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The impossible quest for peace: an analysis of the United States' policy in Iraq under the presidency of George W. Bush

How Just War principles have been used as instruments of American imperialism and dominance in the Iraq war led by President George W. Bush?

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Ismailovic Muzen

A handwritten signature in blue ink, appearing to read 'Ismailovic Muzen', written diagonally across the page.

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INTRODUCTION

The Iraq war of 2003 had a profound impact on the international stage as it ignited abundant political and ethical debates about its legality, its conduct, and the permanent imprint it has left on a country pre-disposed to instability. This war represents an important juncture in contemporary politics characterized by an intersection of geopolitical aspirations, ideological zeal, and a multifaceted power dynamics.

Although the complicated relationship between Iraq and the United States culminated with Iraq's invasion of Kuwait in 1990, the attacks of September 11 marked the turning point in George W. Bush's policy towards Iraq. In the aftermath of the attacks, global concerns over security, stability, and morality surged on top of the political agenda even more so in the country that was unexpectedly attacked, despite its fervent commitment to internal security and democratic values. Within this context, the United States under the leadership of President George W. Bush initiated a course of action that greatly altered the geopolitical balance of Iraq and of the whole Middle East region. The initiation of the Iraq war took place within a larger context of global terrorism and the fervent pursuit of democracy in a country that was categorized as evil and tyrannical. Particularly in the ways in which Saddam Hussein's regime discriminated ethnic minorities, disrespected certain rules of international regulations, and suspected of possessing weapons of mass destruction. In this context, the Bush administration embarked in an offensive military intervention intended to foster democratic principles and abolish a repressive regime which, nevertheless, had no explicit connection to the September 11 attacks. It was this precise observation that prompted the questioning of this thesis which aims to delve deeper into the less explicit motivations behind the invasion.

This thesis thus embarks in an in-depth study of numerous variables in a major political event exploring the interactions between politics, ideology, tactics, and after-war consequences. At the core of the thesis lays the following research question:

How Just War principles have been used as instruments of American imperialism and dominance in the Iraq war led by President George W. Bush?

The related hypothesis to the question is that the invasion of Iraq is rooted in a deep-seated quest of American domination in the Middle East.

To tackle these, the thesis is structured along two theoretical prisms of vision. On the one hand, it concentrates first on an analysis of the administration's foreign policy geared towards realism and the considerable influence of neoconservatism, the essence of the Bush presidency. On the other hand, it turns its focus on a humanitarian perspective exploring the negative and destructive consequences faced by a country and more precisely a population forced to endure Western imperialism and its desire to impose its favored values through force and occupation. The humanitarian aspect of the issue relies on Just War theory prompting an examination of the connection between its principles and the pursuit of American hegemony.

The first chapter provide an overview of the context and genesis of the conflict as well as Bush administration's policy shift post-9/11. It also discusses statements and allegations made by Bush and his administration concerning its link with al-Qaeda and Iraq's potential possession of weapons of mass destruction revealing lots of inconsistencies. Finally, it delves into the issue of misuse and non-coordination with intelligence agencies.

The second chapter navigates the complex array of motivations that steered the path to war with a review of neoconservative and realist paradigms revealing changes in foreign policy priorities. It analyzes National Security Strategies that embodied the neoconservative political philosophy that gave rise to the Bush doctrine. It finally highlights shortcomings of neoconservatism regarding its predefined vision of war and the difficulty of realism to re-emerge in a political scene deeply marked by neoconservative influence.

The third and final chapter assesses the repercussions of the war providing insights into the ethical and legal complexities that arose. The analysis of Just War principles — *jus ad bellum*, *jus in bello* and *jus post bellum* — is intertwined alongside a discussion related to international humanitarian law and the questionable legitimacy of the intervention. The use of humanitarian narratives to justify invasions highlights the hidden intentions of pursuing dominance within the country and across the region.

CHAPTER 1.

CONTEXT AND GENESIS OF THE CONFLICT

1.1 CONTEXT

Iraq has been a territory imprinted with conflicts and wars. It has been affected by territorial conquests and the fracture of civilizations and empires that have cradled it (Allawi, 2008, p.17). The comings and goings of imperial powers have marked the Iraqi identity in various and multifaceted ways up to the present time. Nevertheless, this cultural and civilizational crossroads has not been an impetus for the construction of a solid national identity (p.17). As Allawi emphasizes, “the shared history and experiences of Iraqis did not give rise to unifying national myths” (p.17). Despite the rich heritage of Iraq, the cradle of the first civilizations of the Orient and of scripture, its fragmented nation faced many challenges in fully be united in embracing and safeguarding it. Internal and external conflicts, disputes pertaining to territorial claims, loss and destruction from wars have posed obstacles to the country's unity.

Some contemporary governments have been willing to reconnect with the past and their heritage, such as that of Saddam Hussein who carved his name on the reconstructed walls of Babylon. In the end, not even this was perceived as a way to form a "national consciousness" (p.17). Isn't a state with a heterogeneous and dispersed population from the north to the south¹ already destined to hazardous internal tension?

The kingdom of Iraq, a product of post-war British imperialism², also did not contribute to the creation of a sense of national unity, given that its borders were drawn without the input of its population, of either high or low class (p.20).

¹ Religious pluralism reflects this cultural and historical fragmentation. With a Muslim majority, the population is divided between Shiites (between 55 and 60% of the population) and Sunnis (around 40%, including 24% Arabs, 15% Kurds and 1% Turkmen). There are also Christian and Yezidi minorities.

² Britain formally participated in Iraq's formation in the early months of World War I after the dismantling of the Ottoman Empire. The Middle East region saw European nations exerting their influence with Britain obtaining administrative responsibility over Iraq as a result of the League of Nations' mandate system. The British assumed the responsibility of imperial governance in Iraq (Dodge, 2006, p.1).

“There was an underside to all of this: of winners and losers; of lost causes clung to, in spite of centuries of repression; of racial and tribal animosities. Too often, what was retained was a violently different version of events and a culture that celebrated superiority in status and entitlements, as well as past grievances and injuries. For over two millennia, Iraq had either been the centre of a world empire or, more often, part of another country’s empire. It was only in modern times that the geopolitical unity of Iraq became established – neither as a contrived state, as many would later claim, nor as a nation in the full sense of the word”

(Allawi, 2008, p. 20)

Faisal I, King of Iraq from 1920 to 1933, also portrayed his country as one that fervently lacked the essential elements of a social and political entity. He deplored the absence of “[...] unity of thought and ideals, and a sense of community” (p.22).

Past political and historical events have taught ample lessons about the ills of the modern state. Over a century later, the internal affairs of the state remain relatively unchanged. A country torn apart by sharply divided political groups, each asserting its own religious, cultural, and ethnic particularities. A government unable to reach agreements in the face of conflicting and antagonistic popular demands. The historical development of Iraq, characterized by notable shifts and difficulties, highlights the complicated dynamics of its post-Saddam period. After its fall, Iraq underwent a period of transformation following the collapse of Ba’athist regime. Many political groups competed for power adding difficulty in establishing an efficient and unified government.

In late November 2019, an important juncture occurred when Prime Minister Adel Abdel Mehdi submitted his resignation in response to a prominent protest campaign and the request of Ayatollah Ali Hussein al-Sistani (Bakawan, 2022). As a result, the country faced a cataclysm similar to the one that occurred following the fall of Saddam Hussein in 2003. Iraq found itself governmentless for four months, with a toll of six hundred killed by militias. The authorities "left the country in a political vacuum for four months, unable to form a consensus to propose a Prime Minister to form a transitional government and organize early elections" (Bakawan, 2022).

After repeated calls for early elections, revealing a sclerotic political system, interim Prime Minister Mustafa al-Kazimi assumed the post for two years beginning in May 2020. However, the country gradually sank into a structural crisis. Al-Kazimi was himself a victim of the country's upheavals, the target of an assassination attempt at his home. The president at the time, Barham Saleh, described it as “an attempt to overthrow the institutional order” (Berkenbaum, 2021). He emphasized that the assault was not only a haphazard display of aggression or an isolated occurrence. The actions were seen as a purposeful and strategic endeavor aimed at undermining and causing instability inside the operational structures of Iraq's governmental establishments.

A government was finally established at the end of October 2022. It was headed by Mohammed Shia al-Sudani. Meanwhile, new clashes erupted in Baghdad's Green Zone following the political withdrawal of Shiite leader Moqtada al-Sadr, considered one of the country's most influential figures in both political and military terms. Newspapers reported thirty dead and nearly four hundred wounded after his declaration triggered widespread unrest in the capital (Ripoche, 2022). His supporters rebelled against his incompetence and unpredictability claiming that its leadership and decision-making lacked effectiveness and his choices and actions were difficult to foresee. Being the leader of the Peace Brigade militia, violent altercations occurred between his adherents and the Hachd al-Shaabi militia, an enemy Shiite coalition (Ripoche, 2022). While one might think that the country's deep-seated fragmentation is a source of inter-confessional tension, it is apparent that even within the Shiite branch, ideologies clash. One being intransigent concerning support and possible affiliation with Iran and the other declaring itself rather pro-Iranian.

The focus of this thesis will be on a fateful moment in Iraqi and American policy, namely the latter's invasion of Iraq in 2003. It aims to provide an in-depth analysis of the events leading up to the decision of the U.S. to act militarily. The following section will explain the genesis of the conflict, recounting some key earlier moments, deciphering the motivations behind the intervention, and studying American strategies and their fluctuations over time. All of this will be done in the context of decision-making and analysis of the consequences of American military action on Iraqi territory.

1.2 UNRAVELING THE GENESIS

The first signs of friction between the U.S. and Iraq emerged when Iraq invaded Kuwait in August 1990. The spring of 1990 heralded turbulence, a period during which Saddam Hussein maintained his determination to assert his absolute influence over the Arab world, particularly in the oil-rich Gulf region (Allawi, 2008, p.43). From Saddam Hussein's perspective, the U.S. paid little attention to movements and adjustments on the Iraq-Kuwait border. He seemed unaware of “what the superpower would think about a full-blown invasion and annexation of the country” (p.43). Yet, this was already a major issue for the U.S. government, which at the same time recognized the threat of Iraq acquiring and developing nuclear weapons. Neighboring countries also expressed concern that the Iraqi leader was using dubious means to arbitrarily assert Iraq's supremacy in the Persian Gulf. It was at this juncture that the U.S. began its search for Iraqi opposition groups, which would later reveal, especially during the March 1991 uprisings, the ambiguous nature of the U.S position vis-à-vis the regime. It should be noted that the U.S. administration overlooked numerous human rights violations attributable to Iraq, such as the gas attacks in the Kurdish part of the country in 1987-1988 (p.33). Indeed, “an international conference held in Paris in January 1989 on the use of chemical weapons, sponsored by France with strong U.S. support, did not even censure Iraq for its violations in the Anfal³ campaign and in Halabja⁴” (p.41).

By October 30, 1990, the George H. W. Bush administration made its decision to use military force if deemed necessary “to push Iraq out of Kuwait” (*Office of the Historian*, n.d.). The UN Security Council (UNSC) adopted Resolution 678 on November 29, 1990 “[...] implicitly authorizing the use of force against Iraq” in response to the occupation of Kuwait (Weston, 1991). It gave Iraq until January 15, 1991, to withdraw from Kuwait which was not respected. Having already stationed

³ Between 1987 and 1988, the Iraqi government conducted a planned bombing operation known as "Operation Anfal. It involved use of chemical weapons and specifically targeted civilian populations residing in the Kurdistan region of Iraq (Ariel University Center).

⁴ In March 1988, “Iraqi war planes and artillery pounded the Kurdish town of Halabja in northern Iraq with mustard gas and the deadly nerve agent sarin” (De Bretton-Gordon, 2016)

American troops in the region, G.H.W. Bush turned plans into action with Operation Desert Storm. The U.S. backed by its allies naming the United Kingdom, Saudia Arabia, France, and Egypt as well as a coalition of forces that opposed Iraq's aggression, began the operation on January 17, 1991.

The turn of events transformed quite strongly, given the more forthright and forceful speeches made by George H. W. Bush. In 1991, in the midst of war, he addressed workers at the Raython Corporation factory:

"There's another way for the bloodshed to stop, and this is for the Iraqi military and the Iraqi people to take matters into their own hands and force Saddam Hussein, the dictator, to step aside."

February 15, 1991.

(Allawi, 2008, p.39)

Saddam's regime weakened not only due to external attacks but also to internal unrest⁵. However, the government managed to hold on despite a fractious internal opposition. From the Operation Desert Storm to the entire occupation of Iraq emerged "twelve years of hardship, embargoes, bombings, humiliations, inspections in search of weapons of mass destruction (WMD), widespread famine, massive unemployment, and extreme poverty" (Bakawan, 2021, p.146).

The essence of our research is George W. Bush's Iraq policies. Bush took office in January 2001, and his administration "was packed with proponents of a more aggressive policy on Iraq" (Allawi, 2008, p.78). Yet conceiving an effective Iraq policy was a laborious and stagnant process. There were internal disagreements between the realists in the State Department, headed by Colin Powell⁶, the radicals in the Pentagon, such as Donald Rumsfeld⁷, and the Vice President's office headed by Dick Cheney⁸ (p.79). The U.S. administration had developed and multiplied its air

⁵ Due to the repression of the Baathist movement, but also to the exasperation of opposition movements (whether Shiite or Kurdish).

⁶ Chairman of the Joint Chiefs of Staff under President George H. W. Bush and Secretary of State under President George W. Bush's first term.

⁷ Secretary of Defense from 2001 to 2006.

⁸ Vice-President from 2001 to 2009.

campaigns against Iraqi anti-aircraft devices, but more effective actions were lacking. The State Department has resigned itself pursuing “a policy of 'smart sanctions' against Iraq designed to remove most goods and services from the trade embargo, while simultaneously strengthening the monitoring of Iraq’s porous borders” (p.79). The U.S. received criticisms on the sanctions imposed on Iraq. They were not strictly applied and thus only partially respected. This, combined with misaligned actions within the administration, revealed a lack of control over political strategy (*ibid.*).

1.3 BUSH ADMINISTRATION'S POLICY SHIFT POST-9/11

The terrorist attacks of September 11, 2001, were a major turning point in the Bush administration's policy and tactics, which had proven inadequate up to that point. This was the second justification for the military invasion of 2003. The first was the possibility of Iraq possessing weapons of mass destruction (WMD). These attacks were therefore a decisive impetus in the orientation of the American line of action, which was now clear in its determination to overthrow Saddam and his dictatorial regime. However, one might wonder whether they really represented a legitimate and credible reaction, considering President Bush's words to the press on September 17, 2003. At the time, he announced:

Washington "has no proof of Saddam Hussein's involvement in the attacks of September 11, 2001."

September, 2003

(Bakawan, 2021, p. 147)

He was nevertheless quite certain of Saddam's involvement with al-Qaeda. Experts in nuclear security, academics, media, and pundits, on the other hand, were much less so. Especially considering that Osama bin Laden, founder of al-Qaeda, despised Saddam as the head of a secular regime (Fisher, 2003 as cited in Pfiffner, 2004, p.26). He claimed that the terrorist group and Iraq had been in contact for a decade, to the extent that Iraq had skilled al-Qaeda members in the manufacture of bombs, poisons, and lethal gases (p.26).

On the one hand, President Bush was determined to make clear to the public and his political entourage the obvious link between the terrorist organization and this

country⁹, which was part of the axis of evil¹⁰. On the other hand, his unexpected reversal on September 18, 2003, when he declared that his administration had no proof of Saddam Hussein's involvement in the September 11 attacks, greatly undermined the credibility of his policy (Pfiffner, 2004). Pfiffner asserts that it was “difficult to show that there was an outright lie in the president's rhetoric because his use of language was too careful” (p.28). According to him, it was more a case of his realization that the evidence was questionable and uncertain. Although it may not constitute an outright lie, the President has nonetheless contributed, to a certain extent, to misleading public opinion, mass media and, ultimately, an entire country into going to war with a nation allegedly linked to a terrorist organization and in possession of WMD.

1.4 QUESTIONABLE ALLEGATIONS

In a 2004 article, political scientist James Pfiffner analyzes a series of statements made by Bush and his administration. They concern suppositions of a relationship between al-Qaeda and Saddam in terrorist attacks, Iraq's capacity to possess nuclear weapons, and the possession of chemical and biological weapons. This article reveals the incoherence of the President's statements and, once again, the contradictory positions of American policy on Iraq. The statements made in September 2003 differed from those made in October 2002 when President Bush was trying to persuade Congress to pass the resolution guaranteeing the authorization to wage war against Iraq (Pfiffner, 2004, p. 26). In his speech, he made clear the need to combat the tyrannical Iraqi regime, referring to the September 11th attacks:

“Some citizens wonder, 'after 11 years of living with this [Saddam Hussein] problem, why do we need to confront it now?' And there's a reason. We have experienced the horror of September the 11th”.

⁹ Despite the conclusions and reports of the 9/11 Commission, the National newspaper or even the U.N.S.C. Counter-Terrorism Committee emphasizing the lack of proof (Pfiffner, 2004).

¹⁰ Term used by President Bush on January 29, 2002 during his State of the Union address. Iran and North Korea included.

Bush's speech in Cincinnati - 7 October 2002

(Pfiffner, 2004, p. 26)

Members of his administration also adhered to the same rationale. Pfiffner reports that Donald Rumsfeld declared on September 27, 2002, that: "the link between Saddam and al-Qaeda was indisputable". National Security Advisor Condoleezza Rice reported two days before that:

"There clearly are contacts between al Qaeda and Iraq...There clearly is testimony that some of the contacts have been important contacts and that there's a relationship there"

Rice - September 2002

(Pfiffner, 2004, p. 27)

1.5 CONTROVERSY SURROUNDING INTELLIGENCE REPORTS AND ASSESSMENTS

Despite these allegations, the connection between the two was nebulous, lacked solid evidence, and was packed with mistakes. For instance, the administration based its principal assumption on the potential encounter between Mohamed Atta, one of the main protagonists of the attack, and an Iraqi official in Prague back in April 2001. However, an FBI inspection "concluded that there was no convincing evidence that Atta was in Prague at the time of the meeting and the Central Intelligence Agency (CIA) was doubtful about any meeting of Atta and an Iraqi official" (Pfiffner, 2004, p.27). The administration had also exaggerated its assertion that Saddam might possess nuclear weapons and intermingled them with biological and chemical weapons. The administration suspected that the weapons might later be handed over to al-Qaeda. This argument has obviously strengthened general concern about American national security. Nevertheless, Pfiffner argues that "as horrible as chemical and biological weapons are, they pale in comparison with the potential destructiveness of nuclear weapons". The International Atomic Energy Agency (IAEA) had indeed mentioned Iraq's capacity to produce nuclear bombs in 1991 but made it clear that they "had been destroyed by UN inspectors before 1998" (p.29). The research came to the same

conclusion: Iraq could not achieve its goal of producing nuclear weapons without external help.

The President had really acted on fear during his speeches, greatly shortening the scope of the information given to the public and the press. He notably grounded his State of Union arguments and overall public support on a National Intelligence Estimate (NIE) which corresponds to the most “authoritative and coordinated” written analysis of a given national security issue produced by the U.S intelligence community (Bruno & Otterman, 2008). To optimize the impact of their public statements, the President and officials had to provide convincing proof to support their claims, which required making multiple statements.

The 2002 NIE regarding Iraq was presented in different kinds of documents. In early October, the National Intelligence Council (NIC), the CIA’s strategic analysis center published the classified NIE on *Iraq’s Continuing Programs for Weapons of Mass Destruction*¹¹. A week prior to the parliamentary vote¹² on the use of force in Iraq, the Director of Central Intelligence (DCI) released an unclassified version — in October 2002 — entitled *Iraq’s Weapons of Mass Destruction Programs*. It was released as a white paper quoted by the Bush administration “in making its case for war” (Mazzetti, 2004). This unclassified version issued to the public prior to the war “notes that only some ‘specialists’ disagreed with the claim that Iraq was importing aluminum tubes for nuclear weapon production” (Cirincione et al., 2004, p. 16). In light of the burgeoning debate surrounding the U.S. intelligence evaluations of Iraqi WMD, the White House authorized the publication of a revised declassified report in July 2003. It contained additional information as well as opposing viewpoints and made obvious the fact that there were widespread disagreements within agencies concerning aluminum tubes and not only among several individuals (*ibid.*) However, Dudding (2020) states that “it excised all dissents and exaggerated the NIE’s conclusions”. It showed substantial resemblance to the classified NIE regarding content but with still much less detail and nuances. The Senate report on Iraqi WMD

¹¹ It is worth remembering that only few members of the Congress and Senate consulted the full 92-page of the CIA classified version (Kessler, 2019).

¹² The House of Representatives voted on the Authorization for Use of Military Force Against Iraq (Iraq War resolution) on October 10, 2002. The vote passed the Senate on October 11, 2002 (C-SPAN.org, 2002).

intelligence of July 2004 stated that the suppression of positional setbacks such as “*we judge*” or “*we assess*” transformed assessments into factual statements (Select Committee on Intelligence, 2004). The declassified version also has also removed some crucial sentences from the classified version such as: “*we lack specific information on many key aspects of Iraq's WMD program*” or “*we have low confidence in our ability to assess when Saddam would use WMD*” (Mathews & Miller, 2004).

In the words of David Albright, physicist, and former IAEA weapons inspector: “[...] the Bush administration resisted having a NIE and once it was out selected what was useful for the argument. Most of their qualifications were filtered out and all nuances were eliminated. The result used by politicians vis-à-vis the American audience was far more convincing than the original CIA, DIA or intelligence services version”¹³ (Greenwald, 2004).

In 2004, under the impulse of the Freedom of Information Act¹⁴, the CIA released another declassified version although still heavily blanked out.

The President still presented the facts in a direct and fearful manner in his speech to Congress on October 7, 2002. According to him, it was obvious that “Iraq is reconstituting its nuclear weapons program” and that it “could have a nuclear weapon in less than a year” (as cited in Pfiffner, 2004, p.30). The NIE, however, stated that:

“How quickly Iraq will obtain its first nuclear weapon depends on when it acquires sufficient weapons-grade fissile material. If Baghdad acquires sufficient fissile material from abroad it could make a nuclear weapon within several months to a year. Without such material from abroad, Iraq probably would not be able to make a weapon until 2007 to 2009 [...]”

¹³ Excerpt from the documentary: “Uncovered: The War on Iraq” (Greenwald, 2004).

¹⁴ The Freedom of Information Act which came into force in 1966 under President Johnson, essentially confers upon any individual the legal right to request access to government information. Access rights are only restricted when information is safeguarded from disclosure by one of the FOIA's nine mandatory exemptions (FOIA.gov - Freedom of Information Act: Learn, n.d.).

NIE - October 2002
(as cited in Pfiffner, 2004, p.30)

The administration skipped a few of these details, in addition to a declassified version sorely lacking in subtleties, making the overall picture very serious and threatening. This was particularly apparent during the 2003 State of the Union presidential speech. President Bush expressed the infamous sixteen controversial words:

"The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa"

State of the Union Speech - January 28, 2003

(as cited in Pfiffner, 2004, p.30).

1.6 URANIUM ALLEGATIONS

British intelligence reported in September 2002 that Iraq was interested in buying uranium oxide (commonly called "yellow cake") from Niger. The assertion was used in the speech with the primary aim of generating political support from the population and more reticent politicians. As Albright stated: *"leaders will use worst-case assessments pointing out nuclear weapons to generate political support because they know people fear nuclear weapons so much"*¹⁵ (Greenwald, 2004). However, the administration has been repeatedly warned of the possible inaccuracy of the statement, and its magnitude if it were to be used.

On October 5 and 6, prior to the president's speech, Deputy National Security Advisor Stephen Hadley was given two memoranda from the CIA that communicated their concerns concerning the Niger declaration (Pfiffner, p.31). The Italian intelligence sources who had acquired the report on Niger and yellowcake distributed it to U.S. intelligence agencies warning them of its "dubious authenticity" (Pfiffner, p.31). Based on that, the Vice President's office called for the CIA to investigate in February 2002. Joseph Wilson, a career foreign service officer then went to Niger at

¹⁵ Excerpt from the documentary: *"Uncovered: The War on Iraq"* (Greenwald, 2004)

the same period to prove the potential trafficking of nuclear material with Iraq even though he had never consulted the report. In an article published by the Washington Post, he decided to react to the State of the Union speech regarding misleading allegations relayed publicly. He argues that he met with “current government officials, former government officials, people associated with the country’s uranium business” but he affirmed that “it did not take long to conclude that it was highly doubtful that any such transaction had ever taken place” (Wilson, 2003). The Niger mines, Somair and Cominak, driven by the interests of several European companies, were present to inspect external actions. Thus, if “[...] the government wanted to remove uranium from a mine, it would have to notify the consortium, which in turn is strictly monitored by the IAEA” (Wilson, 2003).

One understands the near impossibility of the Niger government engaging with Iraq at that time. Wilson thus denied the previous allegations and “reported this back to the CIA” (Pfiffner, p. 32). He was, nevertheless, astonished at how his information was handled afterward. Indeed, although he did not make a written report he described his discoveries to the Ambassador on duty, Barbro Owens-Kirkpatrick. As someone who had “spent enough time in government”, he was aware of the standard operating procedure. According to him, a minimum of four documents should have been in the government possession and archives: “[...] the ambassador’s report of my debriefing in Niamey, a separate report written by the embassy staff, a CIA report summing up my trip, and a specific answer from the agency to the office of the vice president” (Wilson, 2003). He did not have any knowledge of these documents. In addition to Joseph Wilson’s insights, there was also a visit from U.S. Marine General Carlton W. Fulford and the Ambassador who informed State and Defense that uranium ore supplies were protected by the French consortium (*ibid.*).

Despite all this and even if the NIE seemed to be showing some hindsight on certain points, it still was making some strong assertions:

"A foreign government service reported that as of early 2001, Niger planned to send several tons of pure uranium' (probably yellowcake) to Iraq. As of early 2001, Niger and Iraq reportedly were still working out arrangements for this deal, which could be for up to 500 tons of yellowcake. We do not know the status of this arrangement."

NIE - October 2002
(as cited in Pfiffner, 2004, p. 32).

Only in the annex of the NIE appeared this explicit comment from the State Department's Bureau of Intelligence and Research:

*"Finally, the claims of Iraqi pursuit of natural uranium in Africa are, in
INR's assessment, highly dubious"*

NIE - October 2002
(as cited by Pfiffner, 2004, p. 32)

Contradictions and inconsistencies were thus visible in the document in addition to its overall negative assessment of the situation, regardless of reassuring reports from experts and officials.

1.7 MANIPULATION OF INTELLIGENCE AGENCIES?

Paul Pillar, who served a 28-year career at the CIA¹⁶, delved deeper into the connection between U.S. intelligence and the policy-making process. In an article on Intelligence, Policy and the War in Iraq, he argues that the “official intelligence analysis was not relied on in making even the most significant national security decisions, that intelligence was misused publicly to justify decisions already made, that damaging ill will developed between policymakers and intelligence officers and that the intelligence community’s own work was politicized” (Pillar, 2006). Indeed, an intermingling and lack of distancing between the intelligence services and the administration was highly apparent in this case. The Bush administration relied heavily on intelligence and according to him, misused it in “making its case for war” (p. 15). A careful interpretation of the statements made by the intelligence services, especially in their original, unedited version, reveals a fundamentally different way of presenting the matter and tackling the overall threat.

¹⁶ Pillar worked at the National Intelligence Council as National Intelligence Officer for the Near East and South Asia from 2000 to 2005 (Geneva Centre for Security Policy, n.d.)

The fundamental policy goal of the official intelligence analysis in Iraq was to either prevent war or to prepare for a potentially chaotic aftermath in the event that war was initiated (p. 16). However, this is not how the administration examined the situation and reacted. It also blurred the distinction between the respective duties of the intelligence community and the policymaking process. The intelligence community gathers and assesses information to acquire insight into what could potentially affect U.S. interests. It can be influenced by policymakers in topics covered by intelligence services but should absolutely “[...] limits its judgments to what is happening or might happen overseas, avoiding policy judgments about what the U.S. should do in response” (p.15). In this case and according to Pillar, the Bush administration “did not just blur this distinction; it turned the entire model upside down” (p.17). It made use of information to justify a position that was already taken and fairly shared in view of the physical and mental catastrophe caused by the terrorist attacks. It used policy to conduct intelligence and exploited it to gain widespread approval in its determination to go to war. The administration selected what was convenient in its argumentation and public discourse.

The most widely acknowledged example and already discussed is the questioning of the credibility of the report on uranium ore purchases in Africa, and the reluctance of many intelligence analysts to include these allegations in public discourse. The administration decided “to put the claim into the speech anyway, referring to it as information from British sources in order to make the point without explicitly vouching for the intelligence” (p.20). Several former CIA officers such as Robert Baer or Mel Goodman highlight the misuse of intelligence services and internal contradictions that are seldom revealed to the public. The former re-emphasized the fact that “[...] what the White House wanted was the CIA to justify a decision that has already been made”¹⁷ (Greenwald, 2004). The latter stated that contrary to what was being repeated publicly, “the overwhelming opinion from the scientists of this government, of the Department of Energy, the CIA and some in the State Department opposed the use of WMD as a case to go to war” (Greenwald, 2004)¹⁸.

¹⁷ Excerpt from the documentary: “Uncovered: The War on Iraq” (Greenwald, 2004).

¹⁸ *Ibid.*

Apart from all that, Pillar raised an interesting point of a deeper intent of the U.S. government “to shake up the sclerotic power structures of the Middle East and hasten the spread of more liberal politics and economics in the region” (p. 16).

The next section will cover the more subtle and profound motivations of President Bush in his quest against terrorism, his vision of the world in terms of good and evil, and the influence of the neoconservative ideology reflecting American values, exceptionalism, and assertiveness.

CHAPTER 2.

MOTIVATIONS BEHIND BUSH'S DECISION TO INVADE

2.1 THE DECISION-MAKING PROCESS BEHIND THE IRAQ WAR: IGNORED WARNINGS AND PRECONCEIVED NOTIONS

The decision to invade Iraq was in the hands of one man but behind it lies a whole process and very thorough staff. Robert Draper (2020) states that the decision was strenuously supported by some officials at the highest levels of the administration. Other officials made the decision easier to take but no one suggested thinking about an alternative course of action. The voices of those in the lower echelons of the Bush administration that could have altered the subsequent events “did not speak up or were not given the chance to speak or did speak but went unheeded” (Draper, 2020, p. 10).

The tragedy of September 11 disrupted a presidency intended - like most new presidencies - to be centered on domestic issues. Dick Cheney and his Chief of Staff, Lewis Libby were equally as contemptuous of Saddam as Paul Wolfowitz, Deputy Secretary of Defense was. However, “[...] both could see that Bush had little appetite for adventurism” (p. 23). Both Condoleezza Rice and Colin Powell supported the containment of Saddam Hussein. Donald Rumsfeld “was critical of the current arrangement but had no concrete remedy to offer” (p. 23). President Bush did not express serious concerns about Islamic extremism even though he had been repeatedly challenged and warned by various actors prior to entering office. For instance, during a meeting with the deputy director of the Central Intelligence Agency, John McLaughlin, Bush was confronted with a rather grim warning that if he were to be elected the U.S. will undergo a massive terrorist attack during his mandate (p. 37). He neither responded to the deputy director's ominous prediction nor ventured remarks about al-Qaeda later in his campaign (Draper, 2020, p. 37). It is often reported that he and his forthcoming administration ignored several warnings about the danger of al-Qaeda and the possibility of imminent threats (Whipple, 2015). These forecasts came mainly from the CIA. One then recalls the Presidential Daily Brief of the CIA which was submitted to President Bush on August 6, 2001. It has always been the key

evidence that his administration dismissed the CIA's signals of a suspected Al Qaeda attack. Meanwhile, the CIA had insisted on the urgency of the situation months earlier since spring of 2001 (Whipple, 2015).

As Draper noted, "to a significant degree, Bush's relative disinterest in Islamic extremism reflected the priorities of his foreign policy team" (Draper, 2020, p.32). Indeed, the priorities and worries of Cheney, Rice, and Powell were all shaped during the Cold War period. The primary issue for them was America's defense against nuclear weapons (*ibid.*). The deadly attacks of September 11 radically changed the administration's perspective and, above all, plunged the country into a profound phase of chaos and disarray. America was facing an "enemy bearing neither flag nor uniform" (Draper, 2020, p. 40). The decision to overthrow Saddam Hussein is today still the subject of numerous interrogations. It remains somewhat hard to comprehend given that the Bush administration turned attention straight to an unstable country that "[...] had nothing to do with the attacks on the World Trade Center and the Pentagon and was already effectively contained" (Mearsheimer & Walt as cited in Record, 2008, p. 64).

2.2 NEOCONSERVATIVE INFLUENCE ON BUSH'S FOREIGN POLICY

One then wonders why President Bush ordered the invasion of Iraq¹⁹. What made him take an action that would upset not only the internal politics of his nation but also a politically destabilized country almost 10,000 km away? The discussion will be based on Jeffrey Record's²⁰ article. Apart from the threat perceived by the country vis-à-vis Iraq's potential nuclear activities, discussed in greater detail in the first chapter, Record has identified several other incentives behind the Bush administration's decision to engage in war. They all find justification in the neoconservative perspective as this was the approach that marked U.S. policies post-

¹⁹ Operation Iraqi Freedom began on March 20, 2003.

²⁰ Professor Emeritus at the U.S. Air Force's Air War College (Australian Army Research Centre (AARC), n.d.).

9/11 and thus heavily influenced the administration. Neoconservatives were first described as “[...] group of liberal intellectuals who had become more conservative, and anti-Soviet, in the 1970s” (Powaski, 2019, p.107). They rejected the idea of fostering peaceful coexistence with regimes they perceived as tyrannical and evil. Thus, the first and most crucial neoconservative element that reflected upon the president was the tendency to perceive world events through the "good versus evil" dichotomy. This element was discussed by Edward Rhodes in his study of Bush's vision of the foreign political realm. He argues that the faces of evil in the neoconservative view are the same in nature. Those that neocons have fought against (Nazi and communist ideologies for instance) are echoed in ‘new faces of evil’, i.e., terrorism and tyranny (Schaller, 2005).

“Thus, while the faces, names, and forms change, the underlying nature of evil and the appropriate reaction to it are constant: it is the denial of individual freedom, carried out by intimidation and terror, against which the Atlantic partners have fought and must continue to fight”

(Rhodes, 2004, p.135)

As Schaller recalls, evil is persistent and always evolving and the duty of the good is to counter it since it always moves progressively in the right direction. It is a vision that breaks away from realist and conservative thinking since in this case evil can and must be defeated. All means are then appropriate to assert the rightness of the action such as “[...] policy of regime change including outright military means, covert support for dissidents, economic sanctions and diplomatic isolation” (Schaller, 2005, p. 52). These methods clearly resonate with those used in Iraq since 1990. The UN Security Council (UNSC) imposed economic sanctions from 1990 to 2003 through Resolution 661²¹. It consisted of a thorough ban on imports and exports, except for medicines and certain essential commodities labeled as limited exemptions (Gordon, 2020). Although these sanctions were targeted at the regime and its exactions, they profoundly affected the population more specifically, but this point will be dealt with in-depth in the next chapter. Isolationism was the hallmark of Iraqi foreign policy

²¹ The Resolution reaffirming Resolution 660 of August 2, 1990 — condemning Iraq’s invasion of Kuwait and asking for an immediate withdrawal of Iraqi forces — was adopted on August 6, 1990.

during the “last years of Saddam’s rule” (Salem, 2013, p.5). After the fall of the regime, Iraq nonetheless showed a willingness to regain internal political sovereignty and open itself up to “regional and international relations and partnerships” (*ibid.*). Evidently, in the wake of the actions taken against terrorism and the tyranny of the Saddam government, America portrayed itself as a mediating nation with strong and fundamental principles that had to be respected by the international community, even if this meant using force and political destabilization of a country. Indeed, neoconservative ideology regards “[...] American leadership as necessary for the maintenance of a decent and hospitable international order” (Kristol & Kagan, as cited in Schaller, 2005, p. 53). White House neocons such as Dick Cheney and Paul Wolfowitz were influential in convincing President Bush, a foreign policy novice with scant training and expertise in the Middle East, to rely on the dichotomous logic of good and evil, and to view military intervention “[...] as the fundamental decider of relations among states” (Record, 2008, p. 65). According to Record (2008), neocons viewed the Iraq war as a means of asserting American power, rather than combating terrorism, due to the perceived seriousness of Saddam Hussein's history with the U.S. Through all the incentives of the White House in the pursuit of war, America had the possibility to make unambiguous its world goals and moral responsibilities and never relinquished them.

“Iraq was now the arena in which to demonstrate the crucial tenets of neo-conservative doctrine: military preemption, regime change, the merits of exporting democracy, and a vision of American power that is “fully engaged and never apologetic”

(Halper & Clarke, 2004 as cited in Record, 2008, p. 66)

Neocons of the Gulf era have also certainly left their imprint on the outlook towards Iraq. By deciding not to invade and occupy Iraq under the international coalition formed to fight Saddam and chase away his soldiers from Kuwait, President George H.W. Bush had certainly revived their criticisms and complaints (Pfiffner, 2005). The failure to remove Saddam Hussein was seen as a “profound mistake”. Consequently, they established *The Project for the New American Century* (PNAC) with its *Statement of Principles* issued in 1997. The think tank was established by William Kristol and Robert Kagan, two influential American neocons. Active until

2006, it had a considerable impact on the Bush Jr. administration with the primary aim of promoting American leadership globally (Bourgois, 2018). In their view, the U.S. had a crucial responsibility of ensuring international peace and security in an ever-changing world, especially in the post-Cold War era. The think tank expressed itself on January 16, 1998, in a letter to Bill Clinton in which it argued that “Saddam’s Iraq was a major threat to the United States and a destabilizing force in the Middle East” and also expressed the necessity of emphasizing Saddam's removal in the U.S. National Security Strategy (NSS) (Pfiffner, 2005). Donald Rumsfeld, Paul Wolfowitz²², and Richard Perle²³, all three protagonists and proponents of the war, were among the signatories of the letter. The second memorable letter to President George W. Bush in the day after the attacks was in line with a radical turnaround of perspective (Bourgois, 2021).

The president, hitherto oriented towards the internal politics of the nation and adopting a less assertive stance towards the rest of the world, had to rethink its entire strategy, and received external viewpoints in a completely different way. This letter encapsulates “all the main concerns of the ‘latest generation’ of neoconservatives” urging the President to do everything in his power to defeat the “War on Terror” (Bourgois, 2018, p.18).

2.3 CATEGORIZATION OF THREE STAGES OF THE WAR: DECISION, BATTLEFIELD, AND POST-WAR REFLECTIONS

Given the multiple rationales that could be advanced to justify going to war with Iraq, a certain lack of consensus is evident regarding its exact purpose. Richard Haas, Director of policy planning at the State Department from 2001 to 2003, underlines that it is hardly unexpected that 20 years after the war's launch, the opinions remain divided about its significance and the reasons that prompted it. Absolute

²² He served as U.S. Deputy Secretary of Defense from 2001 to 2005 and was president of the World Bank from 2005 to 2007 (Encyclopedia Britannica, 2007).

²³ He served as the Chairman of the Defense Policy Board Advisory Committee from 2001 to 2003 and resigned in late March 2003 due to conflict of interests (The Militarist Monitor, 2018).

consensus is a difficult stage to achieve in political matters but even more so in the case of war with unstable countries with which mutual dislike is at stake. Haas (2023) mentions three stages of the war: the political and domestic fight around the decision to wage war, actual happenings on the battlefield, and post-war reflections. In all stages, many dissensions were noticeable among officials, the population, and the military not to mention opposition coming from other nations such as Russia, China, Germany, and France. One can recall France's firm objection and the well-known speech given by Jacques Chirac's Minister of Foreign Affairs, Dominique de Villepin to the United Nations Security Council (UNSC), reaffirming France's unequivocal position:

“There is an alternative to war: disarming Iraq through inspections. Moreover, premature recourse to the military option would be fraught with consequences. The authority of our action today rests on the unity of the international community. Premature military intervention would threaten this unity, depriving it of its legitimacy and, in the long term, its effectiveness. Such an intervention could have incalculable consequences for the stability of this battered and fragile region. It would reinforce the sense of injustice, aggravate tensions and risk paving the way for other conflicts”

February 14, 2003

(Le Vent Se Lève (LVSL), 2022).

In the process of establishing war, senior U.S. military officers, top generals, and admirals expressed their reluctance to attack Iraq preemptively. As Pffiner (2005) reports, they “were not convinced that Iraq had any connection to the 9/11 terrorist attacks; they felt that containment had worked up until then; they thought a military invasion would be costly; and they thought that a likely U.S. victory would entail a lengthy occupation of Iraq” (p.3). At the congressional level, 23 senators and 133 representatives were among those that voted against the Iraq resolution — passed on October 11 — aimed to authorize the use of military force. Presidential candidates such as Ron Paul, Chriss Dodd, Mike Gravel and Barack Obama have also voiced their opposition in public speeches. One can also recall the reservations of members of the

Bush Sr. administration such as Brent Scowcroft²⁴ who wrote an opinion piece entitled *Don't Attack Saddam* in the Wall Street Journal in August 2002. He reasserted the lack of evidence linking Saddam to terrorist organizations and even less to the September 11th attacks and warned of the destructive impact of the anti-terrorist campaign if such an operation were to occur.

Even though many Republicans continued to support the war a few years after its launch and refuted critical assessments that highlighted the continuity and even worsening of the country's internal situation, many officials, several generals, and overall public opinion reacted negatively against the war witnessing the widespread devastation it had cost both the U.S. and the Iraqi people. The disapproval of Congress, and particularly of the Democrats in the House of Representatives, came to the fore when President Bush announced his plan to send an additional 20,000 troops to the front (Cornwell, 2007).

Obviously, numerous post-war debates arose about the necessity, legitimacy, costs, and benefits of the war. 20 years on, testimonies from politicians come forward as "U.S. Senate voted 66-30 on legislation to formally repeal the war authorizations that justified the 1991 Gulf War and the 2003 Iraq War" (Davis & Sprunt, 2023)²⁵. The media highlights "the sadness, regret and reflection" of many senators who realize the heaviness and shattering proportions of the decision made at the time of voting. For instance, Democratic Sen. Ed Markey who voted in favor stated that: the vote was "premised on the biggest lie ever told in American history" and that he "regrets relying upon Bush, his vice president, along with other administration officials (Jalonick, 2023). Republicans expressed their opinions less forthrightly, but they too shared their lack of clairvoyance. Republican Sen. Chuck Grassley affirmed that: "all of us that voted for it probably are slow to admit that the weapons of mass destruction did not exist" but he maintained that "there was reason to be fearful of Saddam and what he could have done if he did have the weapons" (Jalonick, 2023).

²⁴ He served as National Security Advisor from 1989 to 1993 under George H.W. Bush (Dunham, 2020).

²⁵ On March 29, 2023 " (Davis & Sprunt, 2023).

2.4 MOTIVES FOR THE IRAQ WAR

Apart from the desire to prevent proliferation or even nuclear attack, other war motives pursued by the administration are highlighted by Record (2008).

First comes the exploitation of Iraq's weakness. Indeed, in comparison with Iran and North Korea, which were part of the rogue states labeled by President Bush, Iraq was weaker. It would have been considerably harder to defeat the first two given their stronger military capabilities and other high-risk means of offense and defense. Iran harbored various regional terrorist settlements and was in a powerful position to interfere with oil shipments from the Persian Gulf (p.72). North Korea was suspected to already possess nuclear weapons that could have caused serious casualties around the demilitarized zone where the bulk of its massive artillery was concentrated. In Record's words, "[...] Iraq was helpless, whereas Iran and North Korea were not". In weighing up the costs and benefits, the administration had considered the overthrow of Saddam to be an easy military task, but outcomes were significantly miscalculated. The overthrow of Saddam was the main priority, but no serious consideration was given to the aftermath and potential stable political structures capable of replacing him. On the contrary, it carelessly assumed that the collapse of the Baathist regime would pave the way for the establishment of a democratic authority and limited its analysis to previous experiences in fundamentally distinct countries that had opted for a more democratic political orientation, such as post-occupation Japan (p.72). Record notes also that the U.S. government believed in a sort of positive response from Iraqis who were about to be saved from tyranny and dictatorship. The government failed to foresee the possibility of such political resistance. Dick Cheney confidently asserted to skeptical members of the House of Representatives:

"They're going to welcome us. It will be like the American army going through the streets of Paris. They're sitting there ready to form a new government. The people will be so happy with their freedoms that we'll probably back ourselves out of there within a month or two."

Dick Cheney talking to Dick Armev (member of the Republican Party) in the summer of 2002

(Record, 2008, p.72).

The President too adopted a very optimistic stance towards Iraq, which he considered to be of "infinitesimal" complexity in terms of restoration compared to Afghanistan (p.73). One wonders how a country that had already experienced war disasters overseas could have shown such levity and confidence vis-à-vis Iraq. Such a level of political change in a country required time, means, and considerable sacrifices that had not been smartly evaluated. Eventually, the administration quite fascinated and overly confident with U.S. military prowess and the heroic figure associated with it, had "inflated the importance of military solutions to what at bottom are political problems" (*ibid.*). In the end, the consequences of the operation were felt very quickly. Benchick (2004) reports that in the first few weeks after the occupation, "popular demonstrations, particularly by Shiites, who protested against the inability of the occupying forces to secure neighborhoods, public buildings, and museums" (p.309).

A second impetus for going to war was "completing the unfinished business of 1991" (Record, 2008, p.73). The rationale stemmed mainly from neocons negative arguments about the first Gulf War where American foreign policy found itself weaker than expected when confronted with a Saddam that preserved his position in the regime and had the effrontery to implicate himself in the plot to eliminate former President George H.W. Bush during his visit to Kuwait²⁶ (Record, 2008, p. 74). It's not a line of reasoning that immediately surfaced in the justification for resorting to war, but a closer look reveals the hostility that existed between the Bush family and Hussein. Indeed, many scholars stressed the fact that the conflict was based on "a family affair". Christian Alfonsi, for instance, argued:

"This fixation on Saddam ran through the Bush dynasty like a malignant strain of DNA, a pathogen always a threat to appear under the right conditions of crisis . . . Once this pathogen had been released into the American body politic [following the 9/11 attacks], the views of the neoconservatives about regime change in Iraq provided a foreign policy rationale for the war, and faulty intelligence about weapons of mass destruction provided a political rationale that resonated with the American people".

(Alfonsi, 2006, as cited in Record, 2008, p.75.)

²⁶ In April 1993, the United States received information regarding a terrorist plot to assassinate President Bush during his visit to Kuwait (Von Drehle & Smith, 1993).

Indeed, George W. Bush has been involved in relations with Saddam since his father's presidency, serving as one of his advisors, which certainly bolstered the determination to contain and defeat him. Subsequent events, from concerns about WMD to the involvement of the intelligence community and unsuccessful diplomatic processes, only reinforced an already entrenched animosity between the two families. President Bush had also on several occasions voiced his aversion towards Saddam. Already in 1998, he told a family friend: *"Dad made a mistake in not going into Iraq when he had an approval rating in the nineties. If I'm ever in that situation, I'll use it—I'll spend my political capital"* (Powaski, 2017, p.240). His resentment was also already visible during his 2000 election campaign where he told Public Broadcasting Service reporter Jim Lehrer: *"I'm just as frustrated as many Americans are that Saddam still lives. I will tell you this: If we catch him developing weapons of mass destruction in any way, shape, or form, I'll deal with him in a way he won't like"* (Record, 2008, p.74). Even though the management of politics presented more realistic characteristics before September 11 and despite Bush's affirmation that the president should be a "clear-eyed realist" which implied a less arrogant posture towards other nations and a focus on security and order, his hatred towards Saddam was nonetheless entrenched well before the events that radically altered U.S. foreign policy.

Nevertheless, the President's discourses, as previously illustrated, revealed several inconsistencies that manifested again well after the end of the war. In an interview for Face the Nation, a political TV show in 2014, Bush insisted on journalist Bob Schieffer's affirmation that he didn't invade Iraq to finish what his dad started. He defended himself by saying that he intervened in Iraq because of a change in the environment due to 9/11, and by pointing to the possible possession of WMD and Iraq's ability to deliver them to terrorists, which would have made the 9/11 attacks "look pale in comparison" (CBS News, 2014). He also claimed that what his dad did was right along with the decisions he took later, which is somewhat contradictory to the more private statements he made previously asserting that his father had made a mistake in not pursuing his action to its fullest extent.

In short, the portrait of the President is rather a tough one to capture but it is certain that its neoconservative influence helped him gain confidence in pursuing real actions. Although he was considered relatively unadventurous at the beginning of his

term, he benefited from the strong support of an administration that reignited his convictions, determination, and overall self-confidence.

2.5 FURTHER NEOCONSERVATIVE DISSATISFACTION, EMBRACE OF PREVENTIVE MILITARY ACTION AND SPREAD OF DEMOCRACY

Reflecting on the idea of a military-powerful America that neocons strongly advocated for, Record highlighted their discontent with reduced military spending after the Cold War and discouragement of America's will to use force decisively. For them, these outcomes have led the US [...] into strategic confusion at a time when it should have been using its global hegemony to overthrow tyrannies around the world” (Record, 2008, p. 76). They were particularly reluctant towards the Weinberger-Powell doctrine that emerged in response to the difficulties and trauma faced by the U.S. military during the Vietnam War. General Colin Powell based his rationale concerning US military involvement on the insights of former Secretary of Defense and Powell's superior, General Caspar Weinberger in the early 1990s (Preble, 2021).

The doctrine was echoed in the administration of President George H. W. Bush and intended to provide firm guidelines regarding when and in what circumstances the United States would resort to military action. The Weinberger Doctrine symbolized a prominent trend in American military culture. It revealed a “wariness about incompetent civilian leaders too carelessly employing America’s sword for dubious causes in protracted or ambiguous contingencies” (Hoffman, 2014). General Powell, drawing on his superior's reflections, articulated “considerations that he believed senior leaders needed to define and satisfy prior to employing military force” (*ibid.*). Both doctrines advocated for strict limitations on the use of force. As Record highlights “it should be avoided in situations where political restrictions threaten to impede its effective use, where a clear and quick military win is not attainable, and where public and congressional opinion is indifferent or hostile to the purpose for

which force is being employed” (Record, 2007, p.83)²⁷. According to neocons, the doctrine was “a recipe for inaction — or worse, appeasement” (Record, 2008, p. 76). The termination of the Gulf War was heavily criticized for leaving Saddam Hussein in power. For them, the survival of Saddam indicated their defeat. As staunch supporters of American exceptionalism and the universal relevance of American values, they had to confront and bring Iraq back into the right path. The US military had to prove its credibility to both adversaries and allies and that the United States had no fear of acting unilaterally “even in defiance of world opinion” (*ibid.*, p.77).

In the same asserting dimension, the U.S. utilized war as a way of asserting the principle of preventive military action. Indeed, it was essential to prove its capacity to initiate an attack first. The Bush presidency has reconsidered the traditional means used during the Cold War, such as deterrence and containment which were no longer seen as useful or effective. In the government’s way of thinking, the United States should launch an attack on Iraq before Saddam's acquisition of nuclear weapons could disrupt the military equilibrium as the war was inevitable (Record, 2008, p. 79). The principle of preventive war was embodied in the 2002 and 2006 National Security Strategy which will be discussed further on.

However, it was rather described as “preemptive” as in other U.S policy declarations. Indeed, both editions of the NSS state that the United States will engage in preemptive action to exercise its fundamental right of self-defense (Korb & Wadhams, 2006). Preemptive attack is considered as a “[...] the use of military force in advance of a first use of force by the enemy” (Arend, 2003, p.89). It is considered as a legitimate mode of action as it implies an imminent attack from the adversary. It is on the basis of Article 51 of the UN Charter that the United States justified its preemptive action in 2003 which will be discussed more thoroughly in Chapter 3. Preventive attack, on the contrary, is taken in anticipation of a potential future threat and it is thus generally considered as illegal under international law.

Record also emphasized the U.S. determination to spread democracy in the Middle East. He considered it to be the most “ambitious and arguably the most naïve

²⁷ Despite Powell’s reservations and doubts about some aspects of war planning and intelligence, he “made the most famous public argument in favor of the war in a memorable briefing at the U.N. Security Council” which turned out to be based on “dodgy intelligence” (Feaver, n.d. as cited in Bowman, 2021).

war aim” of them all (*ibid.*, p.80). This reasoning once again embodies the neoconservative perspective of a messianic mission of freedom to be done in this part of the region following the September 11 tragedies. It was advocated by established neocons such as Wolfowitz or Perle. The President and Condoleezza Rice embraced it mostly after the turn of events, abandoning their realist philosophy. Neocons believed that overthrowing Saddam Hussein's regime and implementing a democratic government in Iraq would help restore regional stability and promote American interests in the region. The reforms undertaken in Iraq could have served as a model for other countries in the region. But above all, a democratic Iraq would appeal to extremist ideologies and thus enhance U.S. national security since it felt particularly threatened. This point will be developed in greater detail in the next chapter covering the administration's and the President's use of just war theory as the main rationale for their operations in Iraq. Neoconservative ideology posited that Islamist terrorism was a result of autocratic governance and economic depression in the Arab world. The process of democratization was thus seen as the greatest solution for these defects and especially against terrorism (Record, 2008, p.81).

Many points concern national security and politics in the most traditional sense. Yet the economic appeals behind the government's goals, and especially those of the neocons, must not be overlooked. Indeed, they “hoped to transform Iraq in both democracy and surrogate for US security interests in the Persian Gulf” (*ibid.*). Until 1979, at the time of the Iranian revolution, Iran and Saudi Arabia guaranteed the oil interests in the Persian Gulf. The Shah of Iran's downfall shifted the focus to Saudi Arabia, which was economically prosperous due to oil but lacked military strength. However, despite being an interesting oil supply provider, especially during Bush Sr.'s presidency, neocons opted to concentrate on Iraq and its democratization to gradually withdraw from a strategic partnering relationship with Saudi Arabia considered as “[...] a major ideological, financial, and recruiting source for terrorism (most of the 9/11 hijackers were Saudi nationals)” (*ibid.*, p.82).

2.6 NAVIGATING IDEALS AND REALITIES: NEOCONSERVATISM AND REALISM IN THE BUSH ERA

As illustrated above, Bush's foreign policy has been marked by change. Before he was even elected, Bush Jr. gave “[...] the impression that his foreign policy would be modeled after his father’s” (Powaski, 2019, p.108). However, Bush's choice of presidential team and the way he handled politics on that foundation, revealed his intention to approach matters in a different direction. Indeed, he surrounded himself with individuals displaying strong intentions and convictions that really didn't align with his father’s “[...] cautious approach to world affairs” (*ibid.*, p. 106). Arguably, it was a complicated tangle that defined his presidency. On the one hand, especially at the beginning of his term, the president was portrayed as somewhat unconfident, lacking in-depth knowledge of international politics, and as committed to upholding the national interests of the United States. On the other hand, his acceptance of external influence, pressure and ideologies have radically reshaped his initial image and political orientation. The focus here will be on the differences and similarities between neoconservatism and realism and how they manifested within the administration. Those two doctrines were particularly opposed regarding the entry into war.

Despite Bush Jr. readiness to pursue a differing political path, his policies reflected core realist principles before 9/11. They were characterized by Powell’s action plans aimed at increasing international sanctions against Saddam Hussein’s regime. The Bush administration first adopted a “form of defensive realism” (Yordán, 2006, p.140). The objective was the preservation of the status quo to ensure the protection of national interests while anticipating the “[...] emergence of potential challengers” (*ibid.*). It asserted the threat posed by the Iraqi regime due to its history of aggression and alleged pursuit of WMD. That meant considerable efforts regarding military modernization and defense capabilities. In the early months of his first term in office, the administration campaigned for the implementation of a national missile defense system (*ibid.*). The administration also acknowledged the necessity of maintaining a favorable balance of power in order to protect American interests. This was noticeable in the efforts to address perceived challenges posed by competing nations or the importance given to forming alliances and partnerships to enhance their strategic standing. They also recognized the necessity of international institutions and

diplomacy as methods of conflict management. It was clear that the administration's political direction shifted from the era of strategic restraint but was not “bent on expanding its position of power and influence. Nor were Americans calling for a new foreign policy strategy” (*ibid.*).

Realists within the administration, such as Brent Scowcroft²⁸ or Lawrence Wilkerson²⁹ expressed the most reservations about waging war along with realist scholars who were convinced that “[...] war with Iraq was not in America’s national interest” (Schmidt & Williams, 2008, p.192). 33 academic security experts even went all out in a paid advertisement published in the New York Times in September 2002 where they expressed why the war was not beneficial in any way and did not meet the criteria required for entering the war. They nonetheless logically recognized Iraq's tyranny and defiance of UN resolutions (Walt, 2015).

As often recounted, the terrorist attacks upended the entire country and its political strategy. Dick Cheney asserted that:

“9/11 changed everything. It changed the way we think about threats to the United States. It changed about our recognition of our vulnerabilities. It changed in terms of the kind of National Security Strategy we need to pursue, in terms of guaranteeing the safety and security of the American people”.

Transcript of Dick Cheney’s interview on September 14, 2003 (NBC News, 2003).

Two significant changes occurred following the bombings. First, there was a two-phase reaction from countries that were observing and responding to U.S. actions — whether from the members of the Security Council (SC), Asian or Latin American countries — which were initially confident that the unilateral American posture would lead to the adoption of a multilateralist outlook. Although the president accepted international support, he nonetheless “was reluctant to open discussions with its allies on how it would fight this war” (*ibid.*, p. 141). It quickly became clear that the

²⁸ He served as Chairman of President George W. Bush’s Foreign Intelligence Advisory Board from 2001 to 2005 (Dunham, 2020).

²⁹ He served as Chief of Staff to Secretary of State, Colin Powell “from August 2002 until Powell left office in 2005” (National Security Archive/Washington Media Associates, n.d.)

President, backed by the influence of both his nationalist and neoconservative political circles, was determined to set the tone on how the handling of policies regarding tyrannical regimes should be conducted. Both political viewpoints believed that allies' imposition of war terms was unnecessary given their limited contribution to it (Mann, 2004, as cited in Yordán, 2006, p. 141). The right way of proceeding was the American one, regardless of the allies' assistance. Aid and guidance were therefore superficial, reflecting the neoconservatives' skepticism of international institutions and a tendency to favor U.S. sovereignty and unilateral action. As mentioned previously, neocons rather advocated for the promotion of American values such as democracy and respect for human rights around the globe as an alternative to dealing with oppressing regimes (*ibid.*). Indeed, for them, American supremacy and leadership are “[...] a prerequisite for an orderly and peaceful world” (Schmidt & Williams, 2008, p.195). Two influential neocons and founders of PNAC, William Kristol³⁰ and Robert Kagan³¹ argued that “American hegemony is the only reliable defense against a breakdown of peace and international order” (*ibid.*). In their advocacy of American hegemony, neoconservatives express their theoretical antipathy to traditional balance-of-power politics. According to John Mearsheimer³², part of the realist school of thought, neocons claim that international politics is driven by a logic of bandwagoning. The rationale is that less powerful states will tend to align with stronger ones. They were thus convinced that Iraq would “join the U.S. bandwagon” (Saidin, 2022).

Overall, neocons in the administration “[...] were important in marginalizing the argument of both realists and other critics for the decision to go to war in 2003” (*ibid.*, p.193).

Despite their contrasting views, the realists and neoconservatives agreed on the potential threat that Iraq posed to U.S. interests as well as regional stability in the Middle East. Indeed, they acknowledged the importance of the Middle East and its

³⁰ He served as Chief of Staff to the Vice-President Dan Quayle in the George H.W. Bush administration from 1989 to 1993. He is “the co-author, with Lawrence Kaplan, of the best-selling 2003 book, *The War Over Iraq*” where he provided support for the 2003 invasion (The New York Times, n.d.).

³¹ He “was a foreign policy adviser to several U.S. Republican presidential candidates” via the Foreign Affairs Policy Board in the 1980s (Ingmire, 2015). He is a prominent analyst and author.

³² He is an “prominent American scholar of international relations best known for his theory of offensive realism” (Munro, 2014). He was part of the 33 academic security experts that attested that “war with Iraq is not in America’s national interest” (Walt, 2015). He is thus known for his critique of the Iraq war that he described as “unnecessary” (Mearsheimer & Walt, 2015).

influence on global security. They were also both concerned about the potential possession of WMD, even though the perceived threat level varied.

Overall, the President and his political team embraced three types of outlooks. A commitment to national interests, power politics, and balance of power as well as the affirmation of American dominance while engaging with other major powers. All this is echoing realist tenets. Then the turn of events gave way to the neoconservative orientation in the pursuit of an interventionist foreign policy approach geared to the propagation of essential American values of democracy and freedom. This somewhat resonates with an idealist way of thinking that was especially obvious for Wolfowitz³³ and President Bush which may explain their affinity (Keller, 2002 as cited in Mazarr, 2003, p.506). The two shared a dedication to expanding democracy as a strategy for maintaining global stability and security. They idealistically believed that regime change and intervention in Iraq could serve as catalysts for democratic change in the Middle East. It was also a chance to liberate an oppressed population from a dictator and build a democratic government that respected, safeguarded, and upheld human rights. Idealists were therefore very optimistic about their power to generate positive shifts and international growth.

2.7 NATIONAL SECURITY STRATEGIES

The NSS “could be seen as the application of the means to achieve a political objective [...] and “[...] must comprise the carefully coordinated and fully integrated use of all political, economic, military, cultural, social, moral, spiritual and psychological power available” (Necas et al., 2011, p.64-65). The NSS of 2002 and 2006 particularly embody the neoconservative political philosophy from which the *Bush Doctrine* stemmed. It represented the abandonment of “[...] a tradition of moderation and self-restraint; defensive strategies designed to preserve the status quo have been replaced with a more aggressive strategy” (Yordán, 2006, p.125). The

³³ He served as U.S. Deputy Secretary of Defense from 2001 to 2005 and was president of the World Bank from 2005 to 2007 (Encyclopedia Britannica, 2007).

appellation *Bush Doctrine* first came in response to the unilateral U.S. disengagement from the Anti-Ballistic Missile Treaty (ABM) and Kyoto Protocol in June 2001, along with other important agreements endorsed by Europeans such as the Comprehensive Test Ban Treaty or the International War Crimes Court (Powaski, 2019, p.137). It indicated a clear willingness to prioritize international sovereignty and American interests in both the security and economic realms. The administration aimed to pursue its own policies and interests without the constraints imposed by international accords. Neocons were particularly critical of the previous multilateral strategy used by President Clinton. They favored unilateralism in foreign policy, stressing American leadership, hegemony, and autonomy. This connects with their devotion to a grand strategy of primacy that was already apparent in 1992 when a confidential Defense Planning Guidance paper went public in the press revealing “[...] a U.S. grand strategy of primacy that aimed to prevent the emergence of a new rival” (Schmidt & Williams, 2008, p. 195). The main author of the paper was Paul Wolfowitz. Above all, the *Bush Doctrine* asserts that the U.S. is “[...] the sole superpower in the world and seeks to preserve its hegemonic position for the indefinite future” (*ibid.*).

The 2002 version was released on September 17, 2002. Since it was “published in wake of the attacks of September 11, it was seen as the defining document of the War on Terrorism” (Flint & Falah, 2004, p.1389). The 2006 version was released on March 16, 2006 (Henderson, 2007, p.1). They share certain similarities since both placed much emphasis on the capacity to launch preemptive strikes, emphasizing the crucial necessity of proactive measures in addressing emerging threats (Necas et al., 2011, p.67). Both also “[...] declare the US readiness to spread democracy which is perceived as a tool to all global challenges, by all available means” (*ibid.*). It aligns with the neoconservative faith in democracy to achieve transformational changes. The two versions have also put forward the fight against the War on Terror through both direct military involvement and partnerships with allies “[...] to disturb terrorist networks around the globe” (*ibid.*). They also placed emphasis on the prevention of the rise of a peer military competitor to the U.S.” (*ibid.*). This was done by increasing military spending and modernization projects to ensure the maintenance of military dominance over current and future centers of power.

However, the identification of rogue states differed from one document to another. During President Bush's State of the Union speech in January 2002, he defined a group referred to as the 'axis of evil', which included Iraq, Iran, and North Korea. The 2002 National Security Strategy (NSS) consequently shifted its attention towards those specific nations (Henderson, 2007, p.5). In the 2006 National Security Strategy (NSS), the focus shifted from the perceived threat posed by Iraq to a broader concern encompassing a group of seven countries referred to as the 'heptagon of hate'. It included North Korea, Iran, Syria, Cuba, Belarus, Burma, and Zimbabwe “although only North Korea, Iran, and Syria receive any real attention (*ibid.*).

The 2006 version, although maintaining “the core strategic planning of 2002 NSS” and a similar structure, included one important new chapter titled “Engage the Opportunities and Confront the Challenges of Globalization” which encompasses larger global issues: healthcare challenges, illicit trade, or environmental catastrophes (Dilday, 2012, p.106).

2.8 NAVIGATING POLITICAL DIFFICULTIES

The shortcomings of neoconservatism rapidly surfaced a few years after the start of the war through various events. First, the Iraq Study Group (ISG), known as the Baker-Hamilton Commission was established on March 15, 2006, by the U.S. Institute of Peace. It was a bipartisan panel appointed to evaluate the current situation in Iraq and propose policy suggestions. Co-chairs were James A. Baker, former secretary of state under the Bush Sr. administration as well as Lee H. Hamilton, former congressman³⁴ (United States Institute of Peace, n.d.). Baker was commonly regarded as having realist perspectives regarding foreign policy and Hamilton was aligned with a pragmatic idealist approach (Library of Congress, 2007). The group released its final report on December 6, 2006, and provided a thorough evaluation of the difficulties faced in Iraq and proposed bipartisan suggestions to direct U.S. policy. Although the group acted in this setting to guarantee an objective representation of perspectives,

³⁴ Baker was a Republican and Hamilton was a Democrat (Shenon, 2006). The ISG had a total of ten members.

“[...] the report reflects the foreign policy establishment's disdain for the "neoconservative" policies long espoused by President Bush and his aides (Kessler & Ricks, 2006). The rapport provided alternatives to the failed policies of neoconservatism and emphasized the necessity for a change in tactics. It emphasized that there was no military solution to this conflict focusing more on diplomacy, political engagement and dialogue which contradicted the more interventionist and assertive methods of neoconservatism. Indeed, for the experts, using military means only could not provide the intended results and the administration needed a more elaborate international strategy (Baker et al., 2006, p. 55). It also promoted a transfer of responsibility to Iraqi security forces and preconized that the U.S. “[...] must not make an open-ended commitment to keep large numbers of American troops deployed in Iraq” (*ibid.*, p.16). Once again, it opposed neoconservative conviction in military intervention and nation-building portraying a need for pragmatic and measured initiative.

Mid-term elections of November 7, 2006, also greatly impacted the neoconservative influence as Republicans faced “heavy losses” (Young, 2006). The Democratic Party regained control of the House and Senate, displaying widespread disapproval of the neoconservative agenda over the management of the war. There were an abundance of calls for reform. Donald Rumsfeld³⁵'s resignation came only one day after the mid-term elections, although he left in mid-December. Military officials and politicians, particularly Democrats, demanded the resignation of the promoter and strategist of the war (*ibid.*). There was a general dissatisfaction over the decision-making process regarding the war, which was portrayed as unrealistic and insufficiently informed about local issues. This need for a shift in policy within the U.S. government greatly undermined the neoconservative and Bush doctrines.

Nevertheless, realism did not manage to fully reconquer general opinion due to the deep neoconservative imprint on U.S. foreign policy and overall “[...] American politics and political culture” (Schmidt & Williams, 2008, p. 220). Neoconservative intellectuals had successfully developed robust networks that persistently influenced public debate and policy making. The portrayal of a confident belief in American

³⁵ Secretary of Defense from 2001 to 2006.

exceptionalism and the need of actively participating in the transformation of the Middle East continued to find support among many despite overall shortcomings.

To win the debate over Iraq, realists should have broadened their comprehension of social and political complexities, “[...] a move that stands in opposition to major trends in realist thinking in recent decades” (*ibid.*)

CHAPTER 3.

IMPACT AND LEGACY OF THE IRAQ WAR: AN HUMANITARIAN PERSPECTIVE

There have been extensive debates and various interpretations regarding the motivations behind this military intervention. Realism and neoconservatism were often put forward as one of the main influences on American foreign policy at the time, but from an academic stance they revealed their inadequacies in the understanding and tackling of war. This chapter aims to contrast those two reasonings by analyzing the repercussions of the Iraq war and evaluating another administration's rationale for the conflict, drawing on the principles of just war theory. Examining the social, economic, and political consequences of American interventionist policy in Iraq, it became clear in the academic arena that the theoretical approach of realism and neoconservative political philosophy could not suffice to adequately reflect the complexity of this military operation and its humanitarian, infrastructural and political repercussions, not only in Iraq but throughout the entire Middle East region. The purpose of this chapter is to demonstrate that the underlying motivations for this operation were far more nuanced than what purely classical international relations outlooks would indicate. By considering the ramifications of the war and the just war theory argumentation, an expanded understanding of the factors that shaped U.S. foreign policy in this troubled region can be established.

The chapter will tackle the research question that underlies this thesis, namely:

How has just war principles have been used as instruments of American imperialism and dominance in the Iraq war led by President G.W. Bush?

The hypothesis supported by this thesis is that the invasion of Iraq is rooted in a deep-seated quest of Western domination in the Middle East.

3.1 FOSTERING REFORMS IN THE MIDDLE EAST AND BEYOND

3.1.1 THE MIDDLE EAST PARTNERSHIP INITIATIVE

Secretary of State Colin Powell announced the establishment of the Middle East Partnership Initiative (MEPI) in his remarks delivered at the Heritage Foundation³⁶ on December 12, 2002. Elizabeth Cheney, the daughter of the Vice-President, being the deputy assistant secretary of state for Near Eastern Affairs, was entrusted with the mission of democracy promotion through the initiative (Baker, 2013, p. 363). It intended to pursue an approach of soft political improvements as methods to eradicate terrorism in the “area stretching from Morocco to Pakistan” (Salime, 2010, p. 726). It included increasing citizen entrepreneurship, empowering women, and developing the power of civil society (*ibid.*). MEPI officials collaborated with Arab governments to allocate funds towards campaigns aimed at improving Arab civil society by encouraging small-scale entrepreneurship, expanding political participation, and promoting women’s rights. Overall, the objectives were political, economic, and educational. It was operated by the Department of State in Washington and administered by regional offices in Tunis and Qatar (*ibid.*). Following 9/11 attacks, the administration was forward-looking and sought to prioritize strategic actions to cope with anti-American sentiment in the Middle East in addition to this eagerness in restoring socio-economic and political order in the region, which was seen as an ultimate priority to prevent the spread of extremism (Sharp, 2005, p.2). Evidently, this first initiative was subject to debate over its actual effectiveness. Sharp highlights that the MEPI was seen as having “[...] a positive impact on the region by promoting democracy and economic development” (p.3).

However, critiques emerged contradicting the fact that such investment could have any impact on prosperous political change and the reversal of the negative perception vis-à-vis America. Amy Hawthorne, a Middle East specialist and editor for the Carnegie Endowment for International Peace, argued that ‘small technical

³⁶ The Heritage Foundation is an influential conservative think tank that had a certain level of proximity with the administration Bush Jr. and that supported both the war in Afghanistan and Iraq (Heritage Foundation Contributions | Monitoring Influence, n.d.)

assistance projects' such as the latter is unlikely to significantly impact the gradual opening of closed economies. She also expressed concerns about the ability of MEPI to cope with public opposition to American policies in the region reflecting a general resentment of Arab countries vis-à-vis foreign interference in domestic affairs (Hawthorne, 2008). Skeptics emphasized the possibility of perceiving interference as a way of imposing U.S. imperialism or western values of democracy in inherently distinctive countries. Critics also assert that U.S. foreign policy in the Middle East presents a fundamental contradiction. Despite urging for openness, liberty, liberalization in the region, the U.S. forms alliances with autocratic regimes that possess comparable strategic objectives (Sharp, 2005, p.3).

MEPI is still active in “focusing on promoting stability and prosperity in the region” through “effective partnerships between citizens, civil society, the private sector, and governments in the Middle East and North Africa (MENA) region” (The U.S. Middle East Partnership Initiative, n.d.). However, its relevance and weight decreased throughout the following administrations. Hassan (2018) pointed out that the initiative under President Obama weakened in terms of structure and expertise, while receiving a much smaller annual budget. When President Trump took office, it lacked clear definition and Congressional support at a time when democracy promotion in the MENA was removed from the executive’s agenda (p.249).

3.1.2 THE FREEDOM AGENDA AND GREATER MIDDLE EAST INITIATIVE

On November 6, 2003, President Bush declared on the 20th Anniversary of the National Endowment for Democracy³⁷:

“[...] Iraqi democracy will succeed, and that success will send forth the news, from Damascus to Tehran, that freedom can be the future of every nation. The establishment of a free Iraq at the heart of the Middle East will be a watershed event in the global democratic revolution”.

The American Presidency Project, n.d.

³⁷ The National Endowment for Democracy is an independent, non-profit foundation established in 1983 under Ronald Reagan's administration committed to promoting and enhancing democratic institutions globally.

The profound belief in a path towards democracy in the Middle East was part of the Freedom Agenda described as a broader foreign policy approach geared towards the advance of liberty around the world against tyrants and other villainous forces that thwart the noble and inherent values of the American nation (Thiessen, 2009, p. 11). The President's firm conviction that freedom may exist in the Middle East was unveiled through the Forward Strategy for Freedom which placed more intentional attention on the MENA region. The strategy was built on a very explicit assumption. Bush Jr. stated that:

“The desire for freedom is universal, written by the Almighty into the hearts of every man, woman, and child on this Earth.... We know that when free societies take root in that part of the world, they will yield the peace we all desire.... And by bringing freedom to these societies, we replace hatred with hope, and this will help us to marginalize the extremists, and eliminate the conditions that feed radicalism, and make the American people more secure”

Remarks to the Heritage Foundation, November 2007 (as cited in Thiessen, 2009, p.11).

As an indication, the Freedom Agenda “[...] was used 47 times in the National Security Strategy (NSS) of 2002 and 80 times in the NSS of 2006” which illustrates its particular significance in this administration. To confront threats to global security and enhance American interests, those strategies established a foreign policy agenda intended to strengthen democracy and freedom. Because, according to the President, the security of the American nation was linked to “the advance of liberty in other nations” (The White House Archives, 2006). Indeed, it was deeply rooted in the conviction that sustaining freedom and democratic principles in the region would contribute to the fight against terrorism, increase security for Americans, and spread those values universally across the Middle East region but also to a broader geographic scope.

In his remarks of the National Endowment for Democracy, President Bush highlighted efforts already accomplished in several parts of the world, ranging from Africa (Morocco, Liberia, Sudan, Zimbabwe) to Asia and Central Asia (China, North Korea, Kazakhstan or Georgia) as well as to the Western Hemisphere (Cuba, Haiti or

Venezuela). In all those countries, the U.S. sought to encourage democratization, respect for human rights as well as fair and sustainable political systems. If these objectives were not met, imposed and targeted sanctions were also among the means used to enforce American policies, resting on “core values that uphold human rights” (The White House archives, 2003). In April 2004, roughly one year after the start of the war in Iraq, the President introduced the Greater Middle East Initiative (GMEI) presented as a set of proposals at the Group of Eight (G8) Summit of industrial countries that took place in June 2004³⁸. Earlier on, during his visit to Bahrain, Colin Powell indicated that “[...] the United States and its Western allies were considering a grand initiative to promote democratic change in the Middle East” (Baroudi, 2007, p. 396). The initiative sought to foster a dialogue among Middle Eastern countries on political, social, and economic changes. It also promoted governmental reforms aimed at enhancing political participation, ensuring the rule of law, safeguarding civil rights, and fostering economic liberalization. It encompassed the “[...] Arab states, Israel, Turkey, Iran, Afghanistan and Pakistan) (Baroudi, 2007, p. 396). The GMEI was considered as “[...] the most ambitious U.S. democracy effort since the end of the Cold war” (Wright, 2004, as cited in Stewart, 2005, p. 401). At the same time, the Bush administration introduced the Broader Middle East and North Africa (BMENA) initiative adopted by the G8 that supposedly represented a milestone in diplomacy for the United States (Ottaway, 2008).

The strategies deployed by the administration in this drive to transform failing countries provided additional reasoning that the war in Iraq was seen as ‘political engineering’ meaning “a tool to reshape a country and the entire region of the Greater Middle East and secure the long-term geopolitically imagined political/national interests of the United States” (Güney & Gökcan, p. 30). Once again, these maneuvers revealed an idealistic or even utopian vision of transforming social structures and norms toward Western standards. More importantly, it gave the U.S. an opportunity to respond to the negative criticisms vis-à-vis the ‘unlawful’ and ‘illegitimate’ war declared on Iraq. In this perspective, the GMEI and other initiatives presented as missionary claims served as justification that the war was “[...] a necessary and just

³⁸ The group was composed of Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States.

war, the pursuit of which was the prime responsibility of civilized nations and common humanity” (*ibid.*). The same authors further argue that the war on Iraq was rationalized as part of the new geopolitical strategy of the war on terror, which also aimed “to justify extra-territorial military interventions” (*ibid.*)

3.2. DEMOCRATIZATION: PROMISING BEGINNINGS AND DISAPPOINTING OUTCOMES

At the outset, these democratization and restructuring plans seemed to promise great improvements and were viewed quite positively. During the 2004 Arab League summit held in Tunis, Arab heads of state made commitments to promote “[...] humanitarian principles and the noble values of human rights in their comprehensive and interdependent dimensions [...]” as well as implement reforms and modernization in their countries through democratic methods, i.e., participation in political and public life, elevating political and public participation, encompassing all sectors of civil society and giving women a chance to flourish in “[...] political, economic, social, cultural and educational fields” (Office of the United Nations High Commissioner for Human Rights, n.d.). In October 2005, Iraq conducted multiple popular elections and a referendum in alignment with a renewed constitution. In the same vein, Palestinians organized elections early 2006 that were viewed as legitimate and transparent and Egyptians, under Washington’s influence, held “[...] the first contested parliamentary elections in more than a decade” in 2005 (*ibid.*). Brook and Journo delve more into those three elections and their outcomes. They represented the high hopes and expectations of an administration whose interventionist policy in Iraq had already been the target of widespread criticism. Yet, reality proved disappointing despite the elections being perceived as a significant achievement for the U.S.

On January 30, 2005, Iraqis participated in the first elections following the invasion. It was marked by low Sunni participation which tainted the results. (United States Institute of Peace, n.d.). The newly elected government did not seem particularly receptive and open-minded. It was ruled by the Islamic Da’wah Party and the Supreme Council for Islamic Revolution in Iraq (SCIRI), two Shia groups. The alliance had “[...] intimate ties with the first nation to undergo an Islamic revolution, Iran” (Brook & Journo, 2007, p. 54). They both had bases of operations in Iran and

the chairman of SCIRI displayed endorsement of Lebanese Hezbollah (*ibid.*) The authors underline the bad turn of events, which did not coincide with the Western aspiration of a democratic era in the Middle East. Instead of relying on pro-Western politicians, Iraq found itself giving enormous prominence to “[...] a vicious Islamic warlord, Moktada al-Sadr” (p.55). His conservative heritage came from both his father, Mohammad Sadeq al-Sadr and father-in-law, Ayatollah Muhammad Baqir al-Sadr who founded the Da’wah party (Bahry, 2023). These two prominent Shia clerics were assassinated by the regime respectively in 1999 and 1980 which soured relations between the Shiite and Saddam Hussein’s government largely ruled by the Sunni community. While not standing for election, he still had a considerable degree of influence within the government, possessing thirty seats in the Iraqi assembly through his own political bloc known as the Sadrists. Two former prime ministers also owed their positions through its influence, such as Nuri al-Maliki and his predecessor, Ibrahim al-Jaafari (*ibid.*, p.55). Owning its own militia, the Mahdi Army, he was pictured as fiercely anti-American and in line with an “Iranian-style theocratic rule” which thwarted all American efforts at instilling a sense of political democratic governance. Anti-Americanism was at its peak when there were reports of repeated attacks on American military forces. The authors cited a report from the Pentagon³⁹ which highlights that the militia had outweighed Al-Qaeda in Iraq as the primary catalyst for sectarian violence at that period (*ibid.*). Being “freed” by Saddam Hussein’s dictatorship, many Iraqis seized the chance to engage in brutal conflicts and directed their anger towards the American forces, those who were supposedly in charge of emancipating them (*ibid.*). Terrorist activities also kept propagating in the aftermath of the rebellions. All in all, as the authors point out, “[...] the new Iraq has become what the old one never was: a hotbed of Islamic terrorism. It is a worse threat to American interests than Saddam Hussein’s regime ever was” (*ibid.*)

Failure to achieve progress in democratization was also noticeable in Palestine where the population rejected Fatah, the long-standing nationalist political party and opted for Hamas, “[...] an Islamist group notorious for suicide bombings” (*ibid.*). The group was dedicated to institute a dictatorial Islamic regime. Finally, as a last example, the authors highlight the 2005 parliamentary elections in Egypt with the alarming

³⁹ The Department of Defense released the report titled “Measuring Stability and Security in Iraq” in 2006 (Democratic Policy Committee, n.d.)

assessment of the winning of the Muslim Brotherhood “[...] the intellectual origin of the Islamist movement, whose offshoots include Hamas and parts of Al Qaeda” (*ibid.*, p. 56).

“Bush’s forward strategy has helped usher in a new era in the Middle East: By its promotion of elections, it has paved the road for Islamists to grab political power and to ease into office with the air of legitimacy and without the cost of bombs or bullets. Naturally, totalitarians across the region are encouraged. They exhibit a renewed sense of confidence”.

(Brook & Journo, 2007, p.56)

The U.S. firmly viewed the 9/11 attacks as “an attack on freedom” which revived profound dimensions of “[...] American exceptionalist sensibilities and liberal tradition” (Hassan, 2008, p. 270). Although the intellectual arguments for promoting democracy have grown stronger, the Bush Administration failed to effectively implement its plan due to “ideological blindspots” in its strategy (*ibid.*). These initiatives were put in place to restore order to the domestic affairs of other states, for a purpose publicly demonstrated to be just and imperative. The resulting strategy was that of a “liberal grand strategy” concentrating on domestic facets of nations lacking solid foundations while keeping American security and material interests firmly at the center (*ibid.*, p.271).

“Framing the events as an attack on “freedom” made an early connection between the war on terror, American’s liberal identity, and a utopian transformative vision of the future. Moreover, it narrated the War on Terror in highly ideological terms constructing a plot based around a conflict of ideas rather than any political motivations for the attacks.”

(Hassan, 2007, p. 271)

Nevertheless, the ideal vision of the Middle East, as Hassan (2007) puts it, had numerous devastating consequences that went beyond conventional political deceptions as demonstrated above regarding failed reform attempts.

3.3 TRACING THE AFTERMATH OF AMERICAN INVOLVEMENT

In the remainder of this chapter, the aim is to shed light on the repercussions of American interventionist policy. The center of the chapter is based on the way President Bush and his administration strategically justified the war using just war theory. The hypothesis stemming from the research question is that the utilization of the just war theory revealed a more concealed intention to consolidate American dominance and endorse Western imperialistic interests in the region. The manipulation and selective application of just war principles, notably through the exploitation of humanitarian motives and the idealistic quest of spreading democracy served as a normative framework for legitimizing the invasion and the establishment of persistent Western influence on the region.

3.3.1. THE TOLL OF CASUALTIES

Civilian casualties

As in any case of conflict, determining the precise number of civilian casualties is a challenging endeavor due to limited and unreliable data, unidentified perpetrators, restricted access to conflict zones, and the unique features of contemporary armed conflicts. Although U.S. soldiers' death toll is usually more easily identified, "[...] most other numbers are to a degree uncertain" (Crawford, 2018, p.2). Significant disparities also exist between the number of civilian casualties acknowledged by the Pentagon and those reported by specific independent organizations such as Iraq Body Count (IBC) or Center for Civilians in Conflict (CIVIC) for instance. Crawford (2018) highlights that "since the start of the post-9/11 wars, the Department of Defense (DoD) has not been consistent in reporting on when and how civilians have been harmed in US operations" (p.2).

"In the early years of the war, minimization was easy: no one in the U.S. military kept systematic account of civilian war deaths. Specifically, the U.S. military apparently did not make a systematic account of Iraqi casualties in the early weeks of the war, nor did it make public many estimates or detailed accounts of civilian death unless in response to an undeniable tragedy. The U.S. Department of Defense

began to make more of its data public over the years, but the releases were periodic, often incomplete, and did not include all the years of the war. The Pentagon often said it did not have good data”

(Crawford, 2013, p.7)

Other independent organizations have reported on civilian casualties, such as Human Rights Watch, which deplored the lack of precision regarding Iraqi civilians killed by American soldiers. Joe Stork, Deputy Director for MENA at Human Rights Watch, declared in the wake of a report published in October 2003 by the organization:

“It’s a tragedy that U.S. soldiers have killed so many civilians in Baghdad. But it’s really incredible that the U.S. military does not even count these deaths. Any time U.S. forces kill an Iraqi civilian in questionable circumstances, they should investigate the incident.”

Human Rights Watch, 2003

IBC is a non-governmental organization formed in 2003 “founded in January 2003 by volunteers from the UK and USA who felt a responsibility to ensure that the human consequences of military intervention in Iraq were not neglected” (Iraq Body Count, n.d). It also promotes the protection of civilians in global zones of conflict. CIVIC was established by Marla Ruzicka, a humanitarian activist, who went to Baghdad with the purpose of raising awareness about the situation of civilians in Iraq, particularly the lack of documentation of civilian casualties by the US military during that period (Center for Civilians in Conflict, n.d)⁴⁰.

According to Beehner (2007), the IBC is part of the three means of calculation generally used to determine how many Iraqi civilians have perished in post-conflict violence. The other two are based on observations and data from the Iraqi government and the UN. The Iraqi government drew on information obtained from the Ministry of Health, hospitals, and the Baghdad morgue. The UN Utilizes data from Iraqi hospitals, morgues, and municipalities, as well as casualty reports from the Iraqi Ministry of Interior (*ibid.*). The IBC’s figures “are not statistical estimates but a record

⁴⁰ In 2005, Marla passed away in Baghdad because of a suicide car bomb attack. After her death, the United States Congress set up the Marla Ruzicka Iraqi War Victims Fund aiming at assisting civilian victims financially and professionally (*ibid.*).

of actual, documented deaths” (Iraq Body Count, n.d). These three databases all provided disparate figures at the time of publication of the article⁴¹, ranging from 34,452 to between 100,000 and 150,000 innocent lives lost. Donnay and Filimonov (2014) argue that the Iraq conflict is regarded as one of the most devastating and violent conflicts of the early 21st century resulting in estimated fatalities of exceeding at least 130,000 by mid-2014 (p.2). For the IBC, the true death toll from violence as a result of the conflict may be twice as high as what was estimated, totaling up to “250,000 or more people” (Crawford, 2013, p.1).

These differing figures reveal the challenge of obtaining accurate data. This is understandable given the different techniques used to collect the data. Organizations and research bodies may rely on officials reports, on-the-ground inspections or surveys — also referred to as random or cluster sampling — “[...] whereby people are surveyed in select neighborhoods to determine larger patterns of the whole population” (Beehner, 2007). It is also due to the difficulty to venture into conflicts zones. Access restrictions may cause casualties in certain areas to go unreported. As Hasell (2022) points out, it is also a matter of considering deaths by their direct and/or indirect nature. Besides deaths resulting directly from violence caused by war in itself, “[...] a significant proportion of lives lost in conflict are indirect: due to disease, starvation or exposure”. While some data collection project such as the Uppsala Conflict Data Program (UCDP) only considers direct deaths, other conflict database such as the Conflict Catalog “[...] tries to include indirect deaths of both the military and civilian populations” (*ibid.*) In addition to the number of deaths, wounded civilians and refugees from the war must be considered. Here again, the numbers are a matter of controversy, which as Crawford (2013) points out, defeats the purpose in terms of humanitarian concerns:

“[...] Arguing about the counting focuses attention on the counting, but not so much on the actual dead and wounded and how they came to harm”

(Crawford, 2013, p.6)

As reported by Crawford (2013), an American estimate of Iraqi casualties provided by the U.S. Central Command in late 2010 was 121,649 Iraqi security and

⁴¹ Last updated on March 13, 2007.

civilians wounded between January 2004 and August 2008. Although Iraqi official reports were also incomplete, an estimate was provided by the Iraqi Ministry of Human Rights of 147,195 wounded between January 2004 and October 2008. These figures obviously differ from the present day since Iraq has suffered a great deal of political instability since U.S. completed Operation New Dawn in late 2011, ranging from sectarian violence, insurgency, and the rise of the Islamic State.

Previous numbers refer to a combined tally, but it is still worth mentioning that the precise number of civilian casualties caused by the U.S. military and its coalition in Iraq from 2003 to 2011 remains unsure and may remain so indefinitely. The same author reports that a relatively small proportion of civilian deaths — around one percent — can be attributed to U.S.-led coalition forces meaning those “[...] identifiable by uniforms and in some cases (e.g., where aircraft are involved), by weapons” (Hicks et al., 2011, p. 3). However, most of the civilian fatalities caused by the latter were categorized as collateral damage, “[...] the Pentagon’s term of art for the inadvertent (although often foreseeable) killing of civilians in war” (Crawford, 2013). Yet, the bombing raids indicated a lack of sufficient precautions taken to prevent those collateral damages, according to Vilmer (2012, p. 269).

Collateral Infrastructure Damage

The intentional targeting of infrastructure is common in every war. In this case, the consequences were disastrous and were responsible for population displacement, even though the degradation of Iraqi infrastructure began before the 2003 invasion. The 1991 war to liberate Kuwait resulted in extensive bombardment that targeted various essential Iraqi infrastructures such as “power plants, factories, bridges, roads, and many other vital structures” (Khadim, 2019). This, combined with the UNSC sanctions imposed on Iraq in 1990 prohibiting it from importing any materials necessary for the reconstruction of its damaged infrastructure and the maintenance of weakened ones, already made Iraq a “skeleton of a nation” (*ibid*). The 2003 invasion exacerbated an already problematic situation, and anything not wrecked by the conflict was pillaged or burned by enraged masses (*ibid*). Even though, from the start of the war, the U.S. funded over \$20 billion in economic aid, the resulting infrastructure “[...] was damaged or destroyed in the civil war that followed” (Ries cited in Rand Corporation Q&A, 2023). Public facilities such as schools and hospitals were also

facing severe destruction. Health services were subjected to the pillaging of essential resources such as hospital beds, ambulances, equipment, and electrical installations (Bassil, 2012, p. 40). In 2006, the population faced perilous living conditions due to long power cuts significantly impacting their daily survival. The population expressed growing frustration vis-à-vis American occupation. At the same period, a Baghdad resident stated: “during Saddam's time, we always had power, clean water and better food than we have now” (Relief Web - United Nations Office for the Coordination of Humanitarian Affairs, 2006).

As reported by Bassil (2012), UN estimates of 2006 indicated that almost 2.5 million had “[...] fled their country because of violence” (p. 37). They sought refuge in neighboring countries such as Syria, Jordan and Egypt, but more than a million of them were displaced in their homeland (*ibid.*).

Military casualties

Again, the exact number of Iraqi military personnel is difficult to determine. Crawford (2013) reports that “[...] more than 10,000 Iraqi police and Iraqi military forces were killed by insurgents or in friendly fire incidents from June 2003 through July 2011” (p.3). Bassil (2012) indicates that the “Iraqi army and security forces in March 2007 had 20,000 soldiers and police killed” (p.37). All in all, Iraqi military and insurgent deaths may number more than 30,000 additional deaths” (Crawford, 2013, p.3).

Death and injury rates for US military personnel in Iraq have been much better documented. The DoD regularly provided official data and updates on military personnel casualties, making the information transparent and accessible. A Defense Casualty Analysis System (DCAS) which is operated by the Defense Manpower Data Center (DMDC) — component of the DoD — was established to “[...] collect and maintain U.S. casualty information on warfighters who have fallen in global or regional conflicts involving the United States” (Defense Casualty Analysis System, n.d.). This system listed the deaths of soldiers, giving their full names, services and places of death. As of April 2017, the DCAS reported a total of 4,411 deaths, including both hostile and non-hostile ones. According to the DoD *Dictionary of Military and Associated Terms*, the former refers to soldiers who were victims of terrorist activities

or were killed in action. The latter concerns losses “[...] not directly attributable to hostile action or terrorist activity, such as casualties due to the elements, self-inflicted wounds, or combat fatigue (DeBruyne, 2017, p. 4). The figures covered the Army, Navy, Marine Corps and Air force. Total wounded soldiers amounted to 31,954 (*ibid.*, p.16).

3.3.2 CONSEQUENCES OF THE WAR

Overall, the war had devastating social, economic, and political consequences. The invasion and ensuing conflict resulted in the displacement of numerous Iraqis, causing a significant refugee crisis in the Middle East. It also worsened sectarian tensions and divisions, triggering hostility and violence among various religious and ethnic groups. Furthermore, instances of human rights abuses committed by Iraqi forces, insurgent groups and U.S. forces were widely recorded. As stated previously, damages to infrastructure were also considerable. Even though the coalition's aim was to avoid civilian infrastructure, Human Rights Watch affirmed in a 2003 report that they identified “[...] certain targets as "dual use," including electricity and media installations” (HRW, 2003). The airstrikes targeting power distribution buildings in the city of al-Nasiriyya generated significant civilian distress and raised questions about their legality (*ibid.*). The shock and awe military strategy used during the initial phase of the war initially aimed to destabilize the Iraqi government and defense forces also “[...] resulted in the seizure or destruction of bridges and other critical infrastructure” (Asi, 2023).

One cannot discuss Iraq’s economy without considering its oil industry and its fluctuations throughout time. When the Iraqi government initiated the war against Iran in 1980, the economy was “[...] on the threshold of another decade of economic growth” (Alnasrawi, 2001, p.205). The substantial growth in oil revenue, rising from under \$1 billion in 1970 to \$26 billion in 1980, enabled the government to quickly enhance expenditure on infrastructure, administration, supplies producing industries, welfare programs, imports, and the military (*ibid.*) However, the destruction of oil installations caused by the war significantly jeopardized this profitable development.

Iraq's oil revenue declined considerably from \$26 billion in 1980 to \$10 billion in 1981, representing a 60% decrease (*ibid.*, p.206). The invasion of Kuwait on August 2, 1990 was perceived by the government as an opportunity to curb economic decline and fix the regime's inability to improve living conditions. The subsequent sanctions imposed by the UNSC, a few days after the invasion, encompassing an international trade embargo as well as the air war launched by the coalition in January 1991 targeting strategic oil facilities, only further accentuated the country's worsening economic situation⁴². In September 2000, Saddam Hussein declared that “[...] that Iraq was no longer going to accept dollars for oil being sold under the UN’s Oil-for-Food program and decided to switch to the euro as Iraq’s oil export currency” (Clark, 2005, p.1). Shipley (2007) reports that “the switch to euros netted windfall gains for Iraq, spurred on by rapid growth in the value of the euro against the dollar, and its success as both a symbolic and economic gesture encouraged other OPEC nations to consider the switch” (p.11). Considering that almost all OPEC countries trade oil in dollars, it could have posed a threat to American hegemony and for the dollar's continued dominance as the international reserve currency. The same author highlights how the war was criticized by thousands of citizens protesting in 800 different cities. The slogan “no blood for oil” was used and “[...] symbolized the main cause of outrage among the gathered masses” (p.7). Indeed, many analysts have argued that the Iraq campaign was primarily motivated by oil, a viewpoint often dismissed as a cliché by partisans of President Bush and the White House itself (*ibid.*)

Regarding politics, Flibbert (2013) argues that the war and ensuing occupation had three detrimental effects on the Iraqi state. First, it practically ruined the state's administrative capabilities “[...] requiring the occupation authorities to rebuild in this area while contending with the other major consequences of the war”. Second, the declining strength of the Iraqi army and law enforcement structures during and after the war weakened the government's capacity to cope with violence and uphold order, resulting in complete reliance on foreign military force. Third, the war undermined the

⁴² The Oil-For-Food program was established by the UN under Resolution 986 (following Resolution 687 that was not accepted by Iraq) to re-evaluate the magnitude of sanctions and permitting Iraq to export a total of \$2 billion of oil every six months to meet medical and food needs. Alnasrawi (2001), however argues that “its contribution to the well-being of the people of Iraq has been minimal in that it failed to reverse the deterioration in the social and economic conditions of the country” (p. 213).

legitimacy of the state giving way to political uncertainty and insecurity which reinforced the rise of insurgents' groups and sectarian disputes. Hostilities between Sunni and Shiite factions and between the government and Kurdish parties in the North exacerbated by the war led enabled “[...] actors like the Islamic State to fill the power vacuum” (Council on Foreign Relations, 2023).

Long-term consequences involve the disruption of the healthcare system. The invasion of Kuwait and subsequent sanctions had already greatly weakened it and the health of the Iraqi people especially the most vulnerable. This was very unfortunate since “[...] during the 1970s and 1980s, Iraqi health care and medical education were said to be the best in the region” (Al Hilfi et al., 2013, p. 939). The health system was in disarray at the time of the US-led invasion of Iraq in 2003, with broken equipment, insufficient medicine supplies, and a precarious infrastructure. The invasion led to significant damage and theft of health facilities, contributing to important losses of equipment and pharmaceutical supplies (*ibid.*) As reported by the UN High Commissioner for Refugees in 2012, approximately 3.1 million individuals in Iraq required assistance (*ibid.*). In 2020, the health care system was still in crisis facing scarcity of pharmaceuticals and a lack of healthcare personnel to handle them as well the Covid-19 pandemic (Aboulenein & Levinson, 2020).

Finally, armed conflict has severely affected the country's education system. Diwakar (2015) emphasizes that “prior to the war with Iran, education in Iraq was regarded as one of the most progressive in the region” becoming one of the first countries to establish compulsory and cost-free primary education for all children in 1976 (p.1704). Now, the system is in a state of disarray. As reported by UNICEF, there was a decrease of more than 88,000 children enrolled in primary education from 2004 to 2007 (Unicef, 2010 as cited in Diwakar, 2015, p. 1704). Conflict induced internal displacement, which prevented children from having access to quality education.

3.4 UNDERSTANDING HUMANITARIAN LAW AND ITS RELEVANCE TO THE IRAQ WAR

International Humanitarian Law (IHL) refers to “[...] the body of international law governing the conduct of armed conflicts” (Crowe & Weston-Scheuber, 2013,

p.1). The fundamental tenets of IHL are derived from the necessity to establish boundaries on the behavior observed during armed conflicts (*ibid.*). It is thus only applicable in these cases. There is a temporal approach associated with armed conflicts. A distinction — introduced in the seventies by political theorist Michael Walzer⁴³ — is made between the moment of entry into armed conflict, armed conflict and post-armed conflict (Iverson, 2017, p.172). Each category corresponds respectively to the terms of *jus ad bellum*, *jus in bello* and *jus post bellum*. Traditional Just War Theory encompasses two primary elements: the justice of going to war (*jus ad bellum*) and the justice within war (*jus in bello*). Contemporary theorists of just war have argued that the traditional theory lacks comprehensiveness, as it fails to address specific elements of justice that should be considered after military conflicts. As a result, the concept of justice after war, known as *jus post bellum*, has been introduced (Ngai, 2019, p.374-375).

They can each be attributed to a functional approach with *jus ad bellum* centering on ‘whether force can be used’, *jus in bello* questioning and regulating ‘how to fight humanly’ and *jus post bellum* reflecting on ‘how to transition to a just and sustainable peace’ (*ibid.*, p.173). IHL is commonly referred to as *jus in bello* (“law in war”) meaning “[...] the law governing the conduct of hostilities” (Stahn, 2007, p.925). It is therefore a matter of rules pertaining to situations of armed conflict that are set out in “the 1949 Geneva Conventions and its two 1977 Additional Protocols” (Dörmann & Colassis, 2004, p. 2). The contrast between *jus in bello* and *jus ad bellum* is crucial within the realm of international humanitarian law as the two cover two different branches of law. The latter addresses the right to wage war and establishes the conditions under which states may resort to force. This is the body that rules on the legality or illegality of an armed conflict or occupation. Therefore, this question has no effect on the application of *jus in bello*:

“In this respect it makes thus no difference whether an occupation has received Security Council approval, or whether it is a consequence of an exercise of self-defense; or indeed whether it is labeled an “invasion,” “liberation,” “administration” or “occupation.”. What matters are the facts on the ground. The

⁴³ Michael Walzer’s book *Just and Unjust Wars* (1977) is widely regarded as the most influential contemporary publication in the field of international humanitarian law (Hoover Institution, n.d.).

application of the rules on military occupation is then not left to the discretion of the occupying powers”.

(Dörmann & Colassis, 2004, p.10).

It is, nonetheless, important to mention that “[...] once there is armed conflict, IHL applies equally to all parties to an armed conflict regardless of the lawfulness of the resort to force” (Dörmann & Colassis, 2004, p.10).

This subsection will examine the tripartite division using some of their core principles.

3.4.1 JUS AD BELLUM

The legality of the Iraq invasion is an important consideration pertaining to international law and the rule of law in the United States. Indeed, the use of appropriate legal authority to justify the use of armed action and the removal of a sovereign nation is the most crucial component of international law (Davis, 2021, p.1). Davis (2021) emphasizes Natural law stipulates that the war must both be just and fought in accordance with the principles of jus ad bellum. The founding fathers had apparently considered and believed in these two requirements to escape the model of European rulers' perpetual and pointless wars (*ibid.*). They also held the belief that it is the responsibility of presidents to respect customary international law, including treaties and conventions. The Bush administration did not perceive itself as tied to customary international law and not at all bound by international law (*ibid.*). In that vein, it embraced a broad interpretation of the president's authority and power to justify the use of force rather than relying on the Constitutional requirements and specifications to declare war (*ibid.*). In this extent, “neither the Congressional Authorization for the Use of Force against Iraq nor United Nations Resolution 1441 authorized the overthrow of the government of Iraq and the occupation of Iraq” (*ibid.*). Resolution 1141 communicated in November 2002 and adopted unanimously decided that Iraq was and remained in material breach of its obligations (OHCHR, 2002). It also “repeatedly warned of the serious consequences Iraq would face if it continued to default on its obligations” (*ibid.*)

Yet, the argument put out by the Bush administration was that Resolution 1441 provided the green light to invade and occupy Iraq, but it went even further. It overthrew Iraq's government using preemptive self-defense to justify acting beyond Resolution 1441 and as stated before, based its rationale on preemptive self-defense using Article 51 which states that:

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security”.

(U.N Charter, art. 51).

Jean-Baptiste Jeangène Vilmer (2002) also emphasized the fact that: “it was not a case of humanitarian intervention that was presented to the Security Council, but a request for intervention on the basis of presumed possession of weapons of mass destruction. And as we know, the SC did not give its approval” (p.267).

The absence of prior attacks by Iraq on the USA sparked debates regarding the acceptable extent of preemptive use of force. A careful read of the article indicates that it prohibits states from engaging in preemptive use of force and reserves this right solely for the Security Council. Self-defense initiatives are thus deemed legitimate solely in the aftermath of an armed attack (Kumar, 2014, p. 130). The International Court of Justice acknowledged the possibility of a limited form of anticipatory self-defense in its judgment of Military and Paramilitary Activities in and against Nicaragua claiming that it “[...] expresses no view on the lawfulness of a response to the imminent threat of an armed attack” (Nicaragua Case 1986, 102–103 as cited in Kumar, 2014, p. 130). Yet neither of these legal documents specifically examined the question of “[...] whether there can be any situations falling short of interceptive self-defence that would permit a legally valid exercise of self-defence under Article 51” (Gupta, 2008, p.185 as cited in Kumar, 2014, p.130). In this view, the administration argued that the interpretation of Article 51 of the UN Charter, which implies that self-

defense is only permissible after an attack has taken place, may seem irrational as it would require a state to endure harm, potentially fatal, before being able to retaliate with force (*ibid.*) On whether the expression "in the event of an armed attack" precludes self-defense prior to the occurrence of an attack, the Administration expressed its views in the 2002 National Security Strategy:

“For centuries, international law recognized that nations need not suffer an attack before they can lawfully take action to defend themselves against forces that present an imminent danger of attack. 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”

(Gupta, 2008)

This passage reveals a great deal about the U.S.'s stance on the interpretation of Article 51. Among advocates for a broader interpretation of the article, there is a contention highlighted by Gupta (2008) that a narrow interpretation inadvertently safeguards the aggressor's freedom to initiate a preemptive strike (Sir Humphrey Waldock as cited in, Roberts, 1999, p. 513). Critics, however, point out that the use of preemptive force, as demonstrated by the U.S.-led war toward Iraq in 2003, has profound consequences for international peace and security, as well as for the United Nations (Kumar, 2014, p. 133). This specific action contradicts the core principles of the United Nations, namely equal sovereign rights and multilateralism (*ibid.*). It may also establish a pattern for other states to rely solely on self-assessment and to feel confident enough to use unilateral, pre-emptive force as the US did. A case in point was President Putin's reference, among other justifications, to Article 51 to legitimize his special military operation, even though it is widely regarded by jurists as unrelated to Article 51, which specifies anticipatory self-defense in response to imminent attacks (Milanovic, 2022).

Apart from the question of legality, *jus ad bellum* tackles other considerations. First, war should only be considered the last resort for handling conflicts. Critics asserted that the U.S. and its allies failed to sufficiently explore peaceful options for solving the conflict with Iraq instead of resorting to military intervention. For instance, the Report of the Iraq Inquiry, also known as the Chilcot Report published in 2016 —

led by Sir John Chilcot — was a thorough investigation conducted by the United Kingdom that evaluated the country's role in the Iraq War. The report concluded that the “[...] U.K. chose to join the invasion of Iraq before the peaceful options for disarmament had been exhausted” (McTague, 2016). Also, the inspections conducted by the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) established to verify Iraq's compliance with UN Security Council Resolution 1441 were not only ignored but also subjected to strict time constraints. Robert E. Kelley⁴⁴ affirmed:

“[...] None of the findings of our inspections were making it back to the most important audience in the United States: US policymakers. I discussed this with a contact I had at the US mission in Vienna. He advised me to give up because ‘they don’t want to hear what you have to say’. ‘They’ were presumably all the people in the chain between us and the ultimate decision makers in Washington”
(Kelley, 2023).

As for time limitations, in a Compendium of Iraq's Proscribed Weapons Programs in the Chemical, Biological and Missile Areas established by UNMOVIC it was stated:

“Had UNMOVIC not been under such a stringent time constraint, the inspections could have been more detailed and thorough and many issues which emerged could have been pursued to a conclusion allowing greater confidence in the inspection process. Strict time constraints will limit not only what can be achieved but will also limit the confidence in the inspection results obtained” (UNMOVIC, 2007). Mellow (2006), who argued that the resort to war was morally justified, demonstrated how the last resort criterion was fulfilled by asserting that other pacific methods whether economic, political or diplomatic were unlikely to significantly modify the regime's ruthlessness (p.301).

Second, according to just war theory, the criterion of just cause of sufficient moral importance and right intention must be met. Just cause refers to a justly initiated war, i.e., one guided by moral considerations and having a morally justifiable reason

⁴⁴ He worked for the nuclear weapons division of the US Department of Energy for more than 35 years and was “Director of the nuclear inspections in Iraq in 1992 and again in 2001” (SIPRI, n.d.).

or cause. The right intention criterion necessitates that the intervention's main objective be morally upright and focused on producing a reasonable and lawful result (May, 2017). Confusion can occur between the two. For instance: “a government might launch a war for the just cause of expanding democracy, but the immediate intentions of that war may be to assassinate every world leader who even expresses doubts about democracy. The mere fact that a country is waving a banner of freedom and liberty does not mean that the same country is planning on achieving those goals through fair and reasonable means” (Cline, 2019). Therefore, just cause pertains to the fundamental principles for which one engages in a conflict, while right intention primarily concerns the immediate objectives and the methods used to attain them (Cline, 2019).

Ngai (2019) claims the criteria were not met, stating that although the official objectives were to dismantle WMDs and overthrow Saddam, many alternative aims were not divulged to the world, notably those involving U.S. national interests. He shed light on scholars' reflections on the US desire to establish “political influence in the Middle East” (p. 376) as well as the importance of oil in the pursuit of the war which emphasize the fact that “war is not as simple as a fight for just cause and right intention” (*ibid.*). Mellow (2006) acknowledged the fact that neither reducing Iraq's WMD threat to nations around the globe nor violating obligations to cooperate with U.N. Gulf war resolutions provided sufficient legitimate explanations to support a just cause but, still considered “[...] ongoing grave humanitarian injustices ... provided such a cause” (p.294). He highlighted the observations made by Max Van Der Stoel, Special U.N. Rapporteur of the Commission on Human Rights on the Situation of Human Rights in Iraq that reported “[...] allegations of numerous and systematic arbitrary executions, interferences with the independent religious practice of the Shi'ite community, continuing internal deportations of ethnic Kurds, violations of the rights to food and health, violations of the rights of the child” (p.296).

“But surely if stopping a genocide represents a sufficient just cause, then there are massive cases of systematic oppression, killing, and terror that, while not quite a genocide, also ground a sufficient just cause”

(Mellow, 2006, p. 296)

However, Vilmer (2012), argued that “[...] without denying Saddam Hussein's cruelty, it must be recognized that there was no ongoing or imminent killing in March 2003. Humanitarian intervention would have been justified in 1988, at the time of the Anfal genocide (massacre of 100,000 Kurds) or in 1991 during the suppression of the uprisings but not in March 2003” (p.268).

Third, a “[...] high probability of success must be ensured before the war” (Ngai, 2019, p.374). The initiation of war without a reasonable chance of success is unjustifiable due to the significant harm it inflicts on human lives, economic stability, and the social structure of the involved parties (*ibid.*). The Coalition anticipated military success when making the decision to invade Iraq. The substantial accumulation of conventional forces in the surrounding area of Iraq prior to the invasion ensured a high probability of rapid victory (Enemark & Michaelsen, 2005, p. 560). The U.S. military appeared to face a manpower shortage in the midst of the war. The war resulted in a prolonged and intense conflict that necessitated a continuous military presence in Iraq. As the conflict persisted, there was a growing need for additional troops to effectively address security challenges, stabilize the nation, and combat insurgency. This reflected an over-enthusiastic and unreflective assessment of effectiveness vis-à-vis the number of troops planned before the war. The Coalition's perception of the potential for improvement in the situation after the invasion, in relation to the claimed just cause of humanitarian intervention, is questionable. The ongoing violence in Iraq following the invasion suggests that the Coalition may not have adequately anticipated the post-war situation prior to engaging in the conflict (p.560).

Fourth, the principle of proportionality in *jus ad bellum* necessitates that the application of force corresponds to the level of threat presented. It is thus a matter of a proportional response to presumed danger. Enemark and Michaelsen (2005) claim that the invasion represented a disproportionate response. Saddam Hussein was an unquestionably brutal leader who perpetrated acts of violence against minority groups and dissidents. However, as stated before, the claim that there was an imminent occurrence or ongoing large-scale loss of lives within Iraq was not correct (p.560). Additionally, the U.N weapons inspectors Report to the S.C. on progress in disarmament of Iraq had ruled that “[...] Iraq had cooperated “immediately,

unconditionally, and actively” and had not found any WMDs” (Security Council, 2003 as cited in Ngai, 2019, p. 376). On the contrary, the invasion and the means deployed widely exceeded the limits of proportionality, considering on-the ground facts:

“The use of certain weapons accentuated the destruction, notably cluster bombs, napalm and white phosphorus, which is a chemical weapon (although the Americans consider it to be a conventional weapon). Even though the main reason for the intervention was the supposed presence of weapons of mass destruction in Iraq, the Americans did not hesitate to use them during their intervention”.

(Vilmer, 2012, p.269)

3.4.2 JUS IN BELLO

The principles of *jus in bello* are essential as they promote justice in the conduct of warfare, even in cases where the war itself may have been initiated in violation of *jus ad bellum* (2013, p.10). First, the principle of distinction must be considered. According to IHL, “parties to an armed conflict must distinguish between the civilian population and combatants and between civilian objects and military objectives. To spare civilians and the civilian population from hostilities and their effects, it is essential to define who and what may be attacked” (Sassòli, 2003, p.2). Ngai (2019) highlights that the documents released from Wikileaks indicate that the US army did not really prioritize the protection of innocent lives (p.377). Significant number of cases of manslaughter occurred during times of war. In a particular case, a US patrol in Eastern Baghdad received intelligence regarding the presence of suspected members of the "Anti-Iraq Force." However, instead of verifying the credibility of the source, the patrol resorted to shooting anyone they encountered (*ibid.*). Tragically, this indiscriminate action resulted in the deaths of fourteen civilians (Pugliese, 2013 as cited by Ngai, 2019, p.377). Even if the initial intention consisted of targeting Saddam Hussein and his two sons — a military action that can be perceived as just without implying the violation of any moral standard — the high number of civilian casualties resulting from the airstrikes directed at the Iraqi leadership demonstrates the shortcomings of the US strategy (Lecamwasam, 2013, p.24). Furthermore, it was not until December 2003 that the military successfully located Saddam Hussein in a concealed location, meaning that several other attacks

aimed at locating high-ranking Iraqi leaders also resulted in significant unintended civilian casualties (*ibid.*). Nevertheless, it is important not to disregard the issues of human shields or abuses of hospitals, mosques, and schools by the Saddam Hussein regime. It intentionally confused civilians and combatants, using civilians as human shields to protect combatants and military objectives which probably complicated the task of differentiation between the two.

Proportionality in *jus in bello* focuses on “[...] the protection of humanitarian values, in particular the limitation of the suffering of non-combatants in situations of armed conflict” (Van Steenberghe, 2012, p.119). It differs from proportionality in *jus ad bellum* in the sense that the assessment does not consider the damage caused to a specific state, but rather focuses on the damage inflicted upon individuals (*ibid.*). Lecamwasam (2013) reports that extensive utilization of cluster munitions by coalition forces received significant criticism due to their deployment in residential areas resulting in “[...] indiscriminate incidental loss of civilian life and property” (p. 26). The author also adds that “it is the use of ground cluster munitions that accounted for the most number of civilian deaths during Operation Iraqi Freedom. This violated the principle of proportionality, a cardinal principle of IHL” (*ibid.*). Cluster munitions are, nevertheless, a highly controversial issue. By their very nature, cluster munitions kill without distinction. There was thus growing demand for the prohibition. In 2008, the Convention on Cluster Munitions was adopted and signed by 107 countries.

Nonetheless, “[...] the current body of IHL does not classify cluster munitions as illegal weapons” (*ibid.*, p.24). The author's text reveals two opposing visions. On the one hand, the argument provided by Michael N. Schmitt⁴⁵ who considered that coalition troops did not breach IHL because of the use of precision-guided cluster bombs against military targets. On the other hand, Human Rights Watch maintains that the forces violated IHL in some cases when they used cluster munitions in indiscriminate and disproportionate air strikes (*ibid.*). It also adds that the majority of the targeted leaders were only arrested in late 2003. As a result, "shock and awe" air operations by US-led coalition troops in heavily populated areas utilizing cluster bombs might be deemed a breach of IHL (*ibid.*)

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Another condition pertaining to *jus in bello* is the prohibition of dreadful weapons such as chemical and biological weapons, which inflict tremendous human suffering. U.S. Air Force admitted in November 2005 to using white phosphorus as a weapon against Iraqi insurgents, especially in the town of Fallujah which was a critical turning point in U.S. occupation of Iraq. However, the documentary by Sigfrido Ranucci, entitled “*Fallujah the Hidden Massacre*” reveals that “[...] Iraqi civilians, including women and children, had died of burns caused by white phosphorus during the assault on Fallujah” (Wilson, 2005). The documentary features the testimonies of former soldiers who confess having targeted civilians, while some took refuge, escaped and displayed white flags to distinguish themselves from the combatants.

“The US, instead of punishing the ones who were actually responsible for the chaos, thus chose to indiscriminately punish innocent subjects of her occupation, thereby committing grave violations of both IHL and jus post bellum principles pertaining to punishment”.

(Lecawasam, 2013, p.29)

Evidently, U.S. military officials categorically denied the allegations, arguing that it was used to dislodge hostile combatants from entrenched positions in the city. Lieutenant Colonel Barry Venable stated that: “white phosphorus is a conventional munition. It is not a chemical weapon. They are not outlawed or illegal” (Wilson, 2005).

Jus in bello also considers humane treatment for prisoners of war. As they no longer represent a danger, surrendered hostile combatants must be regarded with dignity. The Geneva Convention III outlines the laws applicable to these military personnel. These include responsibility for the treatment of prisoners, humane treatment, respect for the person, maintenance, and equality of treatments. Here again, the U.S. has not done a great job of applying the law, considering the photographic evidence of US soldiers abusing Iraqi detainees in Abu Ghraib prison that was revealed in May 2004 (Lecawasam, 2013, p.30). The Taguba report, conducted by Major General Antonio Taguba, investigated the actions of the U.S. 800th Military Police Brigade. The report uncovered that the U.S. guards subjected detainees to sadistic and criminal abuses, such as physical assault, sexual assault and degrading acts. The report caused widespread shock among Americans and throughout the world providing

evidence of the United States' violations of the Geneva Conventions regarding the treatment of prisoners of war and the unjust behavior exhibited by the US as an occupying force.

Finally, there must be no reprisals — utilization of prohibited weapons as a form of retaliation — which is prohibited by Just War theory (*ibid.*, p.10) and no crimes Mala In Se ('wrong in itself') "[...] such as treason, soldiers disguising like civilians, use of prohibited weapons and other evil acts such as mass rape campaigns and genocide" (*ibid.*).

3.4.3. JUS POST BELLUM

Rebecca Johnson (as cited in McCreedy, 2009) indicates that "*jus post bellum* requirements will be broader in scope than *jus in bello* because the former includes political, economic, and social matters while the latter is almost exclusively military" (p.69). War is a complex and destructive situation that results in loss of life, displacement of individuals, destruction of property, and harm to the environment. It is commonly understood that those responsible for initiating war are obligated to address and rectify the consequences of their actions. McCreedy (2009) reports that it has been reminded many times throughout the buildup of the Iraq war. Bob Woodward⁴⁶, in his book "*Plan of Attack*", mentioned how Secretary of State Colin Powell advised President Bush in the summer of 2002:

"You are going to be the proud owner of 25 million people," he told the president. "You will own all their hopes, aspirations and problems. You'll own it all." Privately, Powell and Armitage called this the Pottery Barn rule: You break it, you own it"

(Woodward, 2004, p.93 as cited in McCreedy, 2009, p.68)

⁴⁶ Bob Woodward is an American journalist that "spent more time than any other journalist or author interviewing President Bush on the record — a total of nearly 11 hours in six separate sessions from 2001 to 2008" (Bob Woodward, n.d.). He worked for the Washington Post and received two Pulitzer Prizes for the coverage of the Watergate scandal with Carl Bernstein and the coverage of 9/11 terrorist attacks (*ibid.*).

Michael Walzer also argued: “*Once we have acted in ways that have significant consequences for other people (even if there are also positive consequences), we cannot just walk away*” (Walzer, 2004, as cited in McCreedy, 2009, p. 68).

Even though multiple scholars have established listings of *jus post bellum*, it remains difficult to agree on a general one as post-conflict nations may experience a broad range of situations, each offering its own unique set of recommendations for how best to achieve peace (Godfrey, 2006, as cited in McCreedy, 2009, p.72). The most important characteristics frequently cited are accountability and transitional justice meaning the need of holding individuals accountable for war crimes, breaches of human rights, and violations of international law. Ngai (2019) argues that post-war period has not witnessed a sufficient demonstration of justice for war crimes. Despite the horrific human rights violations by US forces, just one has been tried. There is also the issue of assuring a reestablishment of political and social order. The same author said that this issue is also controversial as most projects are handled by U.S. firms, oil exports generate great revenue for the U.S and the latter is involved in national elections supporting its national interests more for Iraq rehabilitation (Ngai, 2019).

3.5 UNVEILING THE HIDDEN AGENDA: JUST WAR PRINCIPLES AND AMERICAN INTERVENTIONISM

Central to the Bush administration's argument for launching the war was the deployment of the humanitarian label, strategically invoking Just War Theory to justify their actions. This subsection delves into the interplay between Just War Theory and the humanitarian rhetoric used by the Bush administration in the wake of the Iraq War. While realism and neoconservatism prioritized national interests, security concerns, and the quest for power, the humanitarian rhetoric added an obvious altruistic dimension to the conflict. It is important to question the real motive of the invasion: was the humanitarian label a genuine guiding force driving the invasion, or a strategic tool used to gain support and legitimize the war vis-à-vis international and American opinion?

Through the examination and contrast of realist, neoconservative, and humanitarian reasonings, the aim is also to reach a comprehensive awareness of the complexities, inconsistencies, and contradictions inherent to the decision-making process of the Bush administration.

3.5.1 HUMANITARIAN INTERVENTION: NOBLE MISSION OR MISLEADING OXYMORON?

The Danish Institute of National Affairs defines humanitarian intervention as “[...] coercive action by States involving the use of armed force in another State without the consent of its government, with or without authorization from the United Nations Security Council, for the purpose of preventing or putting to a halt gross and massive violations of human rights or international humanitarian law” (Ryniker, 2001, p. 522).

When it pertains to the notion of humanitarian intervention, divergent perspectives exist. Vilmer (2012) highlights the most widespread criticism among anti-interventionists regarding the expression, namely that it represents an oxymoron or a contradiction of terms because it associates the military and the humanitarian. It is not uncommon for them to alter the terminology by using more striking terms such as “humanitarian war” or “humanitarian bombing” strongly emphasizing that “[...] military means are by their very nature contrary to humanitarian aims” (Vilmer, 2012, p. 171).

It is worth reflecting on how this was perceived in the context of the Iraqi invasion. Was the invasion regarded as a humanitarian one? What was the true intention behind it? Was it a noble mission pursued in the quest to spread American democratic values in a fractured or a misleading oxymoron that reflected a multifaceted scheme extending beyond the realm of pure humanitarianism? Critics of the humanitarian argument argue that the primary reason the Iraq war cannot be considered a humanitarian intervention is due to its lack of explicit justification as such, or at the very least, the secondary importance of any such rationale (Heinze, 2006, p.22). This assertion is accurate. Based on the discourse before the war, it is evident that the Bush Administration rhetorically saw the establishment of democracy in Iraq as a matter of secondary significance (*ibid.*). Certainly, there has been a shift

in prioritizing humanitarian grounds after the evident discrediting of "preventive" rationales, such as the presence of WMD and connections with al-Qaeda revealing significant manipulation by the U.S. (Vilmer 2012b, p. 154). Fernando Tesón, however, argued that "[...] whatever the weight of the criticisms raised so far against the American intervention in Iraq, it can nonetheless be morally justified as a case of humanitarian intervention" (Courtois, 2006, p. 6). They are contradicted by Courtois, who holds the opposite stance. Tesón supports his statement using multiple conditions, one of which is highlighted here.

Tesón claimed that the United States had humanitarian motives when overthrowing Saddam's government. He drew his argument on John Stuart Mill's⁴⁷ differentiation between intention and motive. The underlying motive behind the actions might have been self-interested rather than altruistic — the intention was therefore possibly turned towards influence over the Gulf region, access to valuable oil resources, removal of potential threats to American interests. Tesón, nevertheless, believes that the real intention was undeniably the act of overthrowing an oppressive government, liberating its oppressed citizens, and facilitating the establishment of democratic institutions which is morally praiseworthy (p.7). To this, Courtois (2006) responds that Tesón commits an error by "[...] confusing humanitarian intervention with revolutionary intervention, where the aim is rather to reform certain types of government deemed undesirable, rather than to provide targeted relief to victims of genocide or mass crime" (p.10).

"In the light of the traditional understanding of humanitarian intervention, and whatever the value of Tesón's distinction between intention and motive, it is quite clear that the "narrow humanitarian justification" he gives for the American invasion of Iraq, where an authoritarian government is overthrown and free, democratic institutions are substituted, can hardly be interpreted in terms of humanitarian intervention"

(Courtois, 2006, p.10)

⁴⁷ British philosopher, economist, and political thinker of the 19th century

Although President George W. Bush and his administration did not explicitly use the idea of "humanitarian intervention" in his speeches regarding Iraq, he did allude to humanitarian considerations and the emancipation of the Iraqi population as a rationale for the intervention. Another question then arises among scholars as to the sincerity of the administrations' humanitarian arguments. According to Vilmer (2012b), there were valid arguments for maintaining doubts about the real intent (p.155). First, genuine consideration for the Iraqi people would have manifested far sooner if it had existed, notably vis-à-vis the Kurdish genocide of 1988. On the contrary, according to Joost R. Hiltermann⁴⁸ (2003), numerous Iraqi secret police documents, declassified U.S. government documents, conversations with Kurdish survivors and retired U.S. intelligence officers revealed that "the United States, fully aware it was Iraq, accused Iran, Iraq's enemy in a fierce war, of being partly responsible for the attack". Second, the Iraqi population bore the brunt of the sanctions imposed on the regime. Third, noncompliance with international humanitarian law occurred during the intervention itself — notably cases of abuse of Iraqi prisoners throughout the occupation (Vilmer, 2012b, p.155). Vilmer argued, therefore, that suspicion about sincerity was justified but "[...] it would be false to claim that they had no "humanitarian" ambitions" (ibid.). He maintains that this popular belief assumed that the leaders were not sure that ousting Saddam Hussein meant carrying humanitarian act. Yet, "[...] this is the problem, an analysis of their speeches reveals that they were:

"The coalition's leaders are some of those who, for ideological reasons, sincerely confuse humanitarian intervention with pro-democratic intervention. For these neoconservatives and "new liberal interventionists", humanitarian intervention is synonymous with the promotion of liberal values, and therefore of democracy. The problem, then, lies not in a possible desire to manipulate, but rather in understanding what "humanitarian" means".

(Vilmer, 2012b, p.155)

⁴⁸ Joost R. Hiltermann is an activist, journalist, and writer. He is the Program Director for the Middle East and North Africa at the International Crisis Group (International Crisis Group, n.d.).

3.5.2 EXAMINING REFLECTIONS OF JUST WAR PRINCIPLES IN PRESIDENTIAL SPEECHES

In his study, Fisher (2014) asserts that “[...] from Grenada to Syria, in the absence of true national security threats, US presidents have used the principles of Just War Theory in varying degrees to justify US military intervention and war to the American public and the world” (p.1). This subsection delves into the application of just war principles as a justification for the Iraq War, drawing attention to elements of three different speeches given by the President on September 20, 2001⁴⁹ giving way to the declaration of the so-called *war on terror*; on October 7, 2002 at Cincinnati Union Terminal that introduced Bush’s *regime change policy*⁵⁰ and on March 17, 2003 in the televised address to the nation on the eve of the Iraq War.

Buenaventura (2009) identified statements in the first two speeches that include principles of Just War Theory. Four principles were highlighted: Right Intention, Just Cause, Last Resort and Assured Result. Each of them being reflected in samples of speeches made by the President. The principle of right intention was apparent in several sentences of the two first speeches:

“The Taliban regime [...] is threatening people everywhere by sponsoring and sheltering and supplying terrorists”

Address to a Joint Session of Congress and the American People, September 20,
2001

(The White House - President George W. Bush, 2001).

The reasoning behind this was that the Taliban's support for terrorism necessitated their intervention to counteract this evil behavior and achieve a righteous and lawful outcome of peace and prosperity (Buenaventura, 2009, p.140).

⁴⁹ In an Address to a Joint Session of Congress and the American People (The White House - President George W. Bush, 2001).

⁵⁰ An approach geared towards the objective of overthrowing/changing the leadership of a country, particularly if perceived as adversarial or posing a risk to U.S. interests and security. In the view of the administration, regime change was “[...] necessary because tyrannical governments will always be prone to disregard agreements and coerce their neighbors just as they mistreat their own citizens” (Jervis, 2016, p.288).

“The advance of human freedom — the great achievement of our time, and the great hope of every time — now depends on us”

Address to a Joint Session of Congress and the American People, September 20, 2001.

(The White House - President George W. Bush, 2001)

In other words, “America has to act (with force) so that the world will have freedom and hope” (Buenaventura, 2009, p.140).

“The Iraqi regime [...] possesses and produces chemical and biological weapons. It is seeking nuclear weapons”

Remarks by the President at Cincinnati Union Terminal, October 7, 2002

(The White House - President George W. Bush, 2002)

The rationale behind this sentence was that Iraq's pursuit of nuclear capabilities poses a significant global danger, necessitating a military response (Buenaventura, 2009, p. 140).

The principle of just cause can be seen in what follows:

“Iraq’s weapons of mass destruction are controlled by a murderous tyrant who has already used chemical weapons to kill thousands of people [...] has tried to dominate the Middle East, has invaded and brutally occupied a small neighbor, has struck other nations without warning [...]”

Remarks by the President at Cincinnati Union Terminal, October 7, 2002

(The White House - President George W. Bush, 2002)

In other words, The Saddam Hussein regime deserves to be overthrown because of the evil things it has carried out. It constitutes a morally justifiable reason.

The principle of last resort is illustrated in these sentences:

“After eleven years during which we have tried containment, sanctions, inspections, even selected military action, the end result is that Saddam Hussein still has chemical and biological weapons and is increasing his capabilities to make more. And he is moving ever closer to developing a nuclear weapon”

Remarks by the President at Cincinnati Union Terminal, October 7, 2002

(The White House - President George W. Bush, 2002)

The United States and the United Nations have utilized all diplomatic channels in their attempts to halt the actions of Saddam Hussein, however, these endeavors have been unsuccessful. Consequently, the only recourse is to embark on a military offensive (Buenaventura, 2009, p. 141).

“Some have argued we should wait — and that's an option. In my view, it's the riskiest of all options, because the longer we wait, the stronger and bolder Saddam Hussein will become”

Remarks by the President at Cincinnati Union Terminal, October 7, 2002

(The White House - President George W. Bush, 2002)

In other words, the U.S. should promptly use its military capabilities to address the significant and impending threat beforehand.

The principle of assured result is expressed through these quotes:

“We will rally the world to this cause by our efforts, by our courage. We will not tire, we will not falter, and we will not fail”

Address to a Joint Session of Congress and the American People, September 20, 2001

(The White House - President George W. Bush, 2001)

This indicates a call for collective mobilization and global solidarity among states in the pursuit of a common objective and also underlines an unwavering dedication stressing that challenges and obstacles would not hinder their endeavors.

“If we have to act, we will take every precaution that is possible. We will plan carefully; we will act with the full power of the United States military; we will act with allies at our side, and we will prevail”

Remarks by the President at Cincinnati Union Terminal, October 7, 2002

(The White House - President George W. Bush, 2002)

President Bush's 17 March 2003 speech also reiterated just war principles to rationalize and reinforce the critical importance of the forthcoming invasion of Iraq. Fisher (2014) illustrates it by considering criteria of competent authority, just cause,

right intention and last resort. First, he argues that “arguments of competent authority are both numerous and somewhat contradictory” (p.40). The President cited U.S. sovereign authority, U.S. congress and U.N. resolutions 678,687 and 1441 as competent authorities. He also emphasized the fact that, in the end, “this is not a question of authority, it is a question of will” (CNN, 2003) which shows even more confusion. In the end, the speech implied that due to the Security Council's failure to enact a resolution mandating Iraq's disarmament, the ultimate responsibility for this action lies with the sovereign authority of the U.S. and the US Congress (p.41).

As for the just cause, Fisher notes that the President used preemptive self-defense as a just cause argument vis-à-vis the threat of WMD which runs counter to traditional Just War Theory, but to which the president replied that “[...] responding to such enemies only after they have struck first is not self-defense, it is suicide” (CNN, 2003).

The right intention manifested by President Bush's intentions to free the Iraqi people from a dictatorial regime, eliminate a threat to regional and global peace, and safeguard American citizens (Fisher, 2014, p. 41).

Last resort was invoked in the way the President extensively referred to the non-military measures that were pursued by the U.S. and the international community prior to resorting to armed intervention (p.42).

3.5.3 "HUMAN RIGHTS RHETORIC: A VEIL FOR DOMINANCE?"

The pursuit of human rights is widely recognized as a noble and virtuous endeavor that guides nations towards a more just and compassionate global order. However, when considering the complex dynamics of power politics and geopolitical interests one may question whether the United States' pursuit of human rights is driven solely by ethical motives. Could it also serve as a subtle yet powerful instrument of domination?

This subsection is based on Camilla Hallman's article titled: *"The Hypocrisy of the U.S. Pursuit of Human Rights: A Tool of Dominance?"*

Hallman (2019) stresses that the actions of the U.S. in the Iraq War were guided by underlying principles that uphold the supremacy of Western ideology. These actions, carried out under the guise of promoting universal human rights, actually served the interests and values of the United States, thereby indicating a form of neo-imperialism (p. 51). Traditional imperialism was marked by direct colonialism and overt control, but neo-imperialism employed more nuanced strategies, relying on economic and political processes to exert influence and maintain control without systematically resorting to territory acquisition. Religion figures prominently in American neo-imperialism. Christianity served to disseminate Western cultural values and “[...] dictate what America’s role in the world should be” (p.53). Bush claimed that all people had a right to freedom, which God gave them. Liberty as a God-given right emphasized Bush and the U.S.'s Christian obligation to deliver freedom to Iraq (p. 57).

These elements stem from post-colonial studies, which critically analyzed and deconstructed the impacts of colonial domination. They characterized global relations as those in which Western powers portrayed the East as irrational and secluded as well as in need of reforms based on their logical and cultured norms (p.53). In this case, neo-imperialism could be seen as the use of humanitarian preaching to legitimize offensive actions. This, for the purpose of expanding spheres of influence and have leverage in Iraq's political, economic, and social landscape without resorting to explicit colonial practices.

President Bush’s conviction of democracy came also from its neoconservative influence.

“The neoconservatism personified by President Bush was a combination of humanitarian impulses, with an “almost messianic” faith in the American military, and a fear of an “uncivilized” world seen as both threatening and morally compromised.”

(Hallman, 2019, p. 59)

Through his portrayal of Iraq as a nation with an uncivilized regime and people, President Bush constructed a moral justification for intervention. He also

strategically labeled any opposition to his involvement as disconnected from the ethical obligation associated with the mission (p. 60).

Hallman further argues that the Bush administration demonstrated hypocrisy “[...] by excusing its own illegal actions under the same pretenses it used to vilify Iraq’s illegal behavior” (p.67). The intervention ultimately resulted in the exertion of dominance over Iraq through several ways. The primary objectives were to establish democracy and protect U.S. national security, which would have reduced Iraqi authority and placed it under U.S. control (p.68). However, the U.S. weakened Iraqi power, eliminated its ability to counterbalance Iran and intensified anti-Americanism within the region.

The strategic narrative of emphasizing global security threats coming from the link to Saddam Hussein’s regime to terrorism thus served the justification of the intervention while hiding imperialistic motives. The nation-building efforts aimed at promoting democracy and stability only served as means to assert American control over Iraq’s institutions and resources (*ibid.*).

CONCLUSION

This thesis examined sequence of events starting from the origins of the conflict to the terrorist attacks of September 11, 2001, that triggered a major shift in George W. Bush policies towards the Middle East and in this case, Iraq. From the motivations behind the President decision to invade to the impact of the Iraq war from a humanitarian viewpoint, it can be said that war was driven by a combination of motives and ideologies that characterized the President's two terms in office.

The aim of this thesis was to put forward a more traditional theoretical aspect of international relations, referring to realist theories and the neoconservative ideology promoted by Bush and many of his advisors. Then, take a radically different turn by recounting what is most important beyond politics: humanity. It tried to go beyond the conventional scope of geopolitics to reveal and highlight the undisputable humanitarian consequences of a war initiated at the expense of a whole population. The war had profound negative effects causing and reinforcing instability, violence, abuses, and displacement. This thesis thus tried to go beyond the traditional realm of international relations and to emphasize the real-life challenges faced by individuals impacted by these interventions.

This thesis thus explores the multifaceted aspects of the 2003 U.S. invasion of Iraq encompassing realist theory, neoconservative ideology and human dimensions that underpin international conflicts. Although these theoretical frameworks have been presented in distinct parts, it is interesting after all this analysis to bring them together and observe their similarities and differences while understanding how policy has shifted in response to the turn of events.

The Bush administration was first characterized by realism with President Bush pursuing a form of defensive realism reinforcing the importance of national interests and the safeguarding of state's survival. Neoconservatism which established itself in the political sphere also focused on national interest and security but had a larger perspective of spreading democracy alongside protecting the nations' interests. Neocons were thus seen as keener to wage war and reshape the Middle East as idealistic as that may sound. The reversal of the war and ethical debates due to

disrespect of international law, non-authorization to engage in war and reports of humanitarian disasters have shifted justifications for war. The aim of this thesis was therefore not simply to consider the harmful and devastating effects on the country's people and infrastructure but also report how the administration also used the humanitarian argument to give the war a brighter outlook and legitimize it. Just War theory was thus introduced to highlight the principles of international law and apply them to Iraq but also to demonstrate how it was utilized to deviate matters and reveal more hidden intentions of imperialism and Western domination.

Just war theory and neoconservatism both establish a moral and ethical basis for the utilization of military force. However, neoconservative ideology is commonly associated to a more assertive stance in foreign policy prioritizing the advancement of American interests and the pursuit of exceptionalism in the quest for democracy. Just War theory also values international law in the conduct of military operations. Neoconservatism although recognizing the importance of alliances has this tendency to circumvent international institutions and to preach the necessity of American leadership for maintaining a balanced and favorable international order.

Just War theory also gives importance to post-war responsibilities including reconstruction and stability. Neoconservatism has faced criticism for its inadequate planning and lack of consideration for the long-term repercussions of military interventions, despite acknowledging the importance of nation-building.

The hypothesis of this thesis, *i.e.*, that the invasion of Iraq is rooted in a deep-seated quest of American domination in the Middle East is confirmed since the obviousness of the desire to spread American influence, moral values and increase control over precious resources especially in detrimental changes of direction such as when Saddam Hussein announced that he would stop accepting dollars for oil supplied under the UN's Oil-for-Food program and switched to the euro.

In conclusion, the Iraq war demonstrates how the U.S. used ideology and geopolitics to impose its control in the Middle East. However, it faced a lot of difficulties throughout the war and in its aftermath revealing that any idealistic political ambition has its unexpected pitfalls.

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Abstract

This thesis delves into the multifaceted narrative of the 2003 Iraq war encompassing the theoretical framework of realism, neoconservatism and Just War theory. It navigates through George Bush's decision to invade Iraq and its consequences and analyzes the clash and convergences of these frameworks through a political, ideological, and humanitarian perspective. Bush's Iraq policy was thus driven by an intricate combination that led to a military intervention based on perceived security threats and a desire to spread American values across the Middle East and more specifically Iraq. Beyond that, this thesis highlights how Just War theory served as a back-up justification to moralize military intervention. It also revealed a hidden motive of imposing dominance and American imperialism across the region.

Keywords:

Iraq war, realism, neoconservatism, just war theory, ethical dilemmas, American imperialism