The Iraq War in International Society
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Society and Change in International Relations: The Iraq War in International Society

The decision to invade Iraq in 2003 occurred in the context of a changing international society. Trends salient to the Iraq war include globalized terrorism, nuclear proliferation, US primacy, and dissemination of humanitarian and democratic legitimacy norms. In this context, the particular fears and hopes of the Bush administration and historically tangled US Iraqi relations fomented a war. From an English School approach, an argument will be developed by inquiring into how this war involved legitimacy norms and by asking: what are its implications and consequences for international society? [1] The argument is made in four moves. First, I will explain how the invasion of Iraq was illegitimate but understandable or better put, explicable, as symptomatic of old internal contradictions of international society, albeit in a novel historical context. Second, I will argue Dunne's article *Society and Hierarchy in International Relations* is correct (though overstated) and that the pluralist foundation of international society is threatened by the imbalance of power, despite widespread pluralist subscription, as Knudsen argues (Dunne: 2003; Knudsen: 2010).[2] However, third, this imbalanced state of power is nevertheless normatively acceptable since the history of functioning balance of power institutions were equally, if not more, violent than the present state of affairs. Fourth, I will conclude recent history since the Iraq war indicates that it was not a legitimacy watershed and international society remains as resilient and problematic as ever.

So, first, while the legality of the invasion of Iraq in 2003 is open to debate, it is widely regarded as illegitimate. As Dunne points out, coercive Iraqi regime change was unnecessary and, in this way, an illegitimate intervention in defiance of a pluralist international society (2003, p.303-305). UNSC Resolution 1441 was not interpreted by the Council to revive resolutions 678, 687 and condone intervention, which the U.S. and its allies acted against unilaterally (Malone: 2006, p.194; Knudsen: 2010, p.2). International legal scholars debate the legality of this (Krieger: 2006, p.381; Wedgwood: 2006, p.418). Despite doubts, there was little credibility to the severity of Iraq's threat via terrorists, which the US claimed. Weapons inspections were to be completed within months and had thus far confirmed the disarmament (UNMOVIC: 2003). Furthermore, the humanitarian compulsion to intervene was not robust because there were no ongoing humanitarian atrocities in Iraq (Knudsen: 2010, p.18-19).The illegitimacy and widespread opposition within international society to this unilateral use of force against a weak state is clear enough.

However, how did this war come about? It is explicable as being symptomatic of international society's internal contradictions within a novel historical context. Dunne, argues US unilateralism in Iraq is a "symptom of the crisis" of international society's contemporary dysfunction (2003, p.303). However, while Dunne is correct about the significance of the imbalance of power, it should be understood that the justifications of the war were symptomatic of contradictions that go to the origin of international society. The important point is that legitimacy practice not only constitutes international society but regulates it and violently so. Sometimes that anarchical regulation is just; sometimes it is misguided. Understanding how the US and UK justified the war by evoking the norms of international society illuminates how this war came to be.

Fundamentally, Westphalian pluralist non-intervention is in contradiction with old horizontal natural law norms. Clark explains, historically the elaboration of, "international law was no more than the obverse side of the emerging doctrine of sovereignty. For that reason, there is a tension in international law because it is, on the one hand, reinforcement of national sovereignty and, on the other, it is intended to be a constraint upon that sovereignty" (Clark: 1980, p.25).

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Historically, this contradiction created debate on the natural rights and sovereignty of faithless or uncivilized outsiders and elaborated the volitional sovereignhood of insiders in the tradition of just war (Nussbaum: 1954, p.66-91; Bull; 1984, p.119-120; Clark: 2003, p.93). Within contemporary international society, debate concerning democratic legitimacy and humanitarian intervention contradicts pluralism and the principle of non-intervention. Crucially, this reduces to a contention as to whether international law derives from the world community or the sovereign (Linklater and Suganami: 2006, p.60). This contention is evident in the peculiar codification of universal categorical obligations into modern voluntary positivist international law (Gould: 2011, p.255).

This contention is exemplified by Vattel's *Law of Nations,* which carefully balances competing legitimacy norms under the balance of power. With relevance to democratic legitimacy, Vattel argues a state may not use force to improve another, not because sovereignty trumps it but because to allow it, "opens a door to all the ravages of enthusiasm and fanaticism, and furnishes ambition with numberless pretexts" (Vattel: 1849, Bk. II, Chp. I, sec.7). Sovereignty should not be violated even though justice may contradict it because that can lead to zealotry. However, Vattel goes on to argue that if a sovereign breaks natural law the populous can legally resist and invite foreign intervention on their behalf. But again, Vattel counters himself arguing, "but we ought not to abuse this maxim, and make a handle of it to authorize odious machinations against the internal tranquility of states" (Vattel: 1849, Bk. II, chp. IV, sec.56). It is a very careful balancing act Vattel crafts between plurality and justice but for consequentialist reasons he favors non-intervention. To ensure pluralism he prescribes the maintenance of a balance of power (Dunne: 2003, p.306-307).

Furthermore, Vattel explains, "the law of nations is the law of sovereigns. It is for them, and their ministers, that it ought to be written" because, it is a, "*science* which ought to be their law, and, as it were, the compass by which to steer their course" (Vattel: 1849, p.xiv, emphasis added). The balance of power was his key prescription, his *techne*, with which princes could rationally manage international affairs. Dunne is correct to argue that the absence of a balance of power in international society is associated with its dysfunction. However, as will be demonstrated, the humanitarian and democratic war motives that partly contributed to the illegal and bloody Iraq war are symptomatic of the old normative contradictions of international society.

Historically, the Cold War's balancing of deterrent power mitigated outbreaks of this contradiction, maintaining a polarized pluralism. The USSR's retirement released normative policy questions for the US, the overwhelming power of the day, but also for the UN and international society at large (Hurrell: 2007, p.172). How far was there a duty to protect (Wheeler: 1992, p.463)? What are the limits of cultural and political pluralism (e.g. Rawls' *Law of Peoples*)? How much actual consensus is there around democratic legitimacy (Clark: 2009c, p.567)? These salient questions manifest in different ways. No one intervened in Rwanda and NATO did intervene in Kosovo without UN authorization. Nevertheless, solidarist consensus and enforcement was aspired to (Wheeler: 1992, p.487; Dunne: 2003, p.304).

While the 2003 Iraq war continued this debate, it also involved new developments. The US was unable to cohere solidarist consensus even within NATO and the new, dark clarity of globalized terrorism was tied to an explicit counter-effort of proliferating democracy. President Bush and Prime Minister Blaire argued that 9/11 had created a new security environment, Saddam was pursuing weapons of mass destruction and, moreover, his removal was good for the Iraqi people. The National Security Strategy 2002 foreshadows the war on Iraq. It states, the "values of freedom are right and true for every person, in every society and the duty of protecting these values against their enemies is the common calling of freedom-loving people across the globe and across the ages … We will defend the peace by fighting terrorists and tyrants … The overlap between states that sponsor terror and those that pursue WMD compels us to action … the United States will, if necessary, act preemptively" (White House: 2002, p.iv, 1, 15). The links between terror and authoritarianism gives the humanitarian motives a new dimension. However, new doctrines were symptomatic of old sovereign and natural law norms. Nevertheless, many consider the rhetoric a falsehood disguising ulterior motives (Brown: 2010, p.238).

Through the examination of two ambiguities in the 2003 Iraq war, I will argue the novel combination of global terrorism and nuclear proliferation did provoke a war and yet (and importantly for an English School approach) justifications for war are symptomatic of older underlying norms of international society.

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The first ambiguity asks: *why was there use of weak intelligence in the case for war?* Collin Powell's evidence presented to the UN Security Council was later revealed to be a weak construal of weapons production evidence and Iraqi – Al Qaeda links (Knudsen: 2010, p.9; Lord Butler: 2004, p.206-210). Did the administration manipulate intelligence of a security threat to legitimate a war for ulterior geopolitical goals? Exploring this question illuminates which historical factors were most significant for the decision to invade.

It is plausible that conviction of Saddam's security liability was strong enough to prompt Powell to present a desperate case to the UN, which in hindsight was so flawed it looks like manipulative construal of evidence (US Senate Select Committee on Intelligence: 2008). Iraq does hold oil and is next to Iran, another US rival. However, geopolitics was a catalyst not a necessary or sufficient variable. Before embarking on the war on terror, the Bush administration was not interested in regime change or 'nation building' (Malone: 2006, p.185; Ricks: 2006, p.24-25). Yet, declassified documents reveal the US interpreted the post-9/11 security environment to necessitate a global campaign against terrorism and state sponsors. In a 2001 draft strategy paper of the invasion of Afghanistan, Donald Rumsfeld argues, "The U.S. should not commit to any post-Taliban military involvement, since the U.S. will be heavily engaged in the anti-terrorism effort worldwide" (Rumsfeld: 2001, p.9). The Gulf War entanglement of US Iraqi relations and Saddam's ambiguous intent brought Iraq into the new picture early on.

There was significant ambiguity in Saddam's actions and intent. The US had no human intelligence inside Iraq on weapons programs, only aerial and satellite observation (Ricks: 2007, p.22). The 1998 Desert Fox bombings of Iraq were a result of Saddam's non-compliance and marked the end of regular inspections leaving a gap between then and 2002 (Ricks: 2007, p.19). Iraq was unable to provide complete documentation, which the International Atomic Energy Agency inspectors requested from it, and would not provide the identity of foreign nationals who had been aiding its secret weapons production (UNSC: 1999, p.6; UNSC: 2002, p.7). Furthermore, Dr. Hans Blix, executive chairman of UNMOVIC argues the Bush administration was, "of the mistaken view that the more important information about the weapons programs of Iraq had come from defectors, not inspectors" (Blix: 2005, p.284). However, these defectors were later discredited (Ricks: 2006, p.56-57). Gordon and Trainor argue Saddam projected the image he had WMD to intimidate his neighbours and people (Brown: 2010, p.248). This is plausible. However, Saddam's ambiguous actions could also be evident of an internal dysfunction of his tyrannical regime, where his knowledge and control of weapons programs was limited by his top aides who were in terror of him. Either way, the US was pursuing a global security strategy targeting Iraq.

However, the second ambiguity asks: if the war was waged as part of a global security strategy, *why was there dangerously little post-war planning* (Ricks: 2006, p.75-80; Wheeler: 2006, p.452)? A Downing Street memorandum of Blaire and his principals in July 2002 records, "There was little discussion in Washington of the aftermath of military action" (Malone, p.190-191). If there were geostrategic plans to gain oil access and position, why was their implementation not planned? Is the haste to war and occupation debacle proof that motivation was tied to the administrations' security fears and low tolerance of risk? Was it over-confidence? The idea that the US expected to be welcomed as liberators is intuitively plausible. If Iraqis embraced US democracy they would manage Iraq after the war, planning occupation and counter-insurgency was unnecessary. The US promoted democracy as part of the war on terror in Afghanistan as well as Iraq. Geopolitical oil explanations seem plausible only as secondary catalyst motivations, added benefits rather than central goals. The two stated goals (security and humanitarianism) were honest, coextensive motivations and their foundation in sovereignty and natural law norms is quite clear.

The humanitarian motivation for the use of force was informed by natural law. In President Bush's 2002 address to the UN General Assembly he argued:

Last year, the UN commission on human rights found that Iraq continues to commit extremely grave violations of human rights and that the regime's repression is all-pervasive … and all of these horrors concealed from the world by the apparatus of a totalitarian state … [which should be replaced by] a government that represents all Iraqis, a government based on respect for human rights (Guardian: 2002).

For Bush, Saddam's tyrannical human abuse undermined his sovereignty and compelled intervention. Equally compelled by humanitarian norms was Prime Minister Blair, arguing in 2003, "if the result of peace is Saddam

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staying in power … ridding the world of Saddam would be an act of humanity. It is leaving him there that is in truth inhumane" (Wheeler: 2006, p.499). The positions of President Bush and Prime Minister Blair represent sentiment constituted by a growing norm of humanitarian intervention yet one with deep roots in international society (Wheeler: 2006, p.445). Arguments that this humanitarianism was disingenuous are hard pressed by evidence of their personal character and continued humanitarianism since the war (Wheeler: 2006, p.448-454).

Likewise, preemptive war outlined in the 2002 National Security Strategy was based on the sovereign right of anticipatory self-defense to imminent attack, found in international law in the *Caroline* case (Brown: 2010, p.239). The Bush administrations' response to the perceived new security environment required global interventions, because terrorists constituted an imminent attack. The 2002 NSS argues:

Legal scholars and international jurists often conditioned the legitimacy of pre-emption on the existence of an imminent threat—most often a visible mobilization of armies, navies, and air forces preparing to attack. We must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries (White House: 2002, p.15).

This argument is highly contested, even widely condemned. However, it was framed, in a constitutive sense, by international law. Legal justification for the use of force, even one as radical as this, implies the norms of international society frame action, enabling and constraining it. While the US was highly dexterous in its use of the law, its legitimacy was constrained by it. However, in another sense, the internalized norm of sovereign right also made this radical doctrinal response to 9/11 possible.

For the particular people with various leanings within the Bush administration, Saddam had to go. Decisive thinking likely varied over time and between members of the administration, yet it was generally symptomatic of international norms (Ricks: 2007, p.58). Powell's suspect use of intelligence was likely a mix of alarmism the administration wished to disseminate and the genuine alarm it felt. Replacing Saddam with democratic rule was perceived as a both necessary and legitimate. The thinking is exemplified by Paul Wolfowitz who advocated the policy in 1991 and crafted post-9/11 policy (Ricks: 2007, p.7, 10). For the neoconservative Bush administration, democratization was the perfect policy, blending two just causes (radical preemption and radical humanitarianism) into one.

However, while these two motivations were coextensive in the decision to intervene, their goals somewhat contradicted in practice. The goal of disarmament would have been successful if WMD were present; however, liberal democracy was undermined by that goal. Hasty preventative disarmament tied to neglected planning caused a deployment of forces insufficient for the occupation. In retrospect, disproportionate alarmism mixed with moralism fomented an illegitimate and unnecessarily bloody war. As Vattel would have argued, moral wars can be bloodier than tyrants.

So how this war came about has been explained and how it is symptomatic of contradictory norms of international society has been demonstrated. Yet what are the theoretical implications of this history for international society? The second part of this paper assesses Dunne's article *Society and Hierarchy in International Relations.* Employing the authority of Vattel, Dunne correctly argues the contemporary imbalance of power threatens the pluralist foundations of international society by creating a separate hierarchy where law is dictated to weak states (Dunne: 2003, p.315-317). Pluralism means a diversity of autonomous laws for which a balance of power is needed because preponderance, like contemporary US power, enables that preponderant power to dictate the internal law of other states. The forceful democratization of Iraq is just such a case. International non-intervention norms and UN collective security cannot restrain such a concentration of power when that power applies force to its conviction. While Knudsen is correct that international legitimacy norms are still cohesive and could not be manipulated by US power, he does not appreciate the point that the US dictated Iraq's domestic law (Knudsen: 2010, p.2). Dunne is correct that plurality is a primordial value of the anarchical order which US weapons threaten.

However, Dunne is overstated and should be qualified in three ways. First, the US' traditional sphere of influence has been quite hierarchical for some time, involving many illegitimate interventions. For example, the 1979-1983 US intervention in Grenada was overwhelmingly condemned by the General Assembly about which President Reagan

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rhetorically commented that, "it didn't upset my breakfast at all" (Blum: 1986, p.314). Second, Dunne asks if, "the boundaries of international society might be contracting?" (2003, p.315). The counter question asks whether Iraq was a full member of international society? Iraq's revisionist invasion of Kuwait and repulsion resulted in siege-like sanctions and control of Iraq's northern airspace, hardly treatment of full sovereign recognition. Thirdly, Dunne argues, "it is a mistake to view the US as a sole superpower, or the last remaining great power; both these categories presuppose the existence of other poles in the system. For this reason, the term 'hyperpower' better captures the extent of US primacy" (Dunne: 2003, p. 308). However, this overstates the case since the US is largely an air and sea power. Russia, China and India are significant land powers with nuclear deterrents. Militarily speaking, their sovereignty is secure from US intervention. Tibet, however, may be a specially warranted security concern for Beijing envisioning a possible 'no-fly-zone.' Yet, if there is a "hierarchical order" outside international society or an American "imperial authority," it does not have universal potential (Dunne: 2003, p.315-317; Clark: 2009b, p.27, 34-35). The so-called hierarchical order is better understood as a vast but contested sphere of influence, which Dunne recognizes will likely diminish in time (2003, p.304). However, while Dunne's argument is self-consciously reactionary and appropriately cautious, his theoretical point is valid (Dunne: 2003, p.303).

Nevertheless, the third point of this paper is that contemporary concentration of power is normatively acceptable. Past balances of power were equally if not more violent than the present. There is a distinction between peace-preserving collective security and order-maintaining balance of power institutions (Clark: 1980, p.94). Both relate to stability but their values differ. Bull, explicitly following Vattel explains the balance of power can be a "conscious goal of the system as a whole" with its "chief function … not to preserve peace, however, but to preserve the system of states itself" which has "a need to maintain [balance] if international order is to be preserved" (Bull: 2002, p.97, 99, 102-103, 107). For Vattel, Bull and Dunne, order is equated with anti-hierarchical pluralism. However, Vattel predated WWI and even the ambiguous Concert of Europe, an early possible instance of a peace-preserving order.[3] Vattel's order-preserving balance of power was significantly discredited by WWI and its foreshadow in Crimea. The UN was designed distinctly from the League of Nations, but both prioritize peace before any other value (Arend and Beck: 1993, p.179). The UN Charter begins its preamble with the declaration, "We the peoples of the United Nations [are] determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind" (UN: 1945, preamble). Bull argues the balance of power was the more fundamental and "effective institution" for maintaining plurality (Bull: 2002, p.103). This, however, misses the point that the UN is premised on the value priority of peace rather than pluralism.

In the case of Iraq, Dunne's hierarchical argument is sound, especially from Saddam's perspective. However, what is also conspicuous about the invasion was widespread but passive opposition in the UNSC and in the streets of capitals around the world (BBC News: 2003). This opposition was not in presumption of order but rather peace. Considering the societal influence of the world wars and the televised episodes of the Cold War, peace has become a value of international society to rival pluralism. No one protested the violation of Iraq's sovereignty, it was an anti-war movement.

If Dunne's pluralist argument normatively implies a return to balance of power, I am in opposition to it. As increasingly made clear by the First, Second and Cold War, the development of the means of destruction seriously undermine the desirability of a balance of power system. Furthermore, the process of globalization is agitating kinds of plurality beyond the state and reducing the appeal of an order of state pluralism (Clark: 2003, p.92; Williams: 2005, p.29). Whether or not the UN is an effective collective security institution is a separate issue. A balance of power system maintaining pluralism with oppression of buffer states and unstable alliance and arms balancing (while evidently effective) is unappealing. Considering Vattel's consistent aversion to violence, he likely would have reformulated his science after WWI and II.[4]

Moreover, Dunne overstates US primacy. Reconstituting Iraq proved a taxing and humbling effort. The threat of hierarchy posed by the US is not so worrisome as the nuclear balance of terror it maintains with Russia. The contemporary imbalanced state of affairs is problematic but, nevertheless, normatively acceptable.

Thus, fourth, recent history since the Iraq war indicates it was not a legitimacy watershed. Post-9/11 US doctrines failed to compel international society (Knudsen: 2010, p.2). Solidarism remains case contingent because of

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contentious democratic legitimacy norms and interests, and the US has returned to multilateralism while remaining opposed to a balance of power. However, the war scuttled US hegemonic pretensions. Clark explains that hegemony as an, "institutionalized practice of special rights and responsibilities conferred on a state with the resources to lead" is not necessarily contrary to pluralism and can potentially turn, "asymmetries of power [into] collective advantage" (2009b, p.24, 36). The fortuitous imbalance of US power in 1990 was similar to that of 1919 and 1945. There was a moment of global primacy and, within its Western coalition, a state of US hegemony (Clark: 2009b, p.35). Western states accepted US leadership in the establishment of new international law and institutions. Furthermore, this coalition quickly followed US leadership into Korea in 1950 and Kuwait in 1990.

Yet, while US intervention in Kosovo rallied its Western coalition, consensus broke down over Iraq. Traditional allies Canada, France, Germany, Turkey and later Spain abstained from intervention. Furthermore, the lack of WMDs within Iraq and the chaotic occupation tarnished US leadership credibility and formed Britain's decision to end the long-worn 'special relationship' policy with the US. The British Foreign Affairs Committee explained, the "perception that the British government was a subservient 'poodle' to the US administration leading up to the period of the invasion of Iraq and its aftermath is widespread" and "deeply damaging to the reputation and interests of the UK" (BBC News: 2010). Similarly indicative of the consequences of Iraq was US deference to British and French leadership in a multilateral UNSC approach to the 2011 NATO intervention in Libya (BBC News: 2011a). The US has lost its ability and pretension to lead.

However, dispute between Russia, China and Western powers over the interpretation of the Libyan 'no-fly-zone' Council Resolution 1973 is tied to humanitarian and democratic legitimacy norms. Russia and China allowed an intervention into Libya to protect civilians on humanitarian grounds. They strongly objected to NATO's later shift to democratic regime change and have subsequently vetoed UNSC resolutions on Syria claiming they could lead to a Libya-like intervention into a state's domestic affairs (BBC News: 2011b). While the contentious invasion of Iraq itself was insufficient to curtail Russian and Chinese support for humanitarian norms in the case of Libya, another regime change was. Democratic legitimacy is still a highly contested issue and any future UNSC solidarity on humanitarian intervention will likely be a case independent of regime change.

The decision to invade Iraq occurred in a changing world with new doctrines, hopes and fears fettered by norms rooted in the past. The knot of fear, ambition and conviction in the preeminent global power brought it to enforce democracy in Iraq through a chaotic occupation. It is a tragic but morally aggravating story. Yet, while the war on terror continues the would-be revolutionary super-power broke its Western hegemonic influence and failed to bend the norms of international society. Contentious legitimacy norms in international society will continue to manifest in diverse ways with new dilemmas and problems as the world changes. However, temperance and prudence in those norms, as Vattel urged, should be a consistent value all is own.

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[1] I hesitate to moralize a normative position on this tragic war with the benefit of hindsight and from a particular theoretical interpretation. However, to inquire into the political meaning of the 2003 Iraq war requires theory or at least a deconstruction of one. A theoretical application (Bull: 2002, p.xxxv) and historical reading implies a normative and a particular one (Carr: 1977, p.16-20; Bain: 2009, p.160). In this sense, this paper is a self-conscious and explicit normative historical rendering of the decision to invade Iraq.

[2] Pluralism is a minimal consensus on the practical basis of international society but nothing strong enough to involve enforcement. Solidarism is stronger consensus on the law and will of international society to enforce it. I use pluralism and solidarism in this sense (Linklater and Suganami: 2006, p.60).

[3] It is ambiguous whether the Concert of Europe was designed to maintain peace or order (Clark: 1980, p.94). It too should be noted Vattel prescribed balancing through means of alliances and critiqued balancing of arms (Vattel: 1849, Bk.III, chp.III, sec.47-48).

[4] Bull eventually expressed solidarist aspirations but this is not a valuation of peace, rather sufficient consensus on the law to physically enforce it (Wheeler and Dunner: 1996, p.98).

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