

Critically assess the decision to go to war against Iraq in 2003

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KRITI BAM I, AUG 3 2011

The decision for the United States and Britain to go to war with Iraq in 2003 was, and remains, one of the most controversial foreign policy acts that any British government has undertaken. The controversy lies around whether the war was a justifiable act given the threats, and the fundamentally differing opinions about the role of the international community at the time. This essay aims to assess the decision to go to war against Iraq using the concept of the Just War Theory by outlining and analysing the exact threats that Iraq posed to the rest of the world, and trying to determine the exact cause of the war.

The Just War Theory derives from Christian theologians, primarily St. Augustine and determines and judges whether a state may have recourse to war and how it may fight the war, forming the core of the modern international legal system. The theory is split into two parts – *jus ad bellum* (justice of war) and *jus in bello* (justice in war). *Jus ad bellum* encompasses the ideas that in order to declare a war, a state must have a just cause, the correct intentions, have exhausted all other reasonable avenues of resolution, or have no choice because of imminent attack. The state must have a reasonable chance of success, and use a minimal amount of force in order to achieve their means. *Jus in bello* outlines the proportionality of means, ensuring non-combatant immunity and encompasses the double effect law, in which non-combatant losses are justified if they are unforeseeable (BBC online). This essay proceeds to compare and contrast the various aspects of the Just War Theory with the causes and outcomes of the war against Iraq in order to determine whether the war conforms to the theory.

Firstly, in order to establish whether there was a just cause for war, the actual threats that the country of Iraq posed must be determined. Bush, Cheney and Rumsfeld were unambiguously convinced that Iraq posed a threat to the Western world – they were confident that Iraq possessed Weapons of Mass Destruction and convinced that Iraq and Al Qaeda were co-operating, despite there being no resonance of this with the American public (Bluth, 2004, p864). It is arguable that the Bush administration “inflated the threat” by misleading the world about Iraq’s weapons of mass destruction and links to potential terror threats, and security realists such as Mearsheimer and Waltz (2003, cited by Lamy, pg 130) are critical of the actual threats posed. On the other hand, the British government felt that the imminent threat went far beyond the known facts. In a Parliamentary document published before the war, it was never claimed that the Iraqi regime posed a threat to anyone other than the Iraqi people, although a seemingly consistent threat upon world order was outlined supported by Saddam’s propensity for aggression, and the fact that Islamic states in possession of Weapons of Mass Destruction would be more likely to work with terrorists in the future.

The only other option outlined to combat this threat was strengthening containment and making it more selective in targeting items relating to weapons production specifically (Bluth, 2004, p865). It was thought that this would be difficult to pursue as it would require the implementation of United Nations Security Council resolutions relating to disarmament which were already proving near impossible to gain, as will be discussed later. Furthermore, this would necessitate the readmission of weapons inspectors to ensure the elimination of weapons programmes, as well as the effective imposition of sanctions, which the international community were shown to be reluctant to adhere to. Whilst strengthening containment of Iraq was an option considered, Waltz (2003, cited by Lamy, pg 131) argues that even this was unnecessary as the containment policies already in place were working effectively and there was no

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compelling strategic rationale for the war. In addition, however, there is no evidence to suggest that using weapons inspectors to fully disarm Iraq was ever actually recognised as a viable option, and this alternative indicates that possibly the war was not a last resort, as this avenue of resolution was not exhausted.

Whilst it is clear that the United States and the British government felt that there was a threat emanating from Iraq, in order to justify the war, the threat must substantiate the use of force in order to satisfy conditions of the Just War Theory. Blair agreed that such a serious threat must be dealt with urgently as the world had no idea when it would materialise and in his speech in Texas in 2002, Blair stated that “we must be prepared to act where terrorism of weapons of mass destruction threaten us” (Bluth, 2004, p873). As already discussed, it was clear to the British that containment and peaceful disarmament were not viable options for a number of reasons. However, the question remains as to whether such a threat justified military action. Menzies Campbell, the foreign affairs spokesperson for the Liberal Democrat party, when confronted by the Iraqi population, made the claim that international law did not permit intervention on such grounds but failed to address the moral considerations of the debate, or provide any alternatives to military intervention. Whilst critics of the debate all seem to focus on the concept that the war was illegal by international standards, it appears that this is a simplistic and somewhat anachronistic understanding of the issues involved in the use of force, as in reality, moral, strategic, and political issues cannot be conveniently compartmentalised.

In order to understand why critics believe that the war against Iraq consistently questions its legality, the international response to the war must be taken into account. According to the charter of the United Nations, the use of force is justified if it is in the case of self-defence or if it is part of a Security Council sanctioned peace enforcement programme (UN Charter, online). Due to the fact that there were no defined or certified links between Iraq and Al Qaeda, and that the concept of the country creating weapons of mass destruction was clearly speculative, the idea of the war being an act of self-defence is highly debatable. The neo-Conservative figures in America such as Cheney, Wolfowitz and Rumsfeld favoured the approach of unilateral action (Bluth, 2004, p867)– they saw no need for endless rounds of United Nations discussions, resolutions and inspections, therefore continuing to push their agenda despite not having the backing of the international community. They thus rendered the war illegal.

Whilst the United States acted in clear defiance of the United Nations, Blair is credited with attempting to convince Bush to adhere to the internationally legitimate route by striking various deals with the President – Blair committed troops to the United States’ effort if Bush were to take the United Nations route (Cook, 2004, p205). Blair envisaged an international order based upon the foundations of international norms and the use of the United Nations as a locus of legitimacy, which would potentially lead to a united Western world. His statement in response to the Butler enquiry, which examined the availability and use of Iraqi weapons of mass destruction prior to the war, highlighted the fact that the United States’ attitude to the issue of “rogue” states changed in the aftermath of 9/11 when it was revealed that Al Qaeda were actively pursuing the acquisition of weapons of mass destruction (Bluth, 2004, p872). Thus, it can be deduced that Blair’s decision to support and commit Britain to the war against Iraq was a result of a growing fear that the United States, with its sceptical views of international regimes and the United Nations, would unilaterally push its own agenda and become increasingly divorced from the rest of the world. By this reasoning, although the war that the United States started could be seen as unjust by international standards, arguably Britain supported the war effort for the greater good of the international community, in an attempt to diminish the alienation of the world’s only current superpower from the rest of the Western world.

Despite this, the cause of the war is still a highly contentious issue at the centre of critical debate. Whilst the devastating effects of 9/11 were evidently the key turning point for American foreign policy, the reasons for starting a war against Iraq are still ambiguous for many. Iraq was not directly involved with the terrorist attacks on the United States, and Saddam Hussein ran a secular regime within the country. To an extent, Iraq shared common goals with the Western world, in that both entities were seeking to contain the geopolitical ambitions of the increasingly Islamist Iran. One commonly held assumption about the decision to pursue the war against Iraq is that the United States was keen to control the vast oil reserves that were previously under Iraqi control. Critics such as Johnson have uniformly stated that the decision from Vice President Cheney was that the United States needed oil, and Iraq was the obvious place to gain such resources from (Johnson, online). Undoubtedly, the involvement of many high ranking American government advisors simultaneously holding high ranking positions in major oil companies is ubiquitous, and it is

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speculated by Johnson that the former Secretary of Treasury, Paul O'Neill, as well as Condoleezza Rice, had already formed plans to conquer Iraq on the day that the Bush administration was sworn in. Whilst this argument is feasible, there is no strong evidence to suggest that this is the case, although it is interesting to note that, before and during the war period, America's economy was in potentially irreversible decline. By having control of resources in the Middle East, not only would America be gaining assets, but they would also be gaining the ability to control countries such as China and India who possess the world's current fastest growing economies. Judging by this critique of the war against Iraq, the cause of the war was not just and therefore it does not conform to the conditions required to satisfy the Just War Theory.

The Just War Theory states that any country going to war must foresee them self having a reasonable chance of success. In the past, wars have been typically fought against proper nouns, such as states or people, as proper nouns have the ability to surrender; wars against common nouns are therefore less successful, as the entity does not have the ability to admit defeat (Byford, 2002, p 326). As the war against Iraq was encompassed into Bush's "War on Terror", it is therefore evident that, in this instance, the war would only have been successful had the United States confined itself to fighting individual terrorists rather than the tactic of terrorism itself. Bush stated that "Our war on terror will be much broader than the battlefields and beachheads of the past. The war will be fought wherever terrorists hide, or run, or plan." (Bush, 2001, cited in Roth, 2002, p302). The problem that arises here is that the concept of terror is not adequately defined, nor is Bush able to pinpoint precisely where the terrorists would be carrying out such activity, leading to the conclusion that there potentially was little hope of a reasonable chance of success, thus rendering the decision to go to war as partly at conflict with the Just War theory.

One of the major ways in which it was argued that the Iraq war was justifiable was through the use of the doctrine of humanitarian intervention. Using the Just War theory, it can be assumed that going to war in order to help stop or prevent horrific crimes against humanity is a perfectly viable option, as a state is not seeking glory, expansion and, hypothetically, would not be seeking to gain anything from such intervention other than the prevention of further human injustice. The liberal case, such as the one suggested by Fernando Tesón, argues that the invasion of Iraq had as its primary purpose the end of the tyrannical regime of Saddam Hussein (Tesón, 2005, p1-20). Here, whilst realists believe that states will never act purely out of humanitarian motive, the liberalist argument is clearly indicating that a mere humanitarian *intent* is enough to justify the decision to go to war with Iraq, because, as has been heavily suggested previously, only by removing tyranny and instilling democracy would it be seen that the threat posed by Iraq to its own citizens be removed. After all, should humanitarian intervention be reserved merely for ongoing mass killing, despite the fact that such a rule would have prohibited dictators such as Hitler from being removed in the post-Holocaust era?

On the contrary, it would also be fair to assess the war on Iraq as being against many humanitarian grounds, as even critics who often defend an expansive right to humanitarian intervention rejected the Iraq invasion case. Many critics claim that the aforementioned liberalist argument shows a "significant revision" of the traditional doctrine of humanitarian intervention, whereby intervention is permitted as a result of the crimes of genocide and mass killings, both of which were not prevalent in Saddam Hussein's Iraq (Nardun, 2005, p21). As Nardun outlines, the traditional doctrine stipulates that humanitarian intervention is only justified if it was calculated to provide more good than harm. Here, it could be seen that as many of the negative connotations of the war were previously recognised, the war is illegitimate as an act of humanitarian intervention. Furthermore, it would appear that the United States and Britain overlooked the international society's predisposition towards non-interventionist policies (Bellamy and Wheeler, 2003 p43), as there is an overall consensus upon the rules of co-existence, a thesis that humanitarian intervention must take a carefully collaborated exception against, which in this case it did not. Moreover, the war downgraded the capability of Iraqi citizens to raise money, communicate or travel without risk, seemingly violating their human rights further than Hussein's totalitarian regime did. Additionally, the United States are still reluctant to unilaterally provide humanitarian intervention into areas of the world that conform to the pre-existing definition of humanitarian intervention, such as the Sudan, or their failure to respond immediately to the Rwandan genocide. Therefore, it could appear that the ideas of humanitarian intervention in Iraq are concealing a different, possibly self-motivated, agenda.

From using the traditional concepts of the Just War Theory, it is evident that the 2003 war against Iraq can be seen as conforming to it or significantly straying from it dependent on the interpretation of the war. However, many critics

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actually feel that using the Just War Theory as a basis for justifying any war, let alone the Iraq war, is massively flawed. Firstly, the base assumption that one must accept if accepting of the Just War Theory is the idea that a just war can actually exist. However, there is another, more troubling, assumption underlying this one; that force and violence, therefore war, is or can be an effective means of resolving conflict (Walzer, 2006, p79). This leads to the proposition of the idea that violence is a vicious cycle; if one side uses violence; the other side is more than likely to retaliate with a further use of violence. It seems bizarre to then suggest that violence can be an effective way to resolve a conflict. In addition, if we are to grant that some wars are just and use Just War Theory as the criteria for evaluating the justness of wars, we open ourselves up to an abuse of casuistry (Crawford, online). Because the criteria for just wars are so slippery and open to manipulation, all political leaders can and will claim that their wars are just. But not all wars are just. Moreover, once someone claims that their war is just, moral absolutism and extremism in the conduct of war become more likely.

In conclusion, when assessing the decision to go to war against Iraq in 2003, the primary question that needs to be considered is the overall outcome of the war. Whether the reasons behind the war were defence reasons, humanitarian reasons, or for matters of self-interest, are Americans and, indeed, the Western world safer from terrorism because Saddam Hussein is not in power? The best evidence of Bush's success appears to be the lack of terrorist attack in the United States so far since the war began (Gellmann and Linzer, 2004, p422). However, there has not been a complete eradication of terrorist groups, nor has there been a lack of terrorist activity in the rest of the Western world. The war could be seen as actually providing radical Islamic extremists with ammunition (Cox, p83-87), and the London and Madrid bombings show that there are still potential terrorist threats. In actual fact, it would appear that the war against Iraq seems to have disturbed the Middle East significantly, creating a power vacuum for an increasingly self-confident Iranian regime to fill. This has allowed Iran to gain greater influence in the region than it had before, creating a conflict with the United States' original aims – rather than successfully managing the geopolitical ambitions of the country; it has actually allowed radical Islamists to feed off the Western policies therefore creating more terror threats.

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