only profoundly changed the political map of the Middle East, but also caused ripples on the lake of the international order and became an important issue in the field of international relations.

From the perspective of the research background, the "September 11" incident had a significant impact on the United States, leading to unprecedented domestic concerns about national security. At the same time, the political polarization in the United States, the spread of neoconservatism, and the promotion of military and oil interests have laid the groundwork for the outbreak of this war.

The legality of the Iraq War initiated by the United States has attracted much attention. Although the United States has put forward various reasons for this war, such as preemptive self-defense, the authorization of United Nations resolutions, and opposition to terrorism, whether these arguments are really tenable and whether they are legitimate under international law needs to be deeply explored.

The purpose of the study on the Iraq War is to analyze the behavior of the United States in launching the Iraq War from the perspective of international law, examine whether the reasons for launching the war conform to the norms of international law, and reveal the real intention and influence behind the war.

It is of great significance to study this topic. It contributes to a deeper understanding of the dynamic balance between war and peace in international relations, and clarifies the role and behavior pattern of major powers in international conflicts. By analyzing the legitimacy of this war, we can reflect on the hegemonic behavior pattern of the United States in international affairs and its destruction of the international order, so as to provide reference for maintaining the fairness and justice of the international order, preventing the recurrence of similar tragedies waged by illegal means, and helping to build a peaceful and stable international environment.

2. Literature Review

In 2003, the Iraq War launched by the United States became a major event that shook the world at the beginning of the 21st century, and had a profound and lasting impact on the situation in the Middle East and the global political pattern. In recent years, the research on the legitimacy of this war has triggered a wide and lasting discussion in the academic field and the field of international politics. Many scholars have analyzed it from multiple perspectives such as international law and the theory of relations between states, and have achieved fruitful research.[1]

2.1. Explore the Significance of the Legitimacy of the War initiated by the United States in Iraq

The problem of war in the international community has always been one of the core issues in the study of international relations. The outbreak, development and end of the war not only involve the interests of the belligerent countries, but also have a wide and profound impact on regional and global political, economic, social and cultural aspects. The United States, one of the world's most powerful countries, has garnered significant attention from the international community with its launch of the Iraq War. Through the study of the legitimacy of this war, we can deeply understand the dynamic balance of war and peace in international relations, as well as the role and behavior pattern of great powers in international conflicts.

2.2. Research Status in the World

The research on the legitimacy of international war at home and abroad is divided into different schools, revealing the lack of legitimacy of the Iraq War initiated by the United States and the means of seeking hegemony from multiple perspectives and dimensions.[2] Foreign scholars have conducted in-depth studies on the legitimacy of the Iraq War with diverse views. From the perspective of international law, some scholars believe that the United States launched the Iraq War in violation of the principle of the UN Charter prohibiting the use of force. In addition, some scholars analyzed from the perspective of international relations theory to explore the political, economic and geopolitical motives behind the U.S. war.

2.3. The Innovation of the Paper

Although the Iraq War took place in 2003, it still has a profound impact on the current international political pattern. Through the study of the legitimacy of the Iraq War, we can reflect on the hegemonic behavior pattern of the United States in international affairs and its destruction of the international order, which is of great significance for understanding the current policy direction of the United States in the Middle East and other parts of the world. This paper focuses on the impact of the 2003 Iraq War on the current international political pattern, reflects on the pattern of American hegemony and the destruction of international order by analyzing its legitimacy, provides a new perspective for understanding the direction of American policy, and helps to learn from experience to grasp the

situation. In terms of research methods, literature research method and normative analysis method are used to comb the research results of domestic and foreign scholars through literature review, provide a theoretical basis for the discussion, analyze the war behavior of the United States according to international law and the provisions of the Charter of the United Nations, and draw a conclusion that the war is illegal by comparing the norms.

Additionally, this paper underscores the fundamental nature of war in the study of international relations, emphasizing the importance of examining the legality of war to comprehend war and peace, as well as the role of great powers in international relations. At the same time, it points out the importance of studying the legality of the war to understand the current policy direction of the United States.

3. The Background of the Iraq War Initiated by the United States

Political polarization was becoming more pronounced in the United States. The fierce competition between the two parties has made the Iraq war an important bargaining chip in the political game. In order to show its strong leadership on national security and foreign affairs, the Republican administration tried to strengthen its political position and win voter support through a foreign military operation, especially to meet the expectations of some conservative forces at home for a tough foreign policy. Although there were different voices within the Democratic Party, it failed to form a strong enough opposition force in the early days.

The proliferation of neoconservative is another important factor. Neoconservatives believe that the United States should use strong military power to promote American-style democracy around the world, and they see Iraq as a key breakthrough in the Middle East to achieve this goal. Through various think tanks and political activities, they actively inculcated the significance of the Iraq War to reshape the political pattern in the Middle East and maintain the global hegemony of the United States to the top level of the government, thus influencing the government's decision-making.

After the September 11 terrorist attacks, the American people fell into extreme fear and anger, and their attention to national security increased sharply. The administration took advantage of this sentiment by portraying Iraq as a potential sponsor of terrorism, possessing weapons of mass destruction and potentially posing a serious threat to the United States. Fueled by partial partial media coverage, revenge and a desire for security translated into a degree of support for the war, albeit on a misguided basis.

In addition, the military industrial complex and oil interests in the United States are also behind it. The military industry expects to win huge orders from the war, and the oil majors covet Iraq's vast oil resources. Through lobbying, political donations and other means, they put pressure on and influence the government to take military action to meet their interests. These domestic political ecological factors interwoven together, led the US government to embark on the highly controversial path of launching the Iraq war.

4. The Case for the US War in Iraq

The United States has offered a variety of high-sounding reasons for the war, including preemptive self-defense, the authorization of United Nations resolutions, and opposition to terrorism. But these reasons do not comply with international law.

4.1. Preemptive Self-Defense

The United States asserted that Iraq possessed weapons of mass destruction and posed a threat to the United States, prompting the United States to take action. Yet America's case for self-defense is hard to make. The Charter of the United Nations stipulates that the prerequisite for the exercise of the right

of self-defense is "armed attack." Before the outbreak of the Iraq War, Iraq did not attack the United States mainland, so the unilateral use of force by the United States is not in line with the concept of self-defense.[3]

4.2. The mandate of the United Nations resolution

On the second day of the Iraq War, the US Permanent Representative to the United Nations, John Negroponte, sent a letter to the UN Security Council to make the case for the use of force against Iraq. "Given Iraq's substantive violation of Security Council resolutions, the basis for a ceasefire no longer exists and the use of force is automatically authorized," the letter said. But there is nothing in the resolution that automatically authorizes the use of force. Therefore, the war against Iraq is not a collective military action by the international community under the mandate of the United Nations, but a unilateral military action by the United States and its Allies.

4.3. Counter-Terrorism Against Terrorism

After the "9.11" attacks, the United States linked the Iraq issue to the fight against terrorism. The Bush administration accused Iraq of possessing weapons of mass destruction and collaborating with Al-Qaeda. However, the fight against international terrorism must also be carried out by legitimate means. The United States launched a war against Iraq on the grounds of anti-terrorism, which has no basis in existing international law and is not supported by UN authorized resolutions. In essence, the reason for launching the war is to take advantage of the influence of the "9.11" incident on the mentality of the American people and the strength advantage of the United States, and put the interests of the United States above the interests of the international community in the name of counter-terrorism.[4]

5. Discussion

The unilateral military strike by the United States against Iraq is a serious violation of the principles that Member States should abide by under the Charter of the United Nations.

First, it violates the principle of sovereign equality of Member States. National sovereignty includes jurisdiction over internal and external affairs and the right of independent equality in international relations. As a sovereign State, Iraq's sovereignty, independence and territorial integrity should be respected. The military action by the United States seriously undermines Iraq's sovereignty, flagrantly tramples on its sovereign equality and ignores Iraq's due equal status in the international community.

Second, it violates the principle of peaceful settlement in international disputes. Many countries advocate a peaceful settlement of the Iraqi issue within the framework of the United Nations, which is in line with the concept of peaceful settlement of disputes. However, in disregard of the call of the international community, the US brazenly resorted to force before the political and diplomatic channels were exhausted and abandoned the efforts for peaceful settlement, which seriously undermined the order of the international community in seeking peaceful settlement of disputes.

Third, it violates the prohibition of the threat and use of force. America's pre-war warnings to Iraq constituted a threat of force, and then bypassed the United Nations to launch a military strike, even more contrary to charter principles. Such acts of aggression, contrary to the universally recognized norms of the international community, have caused serious harm to Iraq's status as a sovereign State and undermined the cornerstones of international peace and security.

Fourth, it violates the principle of non-interference in internal affairs. The internal affairs of Iraq, such as democracy, regime selection and change, fall within its internal affairs. Despite the United States' claim to be "liberating the Iraqi people and establishing a democratic government," the

fundamental act of interfering in Iraq's internal affairs remains illegal.[5] No matter how they whitewash it, they cannot cover up the fact that their actions violate international law and the jurisdiction of Iraq over the internal affairs of a sovereign state, and seriously undermine the basic principle of non-interference in internal affairs in international relations. The international community should firmly uphold the authority of the UN Charter and the norms of international law, and criticize the actions of the United States.

6. Conclusion

The Iraq War is a far-reaching war launched by the United States at the beginning of the 21st century. By exploring its legitimacy from the perspective of international law, we can clearly recognize the nature and harm of American behavior.

Domestic political ecological factors, such as political polarization, neoconservative trends, the exploitation of popular sentiment, and the promotion of the military-industrial complex and oil interest groups, were the driving forces behind the United States' decision to launch the Iraq War. The reasons for pre-emptive self-defense, UN resolution authorization, and counter-terrorism are not valid under the scrutiny of international law. The actions of the United States in violation of the principles enshrined in the UN Charter, such as sovereign equality of Member States, peaceful settlement of international disputes, prohibition of the threat and use of force and non-interference in internal affairs, are flagrant violations of international law.[6]

This war has brought great disaster to Iraq, the country has plunged into long-term political turmoil, social division, economic collapse, countless Iraqi people have lost their lives and homes have been destroyed.[7] At the same time, it has also had a serious negative impact on the situation in the Middle East. The regional situation has become more unstable, terrorist forces have taken the opportunity to breed and spread, the international order and norms governing international relations have been impacted, the authority of the United Nations has been weakened, and Unilateralism and hegemony are on the rise.

The international community should draw a profound lesson from the Iraq War, firmly safeguard the dignity and authority of international law, and prevent certain countries from waging war under various pretexts. All countries should work together to promote the settlement of international disputes through peace, diplomacy and international cooperation, and build a more fair, just and orderly international order, so as to avoid the recurrence of tragedies like the Iraq War and ensure world peace and development.[8] In the future, the international community should strengthen the study, publicity and implementation of international law, and raise the awareness of all countries to respect and abide by international law, so that international law can truly become a solid guarantee for maintaining world peace and stability.

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