



T.C.

ALTINBAŞ ÜNİVERSİTESİ

SOSYAL BİLİMLER ENSTİTÜSÜ

İNGİLİZCE SİYASET VE ULUSLAR ARASI İLİŞKİLER

**REASONS FOR THE 2003 U.S. INVASION OF IRAQ
AND ITS CONSEQUENCES ACCORDING TO JUST
WAR THEORY**

Anoar Majeed Hameed

Master of Science

Thesis Supervisor

Assoc. Prof. Dr. Alper kaliber

**REASONS FOR THE 2003 U.S. INVASION OF IRAQ AND ITS
CONSEQUENCES ACCORDING TO JUST WAR THEORY**

by

Anoar Majeed Hameed

Master, Politics and International Relations, 2019

Submitted to the Graduate School of Social Sciences

in partial fulfilment of the requirements for the degree of

Master of Politics and International Relations

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Science.

Academic Title Name SURNAME

Assoc. Prof. Alper KALIBER

Co-Supervisor

Supervisor

Examining Committee Members

Asst. Prof. Bahadır KAYNAK Faculty, University

Asst. Prof. Uğur Baran KAYA Faculty, University

Academic Title Name
SURNAME Faculty, University

Academic Title Name
SURNAME Faculty, University

Academic Title Name
SURNAME Faculty, University

I certify that this thesis satisfies all the requirements as a thesis for the degree of Master of Science

Assoc. Prof. Alper KALIBER

Head of Department

Assoc. Prof. Durbanu KAVAKLI

Approval Date of Graduate School of

~~Science and Engineering~~: 13 / 5 / 2019

Social Sciences

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.



[Anoar Majeed Hameed]

[]

DEDICATION

This thesis is dedicated to my family who encouraged me every time of doing my master and supported me in different circumstances to complete the master's degree, I am really grateful to their efforts and attention.



ACKNOWLEDGEMENTS

There have been many people who have supported, helped and provided guidance during the preparation of this thesis.

I have accumulated different personal debts through the writing journey of this thesis, and I am so glad to finally have a chance to acknowledge them. The first debt goes to Allah who has continually showered me with his richest blessings all throughout my life. Without Allah's grace and guidance, I would not have been able to undertake this thesis and witness its germination.

My next debt, I would like to express my deepest gratitude to my thesis advisor Assoc. Prof. Dr. Alper Kaliber. His notes, feedback contributions, and guidance helped me with scientific benefit and professionally as well.

I also would also like to extend a special word of gratitude to Prof. Dr. Naji Al - Hitash for his resolute support and constant interest in my research.

I would Special thanks also to Mr. Hussam M. Botani for his insightful feedback on the thesis.

My profound gratitude also goes to Professor Abdulrahman Al Ahmad. Head of organization International Academy of Leadership and Development in assisting to steer my ship in the right way.

I would like to encompass special thanks to my friend Yousef Al_Ani helped me in my dissertation and kindly devoted his precious time whenever I needed to talk or discover pertinent issues related to my thesis.

ABD'NİN IRAK'A SALDIRMA NEDENLERİ VE ADİL SAVAŞ TEORİSİNE GÖRE SONUÇLARI

Yüksek Lisans, Siyaset Bilimi ve Uluslararası İlişkiler, Altınbaş Üniversitesi

Savaş ve barış etiği konusunda entelektüel gelenek yüzyıllardır gelişmektedir. Ahlaki ve yasal bakış açısından, savaşın adil olması için uyulması gereken ahlaki kuralları ortaya koymaktadır. Sonuç olarak, güç kullanan ve savaşa başvuran kuvveti bazı ahlaki temel ve gerekçelere dayanarak makul sınırlar içerisinde tutan Adil Savaş teorisi geliştirilmiştir. Teori, savaş davranışının değerlendirmesini belirleyen bir dizi kriter ve ilkeye dayanmaktadır.

Bu çalışma 2003 yılında ABD'nin Irak'a yönelik işgalini Adil Savaş teorisine göre değerlendirmeyi ve ABD'nin teorisinin ilkelerine ne derece bağlı olduğunu ortaya koymayı amaçlamaktadır.

Analitik yaklaşıma ve ilgili çalışmalara dayanarak yapılan araştırmada, Irak savaşının adil olmadığı varsayılmıştır.

Çalışmanın sonuçları değişen savaş kesinliğini aynı hizada tutmak ve devletlerin teoride ortaya konan etik standartlara uymalarını sağlamak için Adil Savaş teorisinin ciddi bir incelemesinin bulunduğunu göstermektedir.

Çalışmanın bulguları uluslararası hukuk açısından bakıldığında saldırı ve sonuçları bakımından ABD'nin Irak'a karşı başlattığı savaşı makul gerekçelere dayandırmak için güçlü argümanlar sağlayamadığını göstermiştir. Bunun aynı sıra, ABD Irak'a ait olduğu iddia edilen herhangi bir kitle imha silahı bulamamış ve ABD savaş sırasındaki ahlaki olmayan uygulama ve davranışlarını haklı çıkaracak herhangi bir makul gerekçe gösterememiştir. ABD kuvvetlerinin Irak'tan çekilmesi, Irak'ı mezhepsel çatışmalar, siyasi baskı ve giderek artan gerginlikten oluşan bir kaosa sürüklemiştir. ABD'nin Irak işgali, ABD'yi Adil Savaş teorisine göre ahlaki standartlardan uzaklaştırmıştır.

Teorinin uygulanabilirliđi üzerine çođu literatürün işgalle ilgili olarak yalnızca savaş hukuku ve savaşın meşruluđunu ele alındığı ve nadiren savaş sonrası adaletin tartışıldığı göz önüne alındığında, bu tez Irak işgaline bakışı etkileyen maddi ve makul nedenleri ve Adil Savaş teorisinin üç kriterinin birleşimine katkıda bulunmaktadır. Buna ilaveten, çalışma üç adil savaş teorisinin tüm ilkelerini tartışmakta ve tam ve ayrıntılı bir analiz sunmaktadır.

Anahtar Kelimeler: ABD'nin Irak'ı İşgal Etme Kararı, adil savaş teorisi, savaş hukuku, savaşın meşruluđu, savaş sonrası adalet, Uluslararası İnsani Hukuk.



ABSTRACT

THE REASONS FOR THE U.S. ATTACK ON IRAQ AND ITS CONSEQUENCES ACCORDING TO THE THEORY OF A JUST WAR

Hameed, Anoar, M.S, Politics and International Relations, Altinbaş University,

Supervisor: Assoc. Prof. Dr. Alper kaliber

Over the centuries, intellectual tradition has evolved about the ethics of war and peace. It set out, from a moral and legal perspective, the moral rules that must be followed in order for war to be fair. As a result, the theory of Just War, which reasonable the force use and resorting to war based on certain moral grounds and justifications, was developed. The theory is based on a number of criteria and principles that determine the assessment of the behavior of war.

The current study aims to assess the 2003 US-led invasion of Iraq according to a Just War theory and the US commitment to the principles of the theory.

Depending on the analytical approach and based on the relevant studies, the study assumed that the war on Iraq had not been fair.

The results of the study indicate that there is a serious review of the Just War theory in order to keep abreast of the varying certainties of war and ensure that states obey with the ethical standards set forth in the theory.

The findings of the study showed from the viewpoint of international law that the United States was not able to provide strong arguments to prove its claim of war against Iraq in terms of any justification of the attack and its consequences. Moreover, The United States did not find any weapons of mass destruction purportedly to be possessed by Iraq, nor could the United States justify its immoral practices and behavior during the war. The withdrawal of

US forces from Iraq had led to chaos leaving Iraq suffering from sectarian violence, political repression and growing tension. The U.S. invasion of Iraq distanced the US from any moral standards according to the Just War theory

This thesis contributes to the combination of the three criteria of a Just War theory, and the submission of substantive and logical influences to the general sympathetic of the invasion of Iraq that is in itself a rare because most literature on the theory applicability relating to the invasion of Iraq discusses only jus ad bellum and jus in bello principles in relation to the invasion and seldom argues jus post bellum. Moreover, the study discusses all the principles of the three a Just war theory, and it provides a complete and detailed analysis.

Keywords: US Decision to Invade Iraq, just war theory, jus in bello, jus ad bellum, jus post bellum, International Humanitarian Law.

Table of Contents

ABSTRACT	ix
THE REASONS FOR THE U.S. ATTACK ON IRAQ AND ITS CONSEQUENCES ACCORDING TO THE THEORY OF A JUST WAR.....	ix
Hameed, Anoar, M.S, Politics and International Relations, Altinbaş University,.....	ix
LIST OF ABBREVIATIONS	xiv
1. INTRODUCTION	1
1.1. Problem Statement	2
1.2. Hypothesis	2
1.3. Research Questions.....	2
1.4. Theoretical Approach.....	3
1.5. Methodology.....	3
1.6. Significance of the Research	4
1.7. Limitations	4
1.8. Literature Review	5
1.9. Chapters Structures	10
1.10. Theories and Concepts.....	11
1.11.1 Just War Theory	11
1.11.2 The Historical Development of a Just War Theory.....	12
1.11.3 Principles Underlying the Fair Entry into War (Jus Ad Bellum)	14
1.11.4 Jus in bello.....	16
1.11.5 Jus Post Bellum.....	17
1.12 Changing U.S. Security Models: The War on Terror, the Pre-emptive Strike and the Rise of Neo-Conservatives.....	18
1.12.1 Global War on Terrorism and the Changing World Order.....	19

1.12.2	Rise of the Neo-Conservatives	19
1.12.3	Axis of Evil Speech and Iraq’s Destiny	20
1.12.4	Pre-emption and Preventive Wars: New Dimensions of Use-of-Force..	20
2.	THEORETICAL AND HISTORICAL FRAMEWORK FOR RELATIONS BETWEEN THE U.S.A AND IRAQ	23
2.1	Historical Synopsis	23
2.1	The United Nations Sanctions Against Iraq.....	27
2.2	The Iraqi situation before the US attack	39
2.3	Justifications Presented By The US	30
2.3.1	“Weapons of Mass Destruction” (WMDs).....	31
2.3.2	Sponsoring Terrorism	34
2.3.3	Liberation and the Promotion of Democracy	36
3.	Chapter Three.....
3.1	Iraq And The Law Of War	42
3.2	What is International Humanitarian Law?	42
3.3	Applicability of International Humanitarian Law in the invasion of Iraq ...	44
3.4	Use of Internationally Prohibited Weapons.....	45
3.4.1	Cluster Munitions, Uranium And White Phosphorus Molded On Iraq	46
3.5	Violation of the Obligation to Neutralize Civilians during Military Operations in Iraq	47
3.6	Doctrine of “Shock and Awe” Against Iraqi Civilians.....	49
3.7	Blockade of Iraqis and the Suffering of Children as a Model	50
4.	Chapter Four
4.1	Iraq after the US Invasion	53
4.2	Overview: Post-Invasion Iraq.....	53

4.3	The United States Iraq Post-Invasion Strategy	55
4.4	Battle of Fallujah	57
4.5	Torture at Abu Ghraib.....	59
4.6	US Failures	60
4.7	Destruction of Property and Life	62
4.8	Role of the US in Democracy Building in Iraq	64
4.9	The U.S. and Increase military forces in Iraq.....	66
4.10	The Obama Administration.....	67
5.	Conclusion	69
6.	References.....	74

LIST OF ABBREVIATIONS

- IHL: International Humanitarian Law.
- UNMOVIC: United Nations Monitoring, Verification and Inspection Commission.
- UNSCOM: United Nations Special Commission.
- WMD: Weapons of Mass Destruction.
- OFFP: The Oil for Food Program.
- IAEA: International Atomic Energy Agency.
- CIA: Central Intelligence Agency.
- UN: United Nations.
- NATO: North Atlantic Treaty Organization.
- UNEP: United Nations Environment Program.
- MP: Military Police.
- USAID: US Agency for International Development.
- POW: Prisoners of War.

1. INTRODUCTION

The United States attacked Iraq in March 2003 and this attack is the second attack for 12 years. As Jeffrey Record argued in *Dark Victory*, the war was cheap in American blood. Short and decisive military (Record, preface to *Dark Victory: America's Second War against Iraq*, 2004). However, recent developments in the invasion have provoked much controversy over the moral logic behind it. Then, after the invasion, Iraq presented a tale of lost opportunities for better opportunities.

According to O'Driscoll, Iraq is invaded by the United States under the excuse of having mass destruction weapons, which make Iraq comply with UN resolves and rescue Iraqis from years of Saddam Hussein's tyranny (O'Driscoll, 2008). Less than a year later, with the United States unable to detect any weapons of mass destruction, all three justifications presented by the United States proved to be wrong amid a locale of escalating viciousness, the political and economic reconstruction collapse and growing religious divisions.

Our study focuses the decision of the United States to invade Iraq and the reasons behind this attack decision. The US invasion of Iraq in 2003 was an expression and satisfaction of the New Conservatives agenda. The September 11th ambience was exploited by the New Conservatives to engage in a war that had nothing to do with Iraq by comparing conservative and new realism with consideration given to the events that led to the invasion of Iraq in 2003. It is clear that the 'New Conservatives' itinerary has overcome over the realist overcame (Waheed, 2011).

Therefore, the aim of this research is to argue the invasion political realistic considering the decision caution on waging war and the general situation in Iraq before and after the war were not politically satisfactory. The US administration has provided proof of their decision to launch the war. Thus, the invasion of Iraq will be investigated in terms of a just war theory and the assessment of the whole three stages of the invasion decisively, including the scenarios before and after the war.

1.1. PROBLEM STATEMENT

The Iraqi people suffered a decade of several sanctions, which came at a period of domination and repression. Iraq was again wronged by the US-led invasion of 2003 that was propelled under the excuse of doing good for Iraq. However, the United States invasion was considered the worst failure because it left Iraq in a very difficult situation. The US invasion of Iraq has raised many questions and concerns from a Just War perspective, and these fears have led to many studies which were not objective. There has been no unanimity among scientists regarding justification of the U.S. war in Iraq, and while some scholars have justified the American War in Iraq, other scientists have opposed the use of the same criteria. The disagreements over this conflict have made the case very complicated and a much-contested issue.

Was the Iraq War a just war or was it a war for gains? Therefore, it becomes an exciting problem to discuss. A check of U.S. conduct in the Iraq War will be dealt with in the context of the Just War Theory.

1.2. HYPOTHESIS

This study is based on the premise that the U.S. invasion of Iraq was not a (so-called) Just War. This premise will be confirmed through the research.

1.3. RESEARCH QUESTIONS

The central search problem in the thesis is whether the war in Iraq was a Just War. In order to study this problem, the research seeks to verify the following key research questions.

- What is a Just War?
- Was the US war in Iraq in 2003 in accordance with the principles of a Just War?
- Was the American strategy regarding withdrawal from Iraq moral?
- Should we revise the Just War theory?

1.4. THEORETICAL APPROACH

The aim of this thesis is to use the principles of Just War theory as a key investigative viewpoint that define the research method, a discussion on the Just War theory and the justifications that had led to the invasion of Iraq that is considered the main issue of the study. This chapter addresses in details The Just War theory.

1.5. METHODOLOGY

The main dispute of the thesis emphasizes on the causes of the U.S. invasion of Iraq in 2003. Therefore, when mentioning any situation that requires examples to justify it and in examining the issue, a set of secondary data that include journal articles, books, reports and web sources will be mentioned.

The sources mentioned will provide information about the invasion and related incidents will be used to either confirm or disprove the hypothesis. The thesis will not provide specific details or figures relating to the material and human loss; however, it will aim to provide an analysis of some of the behaviors and decisions concerning the invasion. The focus will be on disputed issues during, before and after the invasion. The thesis will look at several related issues under the Just War theory rather than presenting graphs and tables.

The main source of information about our study is the books which serve as a major information provider regarding the right to war (jus ad bellum). The second source of information of our study consists of Web sources including reports and online journals, which will be used throughout this study because these journals and articles contain interesting statistics.

The use of web resources, including journal articles and journal reports, will be repeated throughout as the articles containing information about the causes of the US invasion of Iraq and the outcome are worthwhile to present.

Because of the practical difficulties in interviewing soldiers involved in the US war in Iraq, existing reports containing facts regarding Iraqi territory comprising these prepared by Human Rights Watch are used to investigate for a clearer understanding of this case.

1.6. SIGNIFICANCE OF THE RESEARCH

This thesis will add many items to the increasing collection of literature on the Just War through the analysis of the three standards of Just war theory regarding the U.S. invasion of Iraq. These three criteria (jus ad bellum, jus in bello, jus post bellum) are rarely covered in detail, given that the post-war law (jus post bellum) criterion is often ignored by scientists.

The thesis will explain all the criteria for a fair war theory, including post-war law (jus post bellum), a recent addition that has not received much attention.

The results of the thesis will be an assessment of practical examples of how the Just War theory is interpreted, and a call to review the theory to circumvent duplication of similar occurrences in the future.

1.7.LIMITATIONS Area:

Iraq and U.S.A Time:

2003-2011 Focus: Just

War Theory

Our thesis will be presented according to several restrictions. First, the thesis will only examine the conduct of the US in the perspective of the Just War regarding the American invasion of Iraq and it will ignore the activities of the American forces and Iraqi forces, that also significant from a Just War perception.

Secondly, the study of the thesis will be limited to the period starting from the US attack on Iraq in 2003 to the 2011 withdrawal from Iraq. There will be no detailed explanation of the

historical factors and events that led to hostility between U.S. and Iraq. The thesis will offer a historical summary of these elements.

Finally, the results of the thesis will reflect only on a Just War perspective.

1.8. LITERATURE REVIEW

According to Simpson (2005), it would be useful to explain this study, which is titled *The War in Iraq and international law*. The researcher divides the study into three stages, the first of which addresses a number of definitions of international humanitarian law and related questions. In the second stage, the researcher approaches the justifications provided by the United States for self-defense to legitimize the invasion. However, the researcher considers these justifications to be the most controversial, and that these justifications were not available mainly to fight the war. The researcher considers these justifications to be vague and unconvincing according to the international humanitarian law. In the third phase, the researcher discusses a number of the dilemmas related to the international system, the problem of the law in international affairs, and the evaluation of American behavior. The findings attained from the U.S. war in Iraq were that it was unfair and illegal, and that the invasion was illegal (Simpson, 2005).

According to the study by Fizzah (2009) entitled *International Law, Human Rights and the Iraq War*, the dominance of national states and non-meddling in their local dealings are among the globally recognized standards of international law. The Charter of the UN and international treaties and agreements therefore accept these principles in such a way that there is no doubt regarding legitimate rights in international affairs. The study clearly indicates that this situation had changed after the breakdown of the Soviet Union in 1991 and the appearance of America as a superpower with immense capabilities in terms of military and economic. Moreover, the Cold War end was a chance to the United States unilaterally to form the world according to its visions and benefits. U.S foreign policy changed after the September 11, 2001 attack and in the adventurism against the terrorists and their allies, the United States stated that the attack was a desecration of international standards and human rights law. In 2001, President George W. Bush declared in the case of the General Federation

that “the United States will not allow the most dangerous regimes in the world to threaten us with the most dangerous weapons in the world”. The President declared that states as potential enemies North Korea, Iraq and Iran are the evil axis. The findings attained from the US war in Iraq had undermined the normative consensus underlying the global system after the end of the Cold War and that U.S invasion was far worse than it should have been. The US president had strongly defended the occupation as an indispensable tool in the war on terror, but this allegation was untrue. The study clearly indicated that the US war in Iraq did not reduce the bombings in London or Madrid. Therefore, the US war in Iraq was a war outside international law and a major disappointment (Ali, 2009).

Strecker (2012) concluded that the United States justified its attack on Iraq under the pretext of humanitarian intervention because of the circumstances in which Iraq was living. Strecker addressed the American vision of Iraq and how the United States believed that a preventive war in contradiction with threat of national security and substituting authoritarian governments with evocative democracies was the best solution. The United States has aimed to make pre-emptive war and democratization a reality through the invasion of Iraq. Moreover, the United States supposed that Iraq has alleged ownership of nuclear weapons was unacceptable at the regional level .The United States had justified the fact that Iraq lives under conditions that deprive its people of basic human rights, so the realization of this would be achieved through the elimination of the dictatorial regime and the formation of democracy. It was found that the U.S forces’ entry into and withdrawal from Iraq after President Barack Obama’s announcement was that the United States had not adhered to its moral obligations, that democracy had not materialized, and that violence and destruction had been caused by the occupation. The moral obligations of the American forces were not clear and there was no peace investigation (Strecker, 2012) .

In this context, Abdul Sattar al-Jumaily (2004) summarizes the position of international law on the occupation of Iraq. The researcher stressed that this topic is important in terms of location, responsibility and circumstances. However, the researcher argues that the American intervention raised differences over the legality of military interference against a sovereign country in the absence of a certain justification of self-defense according to the Charter of

the United Nations. The study indicates that this invasion took place without any international legal cover by the UN and its organs, such as the Security Council. The study examined the origins of the Iraqi issue and the US justifications for the occupation of Iraq and the international legal adaptation to the occupation of Iraq. The findings revealed that the all justifications provided by the United States are void and were gross desecrations with humanitarian and international laws. The legal characterization of the invasion of Iraq in according to the principles and international law rules is a case of aggression. It applies to the description of the aggression contained in United Nations General Assembly Resolution 3314 of 1974 concerning the definition of aggression (Al-Jumaily, 2004) .

In this context, Chambers (2004) finds that one of the facts that has persisted throughout history is war, and the study considers that the outbreak of any war must be an assessment of these wars and the legality of military action. A Just War theory is therefore a theory that has been accepted in societies as a means by which a war can be strongminded to be acceptable or unjustified. Therefore, the study attempted to determine whether the American Management decision to attack Iraq in 2003 was defensible by the Just War theory. The study clearly indicates that when the United States wanted to invade Iraq, it transformed the entire media and opinions into its favor by making the war just. The findings presented that the US-led invasion does not fulfil the basic requirements of a fair war theory, and the United States has not had the right intention to embark on war. The study's focus was only on how the United States wanted to win and transform the public in its favor by justifying a Just War theory. Moreover, it did not address all the principles of a just war (Chambers, 2004).

In this study, Enemark and Michaelsen (2005) relied on the doctrine of a Just War to evaluate whether the American attack was fair .There are six criteria on which to assess whether a war is fair, which is the right authority, good intentions, reasonable perspective of success, proportional cause, and war as a last resort. The study focused on the justifications claimed by the United States to obtain permission to invade Iraq. These justifications were Iraq's unproven possession of mass destruction weapons and Iraq's association with terrorist organizations. The United States considered these justifications sufficient for the Iraq War. The study concluded that the invasion of Iraq was not fair. The study did not cover all the

reasons that led to the invasion and did not address all fair war standards (Enemark & Michaelsen, 2005).

In the context of a fair war, the researcher Patrick D. Morrow found that U.S. foreign policy made many mistakes and one of the most important of these errors was the decision of President George W. Bush's to invade Iraq in 2003. The decision of President George W. Bush's had many supporters as well as many international and local opponents. The study clearly indicates that the opposition was largely dependent on the philosophical basis of the theory of Just War and international law. A Just War theory considers that the acceptance of war itself is destructive and should be avoided. As a result, the study focused on the historical origins of the theory of Just War and it also reviewed its principles. The study examined whether the U.S administration adhered to the principles of a just war before its decision to invade Iraq. It was revealed by the findings that the U.S decision on the invasion of Iraq was vague and unclear. In addition to the ambiguity set out in the United Nations Charter, the war was deemed tragic and the United States has miscarried for finding any mass destruction weapons. Not finding the mass destruction weapons contradicts the basis of the right to war *Jus ad Bellum*. The study clearly indicated that the U.S decision to attack Iraq in 2003 reflected real and ongoing tension in America, with the United States having lost its sincerity among states due to its justifications about Iraq. This study covered one aspect of the principles of fair theory and did not cover all aspects of the post-war law *Jus Post Bellum* and the law of war *Jus in Bello* (Morrow, 2013).

According to the study by Robert E. Williams (2014), the post-war law *jus post bellum* deserves serious attention. Because of the troubled U.S occupation of Iraq, scientists have decided that it was necessary to study this law and how the United States applied this law after the war. As a result, the researcher felt it was necessary to evaluate this behavior because George W. Bush wanted to reformulate the principles of international law according his belief in the need for a pre-emptive war. The results reached, the overthrow of Saddam Hussein's regime, which was to help George W. Bush, was simply to refer to the beginning instead of the end, thereby forcing the strategists and scientists to reconsider the transition from war to peace as the United States violated all these principles and did not achieve peace

in Iraq .The findings attained from this were that human rights were the responsibility of the State in dealing with those living under its authority. This does not differ from the situation at the war end when most war obligations fall on the winning side (Williams R. E., 2014).

The Bush doctrine changed as a result of events in America and especially on September 11. Many researchers supported this concept, including researcher Dale T. Snauwaert in the 2004 study. This study confirmed that U.S. foreign policy had changed because of terrorist acts, and these acts have led to the war on terror. The study noted a change in the new strategy of the United States. Was the war on terror was a just war, and was this behavior morally justifiable for terrorism? The thesis presented a moral study of the new Bush Doctrine in accordance with the principles of a Just War theory .The study clearly points to the ethical issue, namely that when the new Bush strategy is linked to a new global strategy, it is not morally justifiable .The results reached in this study were the association of the doctrine with a dominant foreign political strategy driven by force that undermines moral credibility. Therefore, Bush's policy as an answer to the international terrorism terribly undermines the ethical order and international law and undermines the system necessary to achieve security against terrorism. The study dealt only with George W. Bush's policy toward Iraq, in accordance with the theory of a just war, and whether this political was moral, and did not cover all the principles of a just war (Snauwaert, 2004).

The study, addressed by Professor Richard Bonney at the University of Leicester in 2006, speaks of the possibility of reconciling the theory of Christians in a Just War with the circumstances of Iraq's war. According to the professor, the prevailing belief was that the reasonable justification for waging war was that Iraq was a reasonable danger to the West due to mass destruction weapons its ownership. Moreover, there were opponents to the idea of war, especially church men opposed to war and they were calling for moral guidelines based on which declaration of war could be considered. The results achieved through the study found that it would be difficult to reconcile the doctrine of tyranny and Christian just War principles of the right intentions and the last resort. One of the findings of the study is that the Christian Just War theory cannot explain the American strategy of double criteria in Middle East. The study did not address the humanitarian issues vision and international law

in the US war in Iraq, and the used weapon by the United States in this war (Bonney, 2006)

.

1.9. CHAPTERS STRUCTURES

The thesis outline consists of three steps. First, it will evaluate the applicability of Just War standards in the United States' decision to start it invade on Iraq .The second step, the period of the invasion, which lasted from 19 March 2003 to 1 May 2003, will be evaluated critically in accordance with the provisions of International Humanitarian Law (IHL) that reflect (jus in bello) norms of the Just War theory. Finally, a post-war 2003-2011 report will be presented through the structure of the last remaining standards of a Just War theory in order to finish the investigation.

Chapter 1: In the first chapter, we present a brief introduction to Iraq and America, and the problem to be presented in the thesis, after which we present a hypothesis that we will answer through the thesis as well as the dissertation question and the objective of the choice of the dissertation and any previous studies that have spoken on the subject. Moreover, we present the limits of the thesis and the structure of the thesis. As well as, we study the theories and key perceptions which will be used in the dissertation. The focus will primarily be on Just War theory as the central theoretical framework for the thesis and we will provide an analysis of the theory. Moreover, an explanation of concepts such as the principle of the preventive strike and the war on terrorism will be presented in addition to a discussion on the effect of New Conservatives on the formulation of Bush's foreign policy justifying the invasion of Iraq.

The basic discussion of the thesis will start in the second chapter by delivering a historical brief between United states and Iraq, followed by a discussion of the UN sanctions against Iraq. The chapter will also include the justifications provided by the United States for the application of the right to war (jus ad bellum) to wage war on Iraq, and why the United States violated this norm during the invasion.

Chapter 3 will explain humanitarian law and specifically when hostilities began during the U.S. invasion of Iraq. It will examine the way the United States conducted the invasion of Iraq, reach a conclusion on the conduct of the United States and whether the law of war (jus in bello) was violated.

Chapter 4 will focus on U.S. behavior after the U.S. invasion of Iraq, critically documenting and assessing US behavior and its violation of the theory of a just war through the post-invasion stage. It will also study how the United States failed to play the responsible occupation force protagonist.

1.10. THEORIES AND CONCEPTS

The main purpose of this section is identifying the main thoughts and theories which will be applied in the construction of the thesis argument, i.e., the justice of the Iraq War. The policy of the pre-emptive attack and the war concept on terrorism that will be included in this study will also be argued in detail in the chapter for better understanding to the argument.

1.11.1 Just war theory

It is the policy that explains the use of force and the resort to war depending on many moral estates and rationalizations. The indication that the state's violence use to reserve its privileges was appropriate (providing that the goals were fair and that the weapons used in the war were subject to certain restrictions) had therefore prevailed in the intellectual tradition of a fair war (Childress, 1983).

Walzer followed the same method of the scientists citing fair war of the Middle Ages and modern times, and the practice of a Just War that is a traditional moral values and norms which define the means and ends for the use of ferocity by the country (Walzer, 1977).

Just War theory can be considered important in analyzing the situation of war. In addition, there are attitudes that define the morality of war, including firstly pacifism, which sees it as a mistake to resort always to the state to war and be wrong always for individual participation in war. The second is the political realism that goes even further if a war is not tied to morality (Robert E. Goodin, 1988).

The Legalist Paradigm is the basic thought of the project model that war is legitimate occasionally from a moral perception. This point differentiates the legitimate model from both the (sometimes) pacific policy that rejects the absolute explanation of war, and the absolute violence policy that is based on the idea that there are no connections between war and morality, and that the war is an appearance of the personal accounts of States, national benefits in force, security, economic growth and natural resources (Walzer, 1977).

The Walzer is agreed with Hobbes (1588-1679), who asserted that the individual's right to protect themselves is absolute, and as S. Sreedhar states: "The right of self-defence is a fixed and nontransferable right" (Sreedhar, 2008).

Walzer also agreed with Burke (1729-1797), which emphasized the need to respect the customs and traditions of a community (Chevalier, 1995). It is also consistent with Foucault (1926-1984) in his belief regarding sovereign states (Constable, 1991).

After 9/11, the Just War theory raised to be a central issue for argument in multiple dimensions. The Bush administration's supporters saw the attack on Iraq and Afghanistan as a moral decision-making process. Opponents of the war found that the war against Iraq was not based on ethical standards. In fact, they found that it was a violation of morally accepted ethical standards of war and undermined the fair standards set by war-related traditions. In war, the theory of fair warfare began to dominate the discourse, so it became significant to shed bright on the historical progress of the theory to determine the essence, which has persisted during several debates which have been taken place over time (Lecamwasam N. , 2013).

1.11.2 The historical development of a just war theory

The theory of a just war evolved in the shadow of centuries and is considered today as an important theory that defines the morality of war. Some believe that the origins of a just war are due to classical Greek and Roman times, as it is enshrined in the Christian tradition. Aristotle's and Cicero's teachings have spoken of wars that are precisely reflective of the essence of a just war theory that evolved due to the teachings of St. Augustine. In the fifth

century to the seventeenth century, Augustine had laid the foundation of a fair war theory as a means of integrating the conventional peaceful attitudes of Christianity with a desire for the military defense of the Roman Empire against its enemies. St. Augustine delivered an inadequate explanation for the war to achieve the defense of the Roman Empire (Rengger, 1944).

After the foundation set by St. Augustine, thinkers such as Thomas Aquinas, Vitoria, Suárez, Hugo Grotius and Immanuel Kant developed the theory until the eighteenth century. From the late eighteenth century onwards, not much was written about the theory of fair warfare until the mid-20th century. After various political events of the twentieth century, writing began again looking at the traditions of a just war. The twentieth century marked the rise of political events, including two world wars, so the development of a fair war theory in the 18th century was context-specific and born through proceedings in the political concepts (Rengger, 1944).

The two world wars occurred in the 20th century, and as Nicholas Rengger points out correctly, the evolution of a Just War theory was determined by events on the political scene, thus providing an exemplary example of the evolution of a Just War theory.

Therefore, through World War II, for instance, there was a discussion in United Kingdom about the legitimacy of campaign of bombing on Germany. Many, especially in churches have doubts about the policy and especially the campaign against German cities. Led by the Anglican Bishop George Bell of Chi Chester, the campaign lodged provided a dangerous set of objections against supported contextually into criteria developed in the just war tradition (Rengger, 1944).

The innovative writings of the Walzer on the war and unfair war, because of the controversy on the Vietnam War, were the influence in recent times about a just war. Walzer was the main academic opponent of this war. It was rewritten in the 1980s about the theory of a Just War because of the proliferation of nuclear weapons that had occurred all over the world. American Catholic bishops have written to reconsider the morality of a just war and the morality of war because of their fear of the spread of nuclear war. After the events that

occurred in America and the attack on the World Trade Center, the talk of a fair war theory began to dominate the political and intellectual discourse (Rengger, 1944).

The Just War theory has undergone many refinements and developments throughout the ages. Today, the version of a Just War theory that focuses on moral duties, rights and justice has become more attentive and focused on the law with a focus on principles derived from the law. Today, international agreements that fall inside Just War theory framework are understood as more legal than understanding it as a moral one. The legal view of the development of the theory poses great problems because the law is more concerned about what is within the framework of the law in war than the decision to start the invasion. Thus, the theory of fair warfare is perceived as having started to contradict its value because of its use in the past rather than as a criterion in evaluating decisions for war whether before, through and after the war. The new progress of a fair war theory reduces to the spirit of a theory that only allows justified wars. However, nowadays the theory has been used as an excuse for any war through any circumstances. The three criteria of a Just War theory are now presented (Orend, "War" in Stanford Encyclopedia of Philosophy, 2000).

1.11.3 Principles underlying the fair entry into war (jus ad bellum)

The term jus ad bellum is a Latin term refer to the doctrines that should establish the fair conduct of armed conflict. Walzer lays down five doctrine that must be available to any state before armed conflict. Jus ad bellum comprises six documented standards. At the following steps, we will describe them briefly:

1. Just Cause – Walzer goes to the only fair cause to resort to war, which is to struggle violence. Such violence would consist of any damage of territorial honesty or political sovereignty of the country. As well as, he points out that the whole acts of violence have one corporate distinguishing, namely that they are of a forced nature from the ethical and physical perceptions and justify armed resistance (Walzer, 1977, pp. 51-53) . On the other hand, if the state cannot protect and preserve the rights of its citizens, then humanitarian intervention is permitted. On this basis, under this argument, the United States invaded Iraq. It

may therefore be the most controversial fair cause of the theory since the invasion of Iraq.

2. Right Intention: The importance of right intention is related to war being conducted for the sake of a just peace and/or a just cause. It is thus possible to ensure the fairness of the administration of war and, at the same time, post-war justice. This principle therefore prohibits the use of methods such as assassination, torture and subversive acts that present difficulties in achieving a just peace after the end of a war (Childress, 1983).
3. Probability of Success: The prospect of success in waging war is a relative matter depending on the nature of the circumstances and rational decision-making, the aim of which is to prevent violence. This is important and necessary for any theory of a just war (Walzer, 1977, p. 107).
4. Proportionality: A country should prior to starting a war, consider the total benefits predictable from war, as it should weigh the expected losses, and any expected benefits should be in the light of the fair cause of the war (Walzer, 1977, p. 129).
5. Last Resort: This principle stipulates that states ought not to be too eager to wage war, and should first exhaust all reasonable and possible avenues, and resort to diplomatic negotiations and economic sanctions before any war so as to ensure that war becomes a last resort (Pierce, 1996).
6. Legitimate Authority: This affirms that a capable authority must only instigate war. The authority must follow the correct procedures and any decisions must be clearly declared with the objectives

It must be noted that the hypotheses provided for in the law of war are still uncertain and there are no universal consensuses on the explanation of the ideologies. Different countries do not use different clarifications in starting war, and they even sometimes violate these hypotheses (Lecamwasam N. , 2013).

1.11.4 Jus in bello

Jus in Bello refers to justice in the conduct of war and is usually targeted at the military commanders who have the responsibility in executing an order to start a war. It comprises internal and external sides. Internal refers to the rules a state must adhere to with regard to its own citizens, while external implies the conduct of a state when dealing with its enemy. Jus in bello principle is important since he advocate justice in the conduct of war even if the war was fought for an unjust cause breaching jus ad bellum. Therefore, the theory aims to limit injustice to the maximum possible extent. External jus in Bello has five circumstances that need to be contented for a war to be just and a brief account of those can be explained bellow (McMahan, 1994).

1. **Discrimination and Non-Combatant Immunity:** This principle pertains to questioning the legitimate and illegal elements of war. Many thinkers of a just war have seen that the distinction between legitimate and illegal aims and elements are identical to the difference between combatants and non-combatants, or the difference between innocents and others from a moral perspective. Thus, it is not permitted to invade non-combatants as they must not be wedged in circumstances for which they are not liable (McMahan, 1994).
2. **Proportionality:** Soldiers should use only proportionate force against legitimate targets and elements. This stops the acquitted from being further injured (Morgan, 1949).
3. **Humane Treatment to POWs (Prisoners of War):** This principle states that prisoners of war should be preserved well because they are no anymore pose a danger. The Third Geneva Convention provides for the laws relating to military workforces.
4. **No Reprisals:** Desecration of the law of war, including the use of debarred weapons as vengeance, is banned by the just war theory. Walzer in his theory justifies the idea of revenge, asserting that warriors sometimes have to retaliate if their action forces the aggressor to cease hostile acts (Walzer, 1977, p. 207).
5. **Use of immoral means, such as betrayal, soldiers masquerading as civilians and actions such as mass rape and genocide.**

The Law of Internal War protects people the human rights of the country beside involuntary recruitment, fundamental rights desecration through emergency rules, and so forth. Jus in bello principles of war in international humanitarian law are principles enshrined in international humanitarian law aimed at balancing human and humanitarian standards as well as military necessity. The application of jus in Bello always involves reference to international humanitarian law which is the law of war / armed conflict. Chapter 3 Will highlight the context of humanitarian law for the invasion of Iraq when discussing its jus in bello side (Lecamwasam N. , 2013).

1.11.5 Jus post bellum

These the principles that form justice after the end of a war. “Post-war justice” is a new pillar of a just war in which there is discussion of disarmament problems, order restoration, just peace agreements conclusion, compensation, reconciliation and reconciliation promotion between contradictory parties, war criminals trial and political and economic transformation (Orend, Jus post Bellum , 2004).

In fact, this pillar is important and includes the reasons for countries use of war, and the means of their conduct in war. Its significant in recent centuries appears to be superior if we look at the difficult phases of ending modern wars including the Gulf War. This pillar was largely ignored by the founders of the Just War, and there is insufficient kindness to its own ideologies and directions. Later, this idea has been developed gradually. In spite of its long deficiency, the theory gains impetus because of the American invasion of Iraq and Afghanistan, and the theory of a just war, as a result, has regularly developed. In spite of its long absence. Therefore, the key principles of jus post bellum are:

- **Compensation:** Because aggression is a crime where the fundamental rights of individuals and states are violated and causes much destruction and devastation, the aggressor must pay some compensation to the victim of that aggression. The price of the compensation is related to the nature and seriousness of the act of the aggression itself (Orend, Michael Walzer on war and justice, 2003).

- Disarmament: Victorious powers must distinguish between military commanders, soldiers and civilians in a defeated country, and not impose retaliatory measures against the vanquished. This, therefore, loses economic and social sanctions as part of the punishment (Walzer M. , 2004).
- Rehabilitation: The principle of re-reform derives its necessity from the re-establishment of rights. Without re-reform, it may be difficult to secure rights. The difficulty in this fundamental principle of economic and political reform is perhaps the most serious action that a victorious regime may impose (Walzer, 1977, p. 164).
- Punishment: Leaders and soldiers from aggressive states must be held accountable and be prosecuted if they commit war crimes. The punishment must be carried out objectively. In this regard, Walzer saw the United States war on Iraq in 2003 as an unjust war because there were many other tracks to achieve the goal of disarming Iraq on the assumption that there allegedly were mass destruction and chemical weapons in Iraq. Furthermore, the Bush administration, in its view, had not provided adequate evidence to show that Iraq was already a danger, or that it posed a danger to the world order soon (Walzer, 1977, p. 143).

1.12 CHANGING U.S. SECURITY MODELS: THE WAR ON TERROR, THE PRE-EMPTIVE STRIKE AND THE RISE OF NEO-CONSERVATIVES

The United States of America foreign policy has been influenced and changed by the September 11 attack, and this attack was one of the attacks that have profoundly changed the history of U.S. policy from the end of the World War II. This attack gave policymakers a reason to forge a new kind of foreign policy that cannot be underestimated by the countries of the world. The new kind of policy that the United States has practiced has marked some important items, particularly the first strike and the war on terror .The final part of the chapter will focus on the subtleties of the United Nations, which invented the war on terror and changed it to the war of terror, and the United States' responsibility for invading Iraq in 2003. The 9/11 attack was considered the main reason for the U.S. administration to wage war with Iraq, which was a very controversial step not only within international legal circles but also

at the local level. Pre-emptive strikes were a central factor of Bush's larger agenda of the War on Terror that dared the existing security standards, political theories and international law. The new Conservatives directly influenced Bush's policies. At the following points, we will highlight an introduction about Bush's security and ideological strategies, which considered the role of key in the invasion of Iraq (Lecamwasam N. , 2013, p. 35).

1.12.1 Global war on terrorism and the changing world order

The course of the twenty-first century has changed because of the 9/11 attack, which hitherto had never been seen. The United States waged war against the alleged 'rogue states' or against terrorism and replaced the Cold War with War on Terror. The War on Terror changed the leading world order from a multipolar system to a unipolar world, with the United States being the dominant force in the world. Shortly after the 9/11 attacks, the United States changed its international policy with the adoption of the principle of war on terror, and this in turn has already helped increase anxiety among sovereign nations around the world to deal cautiously with the United States. The expected result is that the United States, due to its fear from other nations, became the only dominant force (Tunander, 2004).

The United States of America has adopted a new style of foreign policy, the fight against terrorism and the countries that sponsor terrorism. Considering that these countries pose a threat to world peace, and thus by adopting a new strategy by the Bush administration, the first strike strategy has made the United States able to respond militarily to states sponsoring terrorism. After the US attack on Afghanistan, U.S. aggression expanded to include regimes that reportedly deal with mass destruction weapons and terrorism. Similar allegations have made Iraq a victim of aggression by the United States, and this decision will be discussed in subsequent chapters (Lecamwasam N. , 2013, p. 37).

1.12.2 Rise of the neo-conservatives

In 2002, the strategy of national security emerged clearly through New Conservative policy. As Jeffrey Record points out (Record, Wanting War, Why the Bush Administration Invaded Iraq, 2010).

Every action taken by the United States of America is the reflection of Bush's management policy in the post-cold-war world, and this has had significant political consequences, particularly about the Bush management strategy to the Middle East. In a practical way, U.S. foreign policy aims to globalize American morality globally, a work that New Conservatives have strongly endorsed (Record, preface to *Dark Victory*, 2004).

The new governors consist of Defense Ministry officials and in the Vice President's office, they know the name of Vulcans and as Chris J. Dolan referred in *Striking First*, "The Vulcans ... are the most active proponents of expanding the war on terrorism to include the use of force against states." The 11Sept attack is seen as an opportunity to increase defense spending and eliminate potential rival countries, as was the policy of neo Conservatives like Reagan's foreign affairs policy that hailed nationalism and interventionism with little tolerance for the new rise of a new rival (Dolan, 2004).

1.12.3 Axis of evil speech and Iraq's destiny

The speaking put Iran, Korea, and Iraq on the axis of evil. Bush stated that it poses a threat to the world peace security, and in accordance with Bush management, these states or regimes supported violence and aimed to possess mass destruction weapons. As a result, the United States would be morally obligated to examine them for world peace. The rhetoric from Iraq has made it an issue of managing the international strategy of the United States, therefore eliminating states that have the real latent to convert nuclear power. Interestingly, although South Korea has made developments in the nuclear system, the U.S. administration has not taken any action to confront it. Instead, the focus was on Iraq despite the lack of evidence justifying the US attack. For Bush, there was somewhat to hide about Iraq and the world did not know (Lecamwasam N. , 2013, p. 43).

1.12.4 Pre-emption and preventive wars: new dimensions of use-of-force.

For the first time ever, the term "first strike" was used as a fundamental conversion in the area of United States. security policy that played a significant role to justify the invasion of Iraq. The U.S. administration considered the pre-emptive strike to be a means of ensuring

security, peace and global stability. The first strike doctrine became an expression of the supremacy of the United States in international legislation for the 21st century, and this is what the United States is doing with its own initiatives, regardless of international law. The doctrine reevaluated deterrence and containment as being outdated principles. Assistant Defense Secretary Paul Wolfowitz Miley stated:

“Containment and deterrence go back to an era when the only use of force we worried about was one in which the use of force could be directly associated with a country, and that country had an address. The whole thing that terrorists introduce is that you not only do not see the threat coming but you do not know where it came from” (Wolfowitz, 2003).

The US management has used the Pre-emption war as its newest policy against terrorists and their partners. Therefore, a distinction must be made between preventive strikes and Pre-emption strikes. The Pre-emption war is a war that begins to repel or defeat an imminent attack or acquire a premeditated benefit in an approaching (and inevitable) war presently before an attack. On the other hand, a war or military action initiated to prevent a belligerent or neutral party from gaining the ability to attack. The party which have been attacked has either a hidden threat ability or has revealed through its self-importance that it proposes to follow through with a future attack (Beres, 1991).

The purpose of a Pre-emption strike is to terminate the probable threat of any enemy even if the threat is looming. A Pre-emption strike is one that is linked to aggression and it is not the international community's commitment. Even the agreement of the United Nations does not allow for any type of first attack without approving by the Security Council. After the renewal of the Pre-emption doctrine in 2003, the United States attacked Iraq on the basis that Iraq threatens security and world peace and that Iraq was in control of mass destruction weapons store. The Security Council did not support this step. Although the attacks were officially classified as Pre-emption, they were shown to be protective measures (Beres, 1991).

Brookings Institute has reported a description about the difference between ‘preventive war’ and preemption in the new Bush strategy as follow: “ the war concept does not restricted on only the conventional concept of preemption—conspicuous an enemy as it formulates an

attack—but also comprises deterrence—prominent an enemy even in the absence of precise indication of a coming attack. The idea mainly seems to be focused at terrorist groups as well as radicals or "rogue" nation states" (Currie 2003).

1.13 Conclusion

In conclusion, this chapter presents the concepts and theories that deliver the researcher with a basic sympathetic of the path of the study. The theory of just war was explained as the theory that is the basis of the thesis. The War on Terror, the formulation of Bush's policy, preventive strikes and pre-emptive were also described as basic ideas that would supplement the emphasis of the thesis. The concepts and theories have been subjected to scrutiny in the chapters, which either support United States decision in its invasion of Iraq or in contradiction of the US invasion of Iraq as the case perhaps. The major purpose of this chapter is to set for the struggle, which will be revealed in next chapters.

2. THEORETICAL AND HISTORICAL FRAMEWORK FOR RELATIONS BETWEEN THE USA AND IRAQ

2.1 INTRODUCTION

The basic argument will begin in this chapter by providing a historical brief between United States and Iraq, followed by a discussion of the U.N. sanctions against Iraq. The chapter will also include the justifications provided by the United States to apply the right to war (*jus ad bellum*) to wage war on Iraq. The Bush administration, which put Iraq on the list of the axis of evil in the case of the Federation in 2002 and considered Iraq to be a threat to security and world peace, providing three explanations for the invasion of Iraq, the first of which was to reduce the propagation of mass destruction weapons and their implementation, secondly, sponsor and assist violence, and thirdly for the liberation of Iraq and the spread of democracy. To assess the fairness of the issue that caused the invasion of Iraq. It is significant to highlight the avowed objectives of the war and to note whether they had been achieved as; their achievement would lay the basis for the cause of a just war.

2.2 HISTORICAL SYNOPSIS

Before 1991, there was difficulty in finding scientific research focusing on the nature of American relations towards the Iraqi government. Iraq had indeed been mentioned in the history of the United States foreign relationships albeit indirectly since there were more extensive studies on issues such as the conflict that took place between the Arab States and Israel in addition to the Cold War at that time (Ryan, 2009).

Therefore, Iraq remained one of the countries with no stability in the perspective of American diplomatic history. The U.S. government's policy toward Iraq has fluctuated between conspiracy and cooperation. Frequently, U.S. policy makers have carefully considered U.S. interventions in Iraq such as direct intervention and covert operations in failed attempts to establish or manipulate Iraqi policy. The U.S. intervention in state policies to change the regime or support campaigns directed against leaders and regimes that have a dispute with the United States have been a frequent feature since the nineteenth century. The United States

has had a role in at least 14 decisive attempts at overthrowing foreign governments since 1893. Because of the hostile role of the U.S. government towards other governments, American leaders have considered changing other policies to be a necessary and legal goal of US foreign policy (Ryan, 2009).

Prior to World War II, Iraq had been controlled by the Hashemite monarchy. Property was supported by the British and as a result of this support, the royal family assumed power. The Western association system has been collapsed in an overthrow that toppled the monarchy and Brigadier General Abd al-Karim Qasim became the ruler. Abd al-Karim Qasim's having taken power represented a shift in the former Western vision of relations with the Soviet states after Iraq removed from the Baghdad Charter (Cleveland W. L., 2009). The coming years were full of internal problems, as with new political ideas and problems which ended later (Cleveland W. L., 2009, pp. 327-330).

Here, we must mention the role of Saddam Hussein and how he came to power. The United States played a role in Saddam Hussein's creation and there have been contacts between Saddam Hussein and the United States dating back into Cold War history. US intelligence has played a major role in removing Abd al-Karim Qasim from the helm. In 1959, there was a team of six people including Saddam Hussein, whose mission was, under the supervision of the U.S. intelligence service, to assassinate Abd al-Karim Qasim. In 1979, Saddam Hussein was appointed president of the Republic of Iraq by the Revolutionary Command Council after Ahmad Hassan al-Bakr stepped down from position (Hashem, 2003). When the Iraq-Iran war occurred, the United States supported Iraq with weapons, including conventional and non-conventional weapons. The relationship between Iraq and America had become very strong, and as a result of this strong relationship, there were visits between them, such as the Special Envoy of Ronald Reagan visiting Baghdad, conveying the greetings of the U.S. President and expressing his pleasure in Baghdad (Paul, 2010).

Saddam Hussein had gained a strong position in the local Iraqi community in 1968 and being a powerful politician with the qualifications of a statesman within the Baath Party, he was able to seize power. Coinciding with the rise to power of Ahmed Hassan al-Bakr, during this

period, Saddam became a confidant of the President of the Republic and was trusted in many missions, one of which included the establishment of the party's security apparatus. The organization had become one of the most feared security agencies in the Middle East (Coughlin, 2005).

His job as Chairperson to the Baath Party in the years before the revolution of 1968 gave him a prominent place in the system, which was set up newly under the reign of President Ahmed Hassan al-Bakr. Saddam came to impose his power and had all the information concerning the composition of the security services. This, in response, provided the Iraqi president Saddam Hussein enormous power on the Iraqi political life because Saddam Hussein knew all that happened (Coughlin, 2005, p. 47).

Thereafter, Saddam Hussein had strengthened his control on power inside the Baath party by his controller over all state organs with a strong influence. He took control of state institutions, which came as a result of the strong and good relationship between Saddam Hussein and Ahmed Hassan al-Bakr at that time. Saddam Hussein was appointed president in 1979 and he maintained his rank despite many circumstances (Cleveland W. L., 2009, pp. 397-398).

When the Baath Party seized power, the relationship between the Soviet Union and Iraq became very strong. As a result of the strong relationship between these two countries, there was strong support from the Soviet Union for Iraq and Iraq became one of the countries with a strengthened standing in the Middle East. As for the military arsenal and the supply of weapons to Iraq, the Soviet Union become one of the countries to export weapons to Iraq for many years. the reactionary that ensued came as a strong reaction to the Baath Party. As Towler explains, Reactionary Conservatism, "individuals that does not reacting to social change and progress or political change or new ideas, while trying to preserve the past" (Towler, 2014).

With regard to the Iranian side and its view of Iraq, the Shah had a strong reaction to Iraq because of the strong relationship between Iraq and the Soviet Union and the Shah considered Iraq to be a threat to regional stability. (Edwards, 2013).

The Iranian Revolution occurred, and the American double policy had collapsed in 1979 and the United States subsequently had no diplomatic relationship with Iraq for 12 years. (Edwards, 2013, p. 77) Iran moved from the strongest ally of the West in the region to its greatest enemy. The Iranian Revolution was of profound importance not only to Iran but also to the Middle East as well as to the external powers that dealt with the Middle East. This revolution transformed the economic, social, political and legal structure of the country including the overthrow of the Shah and the founding of a republic that replaced secular laws with the Islamic laws. Military and political leaders chosen by the Shah were overthrown and a new elite was established (Cleveland W. L., 2009, p. 423).

The Iranian Revolution destroyed the basic rules on which American policy was based in the Arabian Gulf as the Shah's relationship with America was very strong associated with other states in the Gulf region. Iranian military arsenal came into the hands of the regime that had renounced the United States, vowing to eliminate the American presence in the region. (Cleveland W. L., 2009, p. 424) When the war between Iraq and Iran started in 1980 on the one hand, and the triumph of the Iranian Revolution occurred on the other, the United States had to reassess its Middle East policy, including its relations with Iraq. The outbreak of hostilities between Iraq and Iran had given the United States risks and interests, as made the Soviet interference in Afghanistan. As for the United States, the victory of Iran or the Soviet countries would have been detrimental to U.S. benefits in Middle East. The United States in the war between Iraq and Iran was standing beside Iraq during the whole war (Yetiv, 2008, pp. 50-51).

In 1984, the relationship between United States and Iraq improved. As well as, Iraq was classified as being among non-terrorism-related countries. Because of the development of diplomatic relations, America provided Iraq with the necessary aid, including allowing the facilitation of Iraqi arms importation. At the same time, America worked to take steps to shackle Iran (Yetiv, 2008, pp. 50-51).

Strong support was given by the United States to Iraq when diplomatic relations were strong in the 1980s.

At the end of this war that continued eight years, the Iraqi army has been classified as one of the most powerful army in Middle East (Yetiv, 2008, p. 53).

During the twentieth century, international actors employed great strategic significance on the hegemony of the Middle East. Powerful countries have devised plans to strengthen their impact in the Middle East, especially in the Arabian Gulf area at the end of the Cold War. Oil played a powerful role in winning relationships with the great powers. At the end of World War II, world demand for oil increased and dependence on oil has become important for the great powers. As a result, the great powers made it a priority to establish relations with countries that possessed oil. The Middle East holds importance due to its oil resources, which are both economically and politically significant (Edwards, 2013, p. 61). The United States understood early on that it was no longer able to maintain itself and the demands of its allies for oil as it did through the World War II and needs a modern pattern to control the oil. This way secures the flow of oil reservoirs in the Arabian Gulf, which meant changing their importance from commercial goods to strategic commodities (Edwards, 2013, p. 61).

2.1 THE UNITED NATIONS SANCTIONS AGAINST IRAQ

- **Gulf War II**

When the Iraqi army attacked Kuwait, Saddam Hussein met with the U.S. ambassador April Glaspie. There was talk about the Iraqi attack on Kuwait, the response of the U.S. ambassador Glaspie "We have no opinion on Arab -Arab conflicts, like your border disagreement with Kuwait" (Hussein, 1991).

One item is convinced; Ambassador Glaspie has not stated that the United States was against the Iraqi attack on Kuwait. Saddam Hussein believed that America had no problem with the Iraqi attack on Kuwait. Saddam Hussein's understanding was wrong .Yes, misunderstandings can ignite wars and conflicts (Askari, 2012).

- **Security Council Decision 661**

Iraq's attack on Kuwait in second of August 1991 led to international responses through U.N. Security Council Resolution 661. Acting under Chapter VII of the Charter of the United Nations. Because of Iraq's invasion of Kuwait, several decisions were taken to counter Iraq's invasion. These decisions included imposing economic sanctions and for states that respect human rights to avoid importing of all goods and products manufactured by Iraq or Kuwait after the adoption of this resolution (U. N. Council 1990).

Through the Cold War, the Security Council found itself in a rather helpless situation. Economic sanctions no one imagined that might ever generate a humanitarian disaster. All of that changed in 1991 and the United States proposed to impose comprehensive sanctions on Iraq. There was excited backing for the implementation of these sanctions and the American proposal was accepted by all countries allied with America with strong support given to the proposal by the Security Council, political scientists and economic sanctions experts (Gordon, 2009).

Acceptance of the initial sanctions imposed on Iraq was an important matter and a change for the Security Council, where the historical deficit was broken through unanimity through the UN Security Council. At the end of the Cold War, only one system was governing the world. The fall of the Soviet Union in 1990 provided the chance for combined action among countries that was not easy to achieve (Gordon, 2009, p. 358).

Resolution 661 and an affirmation of the decision of Resolution 660, which included the condemnation of Iraq and called for Iraq's to withdraw from Kuwait, also included initial sanctions for economic sanctions imposed on Iraq, prevention of Iraq from exporting goods or weapons and a ban on aviation regions in the north and South. Indyk stated the condition would not only apply to Saddam Hussein, but to any regime like his. The United States described the Iraqi regime as a criminal, dictatorial and non-repairable system (Sick, 1998).

The first objective of carrying out the economic sanctions on Iraq, as mentioned in these purposes, was to achieve an Iraqi withdrawal from the engaged territory and thus "to put an early end to Iraq's invasion" (U. N. Council 1990).

The right intention in *jus in Bello* was to be a moral strategy within the framework of war and it had to be free of ulterior motives. The real aims of it were to achieve the Just Cause. The right intention included the formation of only peace. Any interference that violated this target became a destructive exercise and the standard aspired to avoid such incidents. Iraq's compliance with the United Nations about the weapons inspection system, as well as there is no real Iraqi threat towards the U.S. Arguably, the protesting states waged war at great human and material cost for no apparent reason, and this war was either to defend a case that did not exist or to serve a strong motive that could not be predicted by its nature (Lecamwasam N. , Iraq Invasion: A "Just War" or Just a War?, 2013).

- **Security Council Resolution 678**

On 29th of November 1990, Resolution 678 was issued. This resolution allowed all states and the United Nations members to utilize the completely essential means to support and conduct Resolution 660 (1990) and all resolutions relating to international peace and security in the region .Under Chapter VII of the Charter, this resolve demanded that Iraq completely obey with Resolution 660 and all applicable resolutions, and decide, while keeping all its decisions, to help Iraq on one final chance as an act of good will to do so. Moreover, this resolution delivered that the states concerned should keep the Security Council frequently cognizant of the development of any taken actions (Council, 1990).

This was a condemnation by the United Nations in a sequence of resolves and calls for an instant Iraqi withdrawal from Kuwaiti territory and the imposition of economic and air blockades Security Council Resolution 678, which was set for 15th of January 1991, was the final date for Iraq's withdrawal from Kuwait. Resolution 678 was thus most significant. The perseverance called on Iraq in order to terminate all non-conventional military means including both chemical and biological weapons that provided by the West. This had been a precursor to lifting the sanctions imposed by the United Nations. Immediately after the withdrawal of Iraqi forces on January 15, 1991. George H.W. Bush well-organized alliance militaries to start Operation Desert Storm as the coalition pushed Iraq out of Kuwait. The US

attack on Iraqi forces was not only for the liberation of Kuwait, but also for the destruction of the Iraqi army, in the words of General Colin Powell (Askari, 2012, pp. 102-103).

In the context of all the justifications delivered by the United States, it has been showed to be false. In case of Iraqi side, the decisions could have been political discussions, extension of sanctions, or more U.N. assessments. The enquiry that must be asked is whether all these options have been exhausted before the invasion .While some consider that U.N. weapons assessments must give more time because of the request of the U.N. weapons inspector Hans Blix for a several more months, Iraq was showing positive operations to comply with inspections. Despite Iraq's compliance with the inspections, the United States opted to invade Iraq and rejected Iraq's peace offers. It is therefore logical to accomplish that the United States unsuccessful to maintain the moral criteria as set out in the theory of a Just War (gloriam, 2011).

The legitimate authority of the United States to start an attack on Iraq was questioned without the express agreement of the Security Council, which had important repercussions in three aspects, namely the bases of self-defense, public morality in war, and self-government. Depending on America's reasoning for self-defense, the lack of evidence justifying an imminent or distant threat required the approval of the Security Council prior to any invasion of Iraq. There has been a serious argument on the part of the proponents that the Security Council approved the military force use in Resolution 678 (1990) due to Saddam's non-compliance with Resolution, the Resolution 678 allowed to use the military force. The counter-argument was that using military force in Resolution 678 only approved the withdrawal of Iraqi forces from Kuwait and does not include the invasion of Iraq or the removal of Saddam (gloriam, 2011).

2.2 JUSTIFICATIONS PRESENTED BY THE US

The Bush administration, which put Iraq on the list of the axis of evil in the case of the Federation in 2002 and considered Iraq to be a threat to security and world peace, providing three explanations for the attack of Iraq, the first of which was to reduce the spread of mass destruction weapons and their implementation, secondly, sponsor and assist terrorism, and

thirdly for the liberation of Iraq and the spread of democracy. To assess the fairness of the issue that caused the invasion of Iraq, it is significant to highlight the stated objectives of the war and to note whether they had been achieved because their achievement would lay the substance for the cause of a just war.

2.2.1 Weapons of mass destruction (wmds)

The Bush management built its strategy to link the cause of Iraq and the regime of Saddam Hussein with mass destruction weapons, specifically biological and chemical weapons, citing the events of September 11, 2001, which allegedly showed the seriousness of the spread of mass destruction weapons on the global scene in general and Iraq in particular (Rahim, 2014).

At the request of Britain and United States, and adopted on eighth of November 2002, the war resolution came after the United Nations resolution, which was responsible for nuclear disarmament in Iraq pursuant to Resolution 1441 in 2002. There was controversy in the UN Council and the Security Council was unable to resolve this controversy with a pro-war team and a pro-peace team. The axis of peace was France, China, Germany, which felt that time, should be given to inspectors before the war began and the pro-war axis, the United States and the United Kingdom, viewed Iraq as a threat which possessed mass destruction weapons. After 12 years of search and inspection, the coalition countries felt that the United Nations had not succeeded in finding mass destruction weapons in Iraq, whose lack of cooperation in 1999 and the expulsion of U.N. inspectors made the Neo-Conservatives look upon the U.N. as a body which had no capacity to do anything. The arguments of the United States were as follows: (Bassil, 2012)

The United Nations failed to disarm Iraq after 1991.

- The United Nations adopted Resolution 687 in Article 8, after the first Gulf War in 1991 wherein Iraq unconditionally accepted damage, removal or be overrun under global administration.

- All components of research, progress, support and industrial amenities associated with mass destruction weapons, chemical and biological agents and all agent stocks and the whole sub-systems had to be suspended immediately.
- Stop all airborne weaponries with a range of about fifty miles in addition to the reform and production facilities. Then, in 1998, inspectors from the International Atomic Energy Agency (IAEA) and U.N. inspectors conducted inspections on all Iraqi sites.

- **Search for Weapons of Mass Destruction by the CIA**

Through a report published by Central Intelligence Agency in October 2002 titled “Weapons of Mass Destruction in Iraq,” Iraq had the capability, expertise and equipment to increase its store of mass destruction weapons. Iraq’s ability to operate prohibited programs without the discovery danger had enlarged the stockpiles of chemical and biological weapons. Moreover, Iraq has been increasing the use of its dual-use components quickly. Iraq tested uranium pipelines from Niger in the 1990s, producing chemical agents and developing weaponries (CIA, 2002). Joseph Wilson, a previous representative working on the Iraq issue, was commissioned by the United States to verify the existence of weapons of mass destruction Iraq had bought from Niger for use in the nuclear program. It became clear that it was difficult to transfer uranium from Niger to Iraq (Wilson, 2003).

In September 2002, the British administration distributed a report confirming that Saddam Hussein and his non-traditional arms were a direct threat. As indication, the report quoted Iraq’s efforts to buy uranium material from an African country. In 2002, President Bush repeated the charges regarding Iraq’s efforts to buy uranium material from the same African country and presented papers to the United Nations that Iraq had recovered its nuclear program. Although the Central Intelligence Agency (CIA) had not discovered mass destruction weapons, it was convinced that Iraq had no mass destruction weapons (Wilson, 2003).

- **The Justification of the United Nations about no existence of the weapons of mass destruction in Iraq**

In a speech by the security council of the United Nations (Colin Powell), Iraq was alleged to have weapons of mass destruction and was allegedly the source of illegal activities. Moreover, there were images of vehicles used in the biological industry as well as talks between Republican Guard officers on mass destruction weapons, satellite images and chemical weapons stockpiles. Countries such as China, Russia and France vulnerable to use the veto to inhibit the agreement of military attack on Iraq, thus the axis of peace refused to follow the United Nations. The United States decided to invade Iraq without the agreement of the Security Council (Bassil, 2012, p. 32). The Neo-Conservatives knew before others that Iraq's control of weapons of mass destruction had been a lie. The U.N. sanctions against Iraq have reduced the ability of the regime to rebuild its weapons capability, and although the sanctions were not successful in persuading the Baghdad government to abide by U.N. resolutions, it was an effective means of military containment. Sanctions have prevented Iraq from reaching its huge oil revenues because the United Nations controlled most of the income derived from oil sales (Kadouri, 2004).

After the invasion, the United States was unable to find any specific evidence that Iraq had possessed mass destruction weapons, and even intelligence had not been accurate before the war. The Neo-Conservatives had a significant role in deciding to go to war. Wolfowitz noted in 2003 that, for bureaucratic reasons, the United States was settling on (the excuse of) weapons of mass destruction since it was the only cause on which everybody agreed. The United States also stated that Iraq would use mass destruction weapons against the United States and that as long as chemical and biological weapons had been used in 1988 against Iran and against the Kurds, Iraq would use them again against the United States (Tofiq, Why did the United States lead an invasion of Iraq in 2003?, 2014).

Iraq's submission with United Nations weapons reviews, and the deficiency of evidence justifying an invasion of Iraq, have made the claim for a just cause null and void. The attack on Iraq was an overflow of the borders set for war. The sensible measure here was to

deactivate the regime, which was rejected by the United States. Post-invasion evidence has pointed to a failure of Allied intelligence to identify a real threat justifying the invasion, so the invasion cannot be justified through the discourse of just war by the American elites violating the “just cause” criterion (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013).

2.2.2 Sponsoring terrorism

Despite efforts by the US administration to link Iraq to terrorism, it was impossible to establish a perfect link between the Iraqi regime and al Qaeda and the attacks of 11 September 2001. As a direct reaction to the attacks of 11 September 2001, the United States tried to link the attack to the fact that there was cooperation between the Iraqi regime and the terrorists. In addition, many U.S. policymakers had called for an invasion of Iraq (MacMillan, 2005).

It can be said that the events of September 11 provided the U.S. administration with a strong argument to link Iraq to terrorism. Colin Powell in a speech especially had called for an attack on Iraq. From the point of view of the U.S. management led by Neo-Conservatives, Saddam Hussein had been supporting international terrorism, Saddam Hussein’s regime had links to al-Qaeda and working together, and there had been al-Qaeda terrorists present in Iraq (Tofiq, Why did the United States lead an invasion of Iraq in 2003?, 2014).

The invasion of 2003 may reasonably be seen in terms of the U.S. administration’s need in post-9/11 circumstances to push for a local solution in Middle East. General Wesley Clark, a prominent Democrat and North Atlantic Treaty Organization (NATO) commander in Kosovo in 1999, identified a new U.S. regional strategy: the realization of an anti-terrorism government in Baghdad (MacMillan, 2005, p. 36).

Moreover, US officials and the US administration stated that there was great cooperation between the regime of Saddam Hussein and al-Qaeda. For example, Cheney said, “There is a close and old link between al-Qaeda and Saddam Hussein.” The US administration stressed that there was a clear connection and relationship between the Iraqi regime and terrorism. There was also an association between al-Qaeda and the terrorist group Ansar al-Islam, which

was active in northern Iraq. George W. Bush stated that the mass destruction weapons possessed by the Saddam Hussein would be handed over to al-Qaeda and other terrorist organizations. There had been no doubt that there was no overwhelming relationship between the two sides (Tofiq, Why did the United States lead an invasion of Iraq in 2003?, 2014).

The September 11 Commission confirmed that there was no link between the Iraqi regime and al-Qaeda, defying one of the Bush management major explanations. The report stated bin Laden “explored possible cooperation with Iraq” while in Sudan until 1996, but “Iraq apparently did not respond” to bin Laden’s demand for help in 1994. The committee noted rumors of associates between Iraq and al-Qaeda. Bin Laden has gone to Afghanistan in 1996, but it does not seem to have caused in a cooperative association. Two of bin Laden’s top aides had strongly denied any links between al-Qaeda and Iraq .There was no trustworthy indication that Iraq ever cooperated with al-Qaeda in attacks on the United States. George W. Bush stated that Iraq “protects terrorist groups.” In late 2001, Cheney stated it was “well confirmed” that Mohammed Atta, mastermind of the September 11 attacks, had met a firstborn Iraqi intelligence authorized before the invasion in April 2000 in Prague. Then, Cheney said the meeting could neither be proved nor disproved (Milbank, 2004).

Senator Joseph Biden argued that the evidence provided was not sufficiently clear to establish that Iraq had a relationship with al Qaeda. The evidence provided for the relationship between Iraq and al Qaeda was simply to raise public opinion and gain support in a war against Iraq. Also, George W. Bush tried to link between Iraq and al Qaeda after the September 11 attack even when the evidence was weak and unconvincing (Fisher, 2003).

In 2005, the 11th committee the responsible for revealing the relationship between Iraq and al Qaeda stated, according to Record's (2010) essay “We have not seen any evidence that there has been a development of a cooperative working relationship”. Nor have we found any evidence to indicate Iraq’s cooperation with al Qaida in developing or carrying out attacks against the United States. The United States presented the most disputed arguments for a just cause as a means of justifying a preemptive strike, which is simply, stop the possibility of

Iraq to sponsor terrorism, especially al Qaeda. Therefore, the troops were not able to create a clear relationship between al and Qaeda Iraq (Record, 2010).

The success of the war knows that it is more than just a military success, but it must also be a great prospect for a just peace. America has proven its overwhelming success in the war, but the invasion of Iraq has amplified the probability of terrorist attack round the world. This specifies that America has not succeeded in tackling the terrorism concern, which was one of the motives for its outbreak of war. War is undoubtedly one of many reasons, as the pragmatists say, which led to the decline of American impact (Ramazani, 2008).

The war in Iraq is an unfair war because it breached the standards of proportionality, where there was a high possibility that there would be deaths as a result of the invasion, suggesting that there was a low possibility that Iraq would permit mass destruction weapons to terrorists to attack America (Enemark, 2005). Moreover, if Iraq's weapons had been a threat, the appropriate solution would have been the annihilation of those weapons, not the invasion of Iraq and the Iraqi constitution reformulation (gloriam, 2011).

2.2.3 Liberation and the promotion of democracy

US President George W. Bush said on democracy in Iraq, "Freedom in the Middle East requires freedom in Iraq. By helping Iraqis build a permanent democracy, we will spread freedom across a turbulent region, and we will win new allies in the cause of freedom. To build a strong democracy, we add to our own security, and we, like the generation before us, lay the foundation for peace for future generations"

George W. Bus,2005, The Struggle for Democracy in Iraq: Speech to the World Affairs Council of Philadelphia, Pennsylvania. The fact that Iraq was governed by an authoritarian regime cannot be denied. However, changing the system externally remains a serious option. Together, the seriousness of the United States and the UK in spreading democracy became questionable (Malik, 2005).

The United States declared that the aim of the attack on Iraq was to liberate Iraq from a tyrannical regime. According to U.S. policymakers, the liberation of Iraq from tyranny was

the name that would be used instead of the American attack. On October 10, 2002, the US Congress passed a resolve approving the force use against Iraq. On March 17, 2003, the United States gave the regime of Saddam Hussein 48 hours to leave Iraq. The invasion of Iraq then began. On March 19, 2003, President Bush delivered a speech and the aim of the speech was to speak of freedom, “I believe the United States is the beacon for freedom in the world and I believe we have a responsibility to promote freedom” (Brown, 2005).

As President Bush has said in the context of talking about democracy, “American and coalition forces are in the early stages of military operations to disarm Iraq, to free its people and to defend the world from grave danger”. Promoting democracy abroad has been a feature of U.S. foreign policy since the early part of the 20th century, accompanied by a surge of international representatives. The terrorist attacks of September 11, 2001, and the view of the demographic deficit in the Middle East by Bush’s administration as “a fundamental reason” had led to a main withdrawal from the conventional direction of U.S. strategy. Later, the democracy elevation arose as a central tenet of U.S. strategy in the Middle East. The United States had failed to promote democracy in Iraq, which was considered one of the most important goals of the United States in Iraq (Markakis, 2012).

The ideology of neo-conservatives providing the theoretical and political satisfied of the Bush administration. There, the conservative policy was focused on spreading liberal democracy in the Middle East as that would improve the security of the United States. In this context, many political analysts argued that there was a conviction among policymakers that the economic and security benefits of the United States were entrenched by the proliferation of liberal values and democratic institutions abroad and this was significant for the United States. For example, a study by Charles Krauthammer, who stressed that with evaporation and retreat of socialism, the progress of democracy must convert the cornerstone of US foreign policy, which means a new ideological policy (Williams B. C., 2008).

As part of the administration’s arguments that Iraq would be the first step in the democratic transition in the Middle East, the Neo-Conservatives and administration of the United States considered democracy to be the only solution to every problem, for every country suffering

from authoritarian dictatorship, and that achievement of democracy would not be difficult, as had occurred in Eastern Europe after the removal of dictatorial regimes. Moreover, democracy in Iraq would may a positive impact overall Middle East, according to Neo-Conservatives. In President Bush's 2003 talking to the National Endowment for Democracy, he stated "Iraqi democracy will succeed—and that success will send forth news, from Damascus to Tehran—that freedom can be the future of every nation" (Williams B. C., 2008).

The dynamic power overdue liberation, democratization and humanitarian interference must be a humanitarian persistence, in the event of an invasion of Iraq in 2003. Humanitarian arguments, liberalization and democratization did not occupy any part of the arguments put advancing by the United States to justify military action, thus undermining a fundamental premise in justifying humanitarian intervention. In addition, the evidence indicated that the damage inflicted on Iraqis by the invasion overshadowed the good it would have implemented. If the tyranny of the Iraqi regime was a frightening for most Iraqis, the period of civil war that trailed was a veritable fear for Iraqis. The deliverers of the condition currently are far from being reasonable because of the rude nature of the existing government that is characterized by a high amount of selectivity in the application of human rights (Watch, 2012).

As far as self-determination is concerned, Iraqis had the right to contest for their liberty against the oppression of Saddam Hussein, and any democracy forced by force does not match this disagreement, as was the case with the invasion of Iraq in 2003. The United States had planned, attacked and imposed on Iraqis, who had been freed to determine their own destiny. Therefore, the legitimacy of the U.S. actions was questionable in the absence of the rules of autonomy for Iraqis (Lecamwasam N. , Iraq Invasion: A "Just War" or Just a War?, 2013).

Walzer's view of self-determination is that democracy is the right of peoples and that a people has the right to struggle for their liberty and that any invasive assistance will eventually divest the liberty state (Walzer M. , 1977). A democracy forced by force is inconsistent and not

democratic as it is not a scheme belonging to the power of people. As a result, this had weakened the legitimacy of America's actions (gloriam, 2011) .

American humanitarian intervention was not in accord with the standard of reasonable prospect of success. According to the report of the International Committee of Intervention and State dominion, war is justified if the results of the work are not inferior than the significances of indecision and as Fukuyama points out, America had not been unequivocally successful, and America should study past failures before waging war. It clearly indicates that there had been no planning and that prospects for success in other regions would be uncertain (gloriam, 2011).

The rules that are not justified in the jus in Bello paid for by the Bush management resist the fairness of the attack, even although ordinary people cannot reach an appropriate information to analyze the war under the principles of the Law of War. The war corruptions that American forces had committed indicated serious violations of conduct during the war. It is difficult to assess the invasion for humanitarian reasons, and the U.S. war is a testament to the disappointment to meet the standards of jus in Bello as it shows that the occupation was unfair (Fiala, 2008).

2.3 THE IRAQI SITUATION BEFORE THE US ATTACK.

On December 17, 1999, resolution 1284 was issued. By which a report was to be submitted providing for a review of the penalties, If Iraq undertakes to collaborate with the Examiners and the United Nations. The Committee, which has taken up the work, is United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) instead of United Nations Special Commission (UNSCOM) and has assumed its work on disarmament (Nations, 1999).

The issue of the invasion on the World Trade Center has risen to the top of the international agenda, and concerns have been raised over the propagation of Weapons of Mass Destruction (WMD). Iraq's previous reluctance to obey with the decommissioning and missing revelation

in the vital Chemical weapons programmed has led to international dissatisfaction. George Bush expressed his opinion on the matter in a straightforward way he said "The worst thing that happens is allowing a country like Iraq, run by Saddam, to develop weapons of mass destruction, and then join terrorist groups so they can blackmail the world. I won't let that happen" (Bush, 2002).

George W. Bush viewed Iraq as the main financier of terrorist groups. U.S. policy makers considered Iraq to be dangerous countries, even if it did not support terrorist groups, would do it in the future. In following year Rhetoric against Saddam Hussein became increasingly inflamed, George W. Bush regarded Iraq as the "axis of evil", and the media played a role in amplifying Iraq's role in supporting terrorist groups. The days of the Ba'ath regime was numbered, and no concessions made by Iraq after the 9/11 attack could deter a U.S., that was on a warpath (Bergenek, 2014).

In its final years, further addendums to the sanctions were made; Resolve 1409 was approved in 2002 and generated more scope in previously listed dual use items and the importation of spare parts. This increased the possible effectiveness of The Oil for Food Program (OFFP) and service intended edifice and humanitarian assistance by significantly simplifying the reestablishment of public arrangement (Bergenek, 2014).

2.4 CONCLUSION

In conclusion, this chapter describes the conduct of the United States to Iraq before 2003 and what the U.S. justification for the occupation of Iraq and the assessment of these justifications within the criteria *jus ad bellum*. The assessment showed that the United States violated the *jus ad bellum* standards in the occupation of Iraq in 2003. that the United States violated all norms relating to the law of war (*jus ad bellum*), which is one of the principles of a Just War theory. Nevertheless, the United States took the decision to wage an immoral war. Results

on the causes and consequences of the attack showed that America could not prove its claim of war by finding weapons of mass destruction, and that the Iraqi regime had been showing acceptance to inspection teams in their search for weapons of mass destruction, so the United States could not justify its decision from the perspective international law at the attack time.

The third dispute about the United States' claim of saving Iraq from dictatorship and spreading democracy was that there had been human rights violations in Iraq that necessitated humanitarian intervention when the invasion was decided. The legitimate authority had proved to be fragile and the United Nations should have taken the decision. The likelihood of the United States being a legitimate authority based on self-defense was very small as the United States was not under any imminent threat and Iraq did not strike during the U.S. offensive.

Through the issue of proportionality, the point that the proposed US actions to deal with the depraved circumstances in Iraq were not commensurate with the real Iraqi threat was evident prior to the invasion. Arguably, America was attempting to find a convincing reason to attack Iraq and America did not want to give Iraq any more time so that United Nations sanctions and diplomatic negotiations could have an impact, thereby violating the final asylum criterion. It can be said that in a situation where the reason is unfair, it confirms that the intentions were not correct.

3. IRAQ AND THE LAW OF WAR

3.1 INTRODUCTION

In what cases does humanitarian law apply? International humanitarian law is applied in two cases; this means that it provides two systems of protection. International armed conflicts and non-international armed conflicts.

This chapter will be an inspection of the International Humanitarian Law applicability, in addition identified as the Law of War or Law of Armed Conflict, in the 2003 Iraq occupation. Why the International humanitarian law is significant in the framework of a just war theory because the application of jus in Bello invariably involves reference to International Humanitarian Law which is the law of war/ armed conflict. Additionally, IHL is synonymous with jus in Bello (Cross, 2015). It will discuss the method which through the US has performed herself through the invasion of Iraq, it will only take into account many disputed issues through the invasion, and will come to an assumption about whether or not the US perform despoiled the standard of jus in bello, with regard to the laws based on American conduct in the invasion of Iraq, it is correct to conclude that the actions of the United States towards Iraq, between March 19 and May 1 of 2003, are essentially governed by customary International Humanitarian Law and the four Geneva Conventions. Furthermore, the first additional protocol, which represents customary IHL, will be applied in the study of the United States' behavior towards Iraq. On this basis, the United States' attacks on Iraq will be assessed within the standards prescribed by the laws. Therefore, any breach by the United States of the laws mentioned during the invasion of Iraq is a violation of jus in Bello, and that any commitment to the laws is fair conduct within the framework of a just war.

3.2 WHAT IS INTERNATIONAL HUMANITARIAN LAW?

International Humanitarian Law, usually known as jus in bello, “a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare.

International humanitarian law is also known as the law of war or the law of armed conflict” (Pictet, 1958).

The jurist Jean Beké defines International Humanitarian Law “as consisting of all international legal provisions that guarantee respect for the individual and promote his prosperity” (Bakti, 1997).

It discourses subjects precisely in the scope of an armed struggle regardless of whether or not the force use is lawful. Applying it equally to the whole parties in an armed conflict aims to reduce the suffering caused by war by protecting and assisting its victims to the greatest possible extent. International Humanitarian Law contains a legal framework, namely, the Hague Law or the Act of War, and Geneva Law. The Hague Law refers to the totality of the rules of International Humanitarian Law that govern the use of force and the means and methods of warfare. The Geneva Law is the totality of the rules of International Humanitarian Law relating to the protection of victims of armed conflicts in the Department of Combat Operations. The protection of these groups also refers to the humane action of convicts of war, prisoners, noncombatants and humanitarian aid labors (Conventions t. G., 1977).

International Humanitarian Law covers two broad areas:

It defends those do not participate in aggressive including civilians, military medical and religious people. As well as, it defends those who stop participating including injured, stranded and sick fighters.

It also protects, with certain restrictions, the means of war weapons, methods of warfare and military tactics

International efforts have been made to sign the four Geneva Conventions of 1949 for the defense of wounded of armed fights as well as the 1977 Protocol to take charge of international efforts for a law that preserves the human dimension at times of armed conflict (Conventions G. , 1949).

International Humanitarian Law applies when an armed fight begins between states and is required on the whole parties in a fight despite of the initiator of the conflict. Given the changing face of conflict, International Humanitarian Law defines two main categories of conflict, namely international and non-international armed fights.

- International armed conflicts are those in which there are at least two states are parties. The laws of the four Geneva Conventions and Additional Protocol I govern similar conflicts.
- Non-international armed conflicts are disputes that are confined to the territory of one state and have the following:
 - a) Regular armed militaries and dissident armed groups;
 - b) Among the various armed groups, Article 3 which is popular to the completely four Geneva Conventions and Additional Protocol II, which lays down the criteria to be preserved in non-international armed fights (Conventions t. G., 1977, p. 67).

The hostile acts that took place in Iraq at the hands of the United States beginning in 2003 have embroiled the United States in International Humanitarian Law. Many moral issues have been elevated about the nature of the US occupation of Iraq in terms of Just War standards. The subsequent is an explanation of the fears of a just war that began on March 9 2003 to declare the end of the main war (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013).

3.3 APPLICABILITY OF INTERNATIONAL HUMANITARIAN LAW IN THE INVASION OF IRAQ

The hostilities related to International Humanitarian Law in the 2003 attack on Iraq received considerable global attention. The aerial bombardment on March 19, 2003 to the control of Baghdad after 21 days of major combat operations was known as the Iraq Liberation process. The President’s main announcement in May 2003 heralded the end of major military operations. However, it raised many questions about the presentation of International Humanitarian Law ideologies. According to Michael Schmitt, “The war in Iraq directs

international law to a global spotlight as there had been no conflict since the Vietnam War” (Schmitt, 2003).

There were many interpretations of *jus ad bellum*. In contrast, there were no clear explanations and studies concerning *jus in Bello*. Thus, the emphasis in this chapter will be *jus in bello* in addition to any issues relating to International Humanitarian Law (IHL) in the attack on Iraq and American performance in the 2003 invasion of Iraq under International Humanitarian Law. The thesis will focus on how long the invasion had taken to begin from March 19 to May 1 as an international armed fight between two countries, namely the International Alliance and Iraq. As such, the laws to be applied in this study are the four Geneva Conventions and the customary International Humanitarian Law. Since the United States and Iraq were not party to the first Extra Protocol of the Geneva Convention, the dispute will not be examined based on the provisions contained therein and which do not constitute customary IHL (Conventions G. , 1949, p. 10).

Additionally, The Hague Convention IV of 1907 and the Chemical Weapons Convention of 1933 do not apply to this dispute, as neither the United States nor Iraq have ratified them. However, the conduct of Iraq and the United States was conditional on customary International Humanitarian Law, which works even if it is not ratified by warring states. For instance, Article 1 of Additional Protocol I offers that “in cases not covered by this Protocol or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience” (Conventions G. , 1949, p. 10).

3.4 USE OF INTERNATIONALLY PROHIBITED WEAPONS

The weapons utilization in the war between two states is essential in determining the rationale for the conflict from the viewpoint of a just war and the international humanitarian order. While it must be distinguished that the United States has used weapons that are generally satisfactory in terms of International Humanitarian Law standards, there have been cases of severe criticism requiring attention (Verri 2006, 130).

Cluster bombs, depleted uranium and other incendiary weapons, being internationally prohibited weapons, were used by the United States in the invasion of Iraq. If the Geneva Conventions of 1949 had not dealt with the issue of the use of nuclear weapons and weapons of mass destruction (WMD), Article 36 of Protocol I of 1977 would have dealt with this issue by stipulating that parties acquiring a new weapon should know that its use is prohibited by the Protocol. This is because such weapons cannot be controlled (Verri 2006).

3.4.1 CLUSTER MUNITIONS, URANIUM AND WHITE PHOSPHORUS MOLDED ON IRAQ

Dr. Khalid Al-Shekhli, representative of the Iraqi Health Ministry, announced that the surveys and research carried out by the medical team for the Iraqi Department of Health confirm the use of internationally prohibited weapons such as mustard gas, nerve gas and other incendiary substances by the United States. In the long term, such weapons cause serious illness for citizens. Dr. Al-Shekhli also declared that he did not rule out the use of chemical and nuclear materials by the United States because all forms of nature had died in places affected by offensive operations (Shekhli, 2005).

U.S. Defense Secretary Donald Rumsfeld admitted at a session of the U.S. Congress on May 14, 2003, the details of which were quoted by Agency France-Press, that “rockets and thermal bombs can eliminate hostile elements in fortified shelters.” According to the source, Iraqi authorities referred to the use of internationally proscribed bombs with characteristics of nuclear bombs by US forces. However, the effect of these bombs extended to a small radius of more than one meter (Mansour, 2004).

Amnesty International announced that 13,000 cluster bombs exploded in the Iraq War, and the use of cluster munitions in the heart of populated areas violated the ban on indiscriminate attacks. This was a flagrant violation of humanitarian law and although the laws do not prohibit this type of bomb, it does not mean that they can be used in places of non-military interest (Ahmed K. , 2003).

Amnesty International has called on governments to refrain from using depleted uranium weapons. However, U.S. forces have used four-million pounds in the Iraqi war, which is equivalent to the one-quarter million bombs that were hurled at Japanese Nagasaki (al-Rifai, 2010). According to some media reports, America has used Guided Bomb Unit (GBU) 28 bombs that penetrate and destroy underground fortifications and rocks containing warheads using depleted uranium. The Guardian newspaper has recorded the projection of 1000-2000 tons of uranium on 51 areas spread across Iraq (Ahmed K. , 2003). In a 2005 publication, the United Nations Environment Program (UNEP) identified 311 sites contaminated with uranium in Iraq (Wittig, 2007).

The United States did not sign the Protocol on the International Convention banning the use of chemical weapons a U.N. official stated. The British Armed Forces Minister, Adam Ingram, stated that 30 bombs developed from napalm were used to strike military targets between March 31 and April 2 of 2003 during the U.S. invasion of Iraq. An Iraqi military commander added that in the airport battle, the U.S. military used a 9-ton bomb and incendiary phosphorus bombs capable of burning a military force (Daffar 2007).

3.5 Violation of the Obligation to Neutralize Civilians during Military Operations in Iraq

The U.S. invasion of Iraq in 2003 was marked by excessive use of force, the use of the “shock and Awe” method and by launching brutal raids to destroy the country’s infrastructures, economy, education and health systems. America has violated all the rules and customs governing armed conflict when it was targeted by indiscriminate shelling of civilians, without distinction between military and civilian target.

- **Iraqi Civilians in the Crossfire**

The protection of civilians is an important goal of a just war, and the protection of civilians is the focus of International Humanitarian Law because the basic function of international law is to minimize the damage to life and property. United States military operations against Iraq have also become a source of concern because of the dangerous and difficult fighting

positions it has had to deal with. Civilian casualties are unavoidable in war, but according to International Humanitarian Law, civilians must be protected if they do not participate directly in hostilities (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 40).

The death toll in the Iraqi war in the report is limited to the early stages of the war, from 19 March when US troops crossed the Kuwaiti border to April 20 when US troops stepped up their grip on Baghdad. The toll of America’s war on civilian deaths to the extent that it can be considered a humanitarian catastrophe is due to the failure of the US forces to abide by the laws of war in terms of the permanent obligation to distinguish military objectives from civilian targets. Fifteen-thousand Iraqis were killed in the early days of the US invasion of Iraq according to a study by an independent American Research Foundation. The number of non-combatant civilians killed was 4,300 (Goldenberg, 2003).

However, identify certain targets as "dual use," including electricity and media installations raised many pointed criticisms. These facilities did not provide any direct assistance to Iraqi forces according to Human Rights Watch. The buildings of the Baath party, which were not directly linked to any military objective, were also bombed. Subsequently, the targeting of non-military buildings is morally impermissible under International Humanitarian Law and the theory of just war (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 45) .

With regard to the targeting of human shields for victory, the United States has committed such a massacre. Helicopters attacked a group of soldiers when they used a civilian family as shields killing both the group of soldiers and the civilian family. Article 51 (8) of Additional Protocol I mentioned that through no circumstances will citizens miss their defense as protected peoples. In fact, this defense is provided for in the first Additional Protocol encourages combatants to use civilians as shields. According to the current rules of International Humanitarian Law (IHL), forces can be alleged liable for defilements of International Humanitarian Law (IHL) (Schmitt, 2003, p. 101).

Moreover, targeting medical facilities by U.S. forces is another story. On the night of March 23 during the Battle of Najaf, Members of the Baath party came to the center of al Hussein

ambulance station, took the ambulances and then shared the vehicles in the battle. The buildings, such as Nasiriyah Surgical Hospital and the Baghdad Red Crescent Maternity Hospital occupied by Mukhabarat, that were attacked were military targets at the time of the attack (Crittenden, 2003).

Human Rights Watch reported that the reason for U.S. forces' violations of International Humanitarian Law (IHL) was the lack of understanding of the current body of knowledge on humanitarian law. Consequently, there is a necessary need for management in order to circumvent civilian loss of life (Crittenden, 2003).

3.6 Doctrine of “Shock and Awe” Against Iraqi Civilians

If the rules of humanitarian law oblige states to refrain from any, act of violence or threat, the main reason of which is to extent terror between the civilian populations and prevent outbreaks of deterrence against them (Conventions G. , 1949, p. 37) . Moreover, if those rules also require states to warn the civilian population of an imminent threat of attack and then allow them to leave and move away from the operational areas (Conventions G. , 1949, p. 41),then what was the extent of America's commitment to those rules in their war against Iraq?

The US military leadership did not hesitate to wage a psychological war alongside a physical war against Iraqi civilians. According to the declaration of Harlan K. Ullman, The architect and designer of the plan “Shock and Awe”. Industrialized at the Pentagon in the mid-1990s, “shock and awe were a doctrine designed to leave the enemy so demoralized and disoriented that its will to resist crumbled” (Sanders, 2013). Moreover, for many the term “shock and awe” has come to epitomize the crudeness of the American assault on Iraq. Baghdad was bombed for two consecutive days with 600 to 800 missiles and during the same two days, Baghdad was bombed with 1,500 to 3,000 smart bombs weighing one ton (Sanders, 2013).

U.S. Secretary of Defense Donald Rumsfeld, at his first media conference in the Pentagon on March 21, 2003, was stated to be “appealing to Iraqi citizens to stay in their homes and

listen to radio stations receiving instructions from the Americans and their allies” (Magazine, 2003).

The United States has opted for the method of intimidation embodied in the idea of “shock and Awe” as 800 shells landed in Baghdad during the first 48 hours of the invasion of Iraq during the 300-hour campaign. “There will be no safe place in Baghdad,” said one of the Pentagon’s strategists in his speech to the news station C.B.S. War is a method of mass torture because the doctrine of “shock and Awe” is a military doctrine that targets not only enemy military forces but also an entire society. Collective fear is an essential part of strategy (Douglas, 2008).

What happened in Iraq was described as “hyper shock.” The massive attack on this country and the complete destruction of its infrastructure is an American desire to bring it back to the stone ages (Klein, 2009).

3.7 Blockade of Iraqis and the Suffering of Children as a Model

When the US-Iraq war broke out, beginning March 2003, U.S. forces used methods that impeded the food supply, destroyed water tanks and sewage streams as a weapon of war (Ahmed N. , 2010). According to International Humanitarian Law, the use of the blockade as a means of warfare is legitimate. However, its imposition is conditional on the principles of military necessity and proportionality. The main purpose of the blockade is not to intimidate, harass or starve civilians, which is prohibited by International Humanitarian Law. Moreover, armed forces are prohibited from deliberately making civilians suffer from hunger (Ahmed N. , 2010).

In a report submitted by the U.N. human rights rapporteur, Jean Ziegler, at the annual session of the U.N. Office of the High Commissioner, “What has been proven is that in Iraq, the blockade was used, the entry of foodstuffs was banned, and water tanks were destroyed as a weapon of war. It is a clear violation of the Geneva Convention for the Protection of civilians in wartime”. He also denounced the humanitarian consequences of the military strategy applied by the U.S. forces. A quarter of Iraq’s children are suffering from severe food

shortages and the death rate is increasing in Iraq every month,” he said. “I am keen to condemn strictly the humanitarian consequences of this military strategy, which has been applied by the U.S. forces since March 2003,” Ziegler told reporters (Ziegler, 2005).

3.8 Conclusion

The military triumph in invasion of Iraq was tremendously speedy and astonishingly low in terms of the number of American losses announced. However, it was a disputable military practice from various points of view. The U.S.-drove alliance went under censure because of their behavior through the invasion. This chapter examined the direct of conduct of conflicts by the U.S. troop through the invasion of Iraq about their consistence of IHL. It mulled over certain contentious issues relating to U.S. behavior during military operation and reached the following conclusions.

The forces that invaded Iraq led by the United States have tried to avoid making mistakes that are considered a defilement of international humanitarian law. Nevertheless, there have been cases of defilements of international humanitarian law. According to Human Rights Watch, there are no cases that confirm the fact that U.S. forces have conducted immoral acts against Iraqi soldiers who artificial surrendered or criticized while in civilian clothes.

Despite Human Rights Watch's research and the assessment of U.S. forces, U.S. troops were severely criticized through cluster bombs that have used in inhabited regions, producing casualties of civilian life and stuff. Actually, during the U.S. invasion of Iraq there were many civilian deaths because using cluster munitions. This violates the principle of proportionality and is an important belief of international humanitarian law.

Furthermore, precision-guided air strikes killed many civilians and did not hit any specific target, proving that the air strikes were not accurate. This requires greater caution in carrying out the attack. Because of the number of casualties caused by the bombing of media installations bear witness to the fact that there is a need for more planning before the attack, which finally shows a poor judgment and inability to achieve the expected end.

In conclusion, U.S. forces tried to comply with the instructions of international humanitarian law. Nevertheless, it has been proven that there are cases and deilements of the principles of international humanitarian law, which makes various features of the invasion an unjust war. According to preceding chapters, the war is unfair and immoral when it violates one principle of the theory of just war. Therefore, the 2003 U.S.-led invasion of Iraq was unjust under the jus in Bello constituent as well, because some convinced violations of just war standards happened through the conflicts in Iraq.



4. IRAQ AFTER THE U.S. INVASION

4.1 INTRODUCTION

This chapter will provide an investigation about the latest components of the theory of just war, i.e., in the post-war (jus post bellum), in relation to the attack of Iraq in 2003. The chapter will begin assessing the U.S. attack from the point at which the previous chapter ended, from May 1, 2003, Proclamation of President Bush that "major combat operations in Iraq have ended" to have resulted in the withdrawal of U.S. troops from Iraq on 18 December 2011. War justice in the U.S. war against Iraq had become a source of great apprehension for many theoreticians of war. This chapter will illustrate how the United States has failed to meet its obligations to Iraq as an inhabiting power and as a liable force to end the war in a way that respects human rights and the rights of Iraqis to appreciate peace without injustice and whether Iraq has become better after the invasion.

4.2 OVERVIEW: POST-INVASION IRAQ

During Iraq's occupation by U.S. forces and after the withdrawal of U.S. troops from Iraq in 2011, the United States left Iraq suffering from sectarian violence, political repression and mounting tension. The withdrawal of U.S. troops from Iraq therefore created some thoughtful apprehensions from the viewpoint of a Just War perspective (BBC, 2018).

In March 2003, U.S. forces entered Baghdad, seized important positions, seized the city after many raids, and ground attacks. On 9 April 2003, American soldiers smashed the effigy of Saddam Hussein. Shortly after the stability of the US forces and relative calm, chaos, looting and robbery began in government circles and looting in the country became widespread. Looting included the theft of items at the National Museum, which housed more than 10,000 ancient artifacts. On 1 May 2003, the U.S. president declared that main fighting operations in Iraq has been ended (Lecamwasam N. , Iraq Invasion: A "Just War" or Just a War?, 2013).

In the same year, resistance operations began to intensify against U.S. forces. US Defense Secretary Donald Rumsfeld announced that U.S. forces would continue to fight even after

the end of the major operations. According to the defense minister, those who performed these operations were part of the Baathist groups (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 20).

The month of August in 2003 saw an increase in insurgency resulting in U.N. envoy Vieira de Mello being killed in a suicide attack. Saddam Hussein was arrested in his hometown of Tikrit. In 2004, the insurgency increased to huge proportions and there were operations marked by a series of suicide bombings against U.S. forces. In June of the same year, a development occurred in the Iraqi government, with sovereign power being handed over to a transitional government due to criticism of the U.S. government over the ill treatment of Iraqi prisoners (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 21).

Regarding the elections in 2005, Iraqi participation in the elections increased despite the fact that the country was suffering from violence. Eight-million Iraqis voted in the first elections in June 2005, after which Jalal Talabani was sworn in and became president of the country. A new Iraqi constitution was drafted and endorsed by the Shiites and the Kurds, while the Sunnis merely observed. In October, the constitution was approved and ratified, and in December the Iraqi people elected the first government since the occupation. The year 2006 saw a sectarian war and escalating violence. The United Nations in the same year stated in a report that nearly 100 Iraqis per day had been killed since the fall of Baghdad. In December 2006, Saddam Hussein was executed. According to U.N. officials, the number of deaths due to violence rose steadily since the summer of that year. During the first six months of 2006, the number of civilian fatalities increased by more than 77 percent, from 778 in January to 3149 in June according to the United Nations (Semple, 2006).

Because of the increasing violence in Iraq, the President proposed to send more military forces to control the Iraqi situation, which occurred in 2007. However, the situation did not stabilize and there was an increase in the bombing operations that demanded the exists of thousands of civilians. In same year, there was controversy over the clearness of reserved military firms and new contests to the progress of international humanitarian law.

With respect to the security agreement among U.S. and Iraqi forces in 2008, the U.S. forces agreed to withdraw from Iraq in 2011. U.S. troops began withdrawing from Iraq at the beginning of 2009 and by the end of 2011, no U.S. troops were remaining in Iraq. The country was in a deplorable and unstable state, with escalating violence and political uncertainty (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 45).

4.3 THE UNITED STATES IRAQ POST-INVASION STRATEGY

The United States has received many questions about its role in Iraq, including how the ethics of responsibility arose, how it legitimately acted to intercept violence and reduce bloodshed, what the commitment of the U.S. forces was to stabilize the defeated country and reconstruct occupied territories, and what strategies had to be implemented for post-war reconciliation. According to the Just War theory, was it possible for the U.S. war against Iraq to be justified by the law of war, or the end of war according to the reasons for which the war was created?, Could America abide by the norms of post-war law, i.e. the obligation to leave Iraq, and that the end of the war be consistent with the arguments? Its primary reason for the war was to repair or address injustice or major aggressive action (Elshtain, 2008).

American politicians did not mention any of the elements mentioned after the Iraqi invasion. In fact, the American administration did not have any strategy to deal with Iraq after the invasion as it claimed to have destroyed Iraq’s mass destruction weapons for humanity and completely disregarded Iraq’s issue after the invasion. Many other mistakes had increased the failure to integrate post-war considerations into the planning of war. As the authors Ivo Daalder and James Lindsay pointed out:

The U.S. management thought that its post-war part in Iraq would be momentary on two main expectations. One reason was the assumption that the physical and managerial infrastructure of Iraq might be largely complete after the war. The last supposition that governs U.S. planning for postwar Iraq is that the American presence will be welcomed throughout the country (Lindsay 2003).

All the hypotheses assumed by the American forces were wrong and the United States were not able to thwart the Iraqi militias, maintain the system of institutions or maintain what they were. The unexpected resistance to American forces paved the way for a deadly rebellion. Because of this rebellion, American hopes for building a stable, administratively sound Iraq that could rebuild itself were themselves thwarted. Because of the speed of the U.S. administration in the invasion of Iraq, it was proven that the US government has no clear plan to stopover in Iraq. The U.S. administration's plan was to invade Iraq and destroy the Iraqi regime led by Saddam Hussein without knowing the main reasons that led to the invasion. Thus, the United States failed to realize that the elimination of the regime alone was inadequate and that it was necessary to guarantee that the war would generate a better condition than it had been previously. The proceedings that unfolded after the war were not predicted and a strategy for dealing with them did not exist (Lecamwasam N. , Iraq Invasion: A "Just War" or Just a War?, 2013, p. 50).

However, the United States role in Iraq after the invasion was major and central. The Coalition Provisional Authority was also established by the United Kingdom and the United States and exercised the powers of an interim government authority. The United States was officially tasked with the duties of an inhabiting strength. The full responsibility and authority for Iraq rests with the Interim Government of Iraq. The power was thus transferred from the Coalition Provisional Authority to the temporary government. Although the occupying power tends to deprive them of their position as a means to avoid duties, once the condition becomes an occupation, any exercise of partial or complete authority on enemy region by hostile forces are met with armed obstruction. As stated in Article 2 Paragraph 2 common to the Geneva Convention, occupation power must obey with the occupation law (Colassis, 2004).

There have been serious violations by the responsible force in Iraq. These include the United States of America's not thinking about reconstruction or rebuilding, and not having a strategy for controlling sectarian violence or the increasing numbers of the dead, or a broad democratic approach. The following is an explanation of the main disasters of the United

States through the period of its occupation of Iraq, which were the cause of the increase in violence (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 50).

4.4 BATTLE OF FALLUJAH

Fallujah was besieged twice, first in April and again in November 2004. The conservative approximate of deaths through the siege of April 2004 was 800, of which 572 to 616 were civilians; as a minimum, half of that number are children and women. There were perfect stories of the total deaths of 600 people as of April 12, 2004. Most of these deaths occurred before U.S. Marines began to allow the evacuation of women and children from the town (Peace, 2006, p. 22).

Fallujah Battle was a rotating point for the US occupation in Iraq and despite criticisms levelled at the Bush administration, the U.S. administration was still insisting on its stance and defending its grave wrongs committed against the Iraqi people. The Battle of Fallujah was a sign of the United States’ stance of taking responsibility and protecting Iraqis as an occupied nation. This battle demonstrated that the strategy of the United States in its fight against resistance had been mired in a strong crisis and had no capacity to withstand that resistance. On April 26 and 27, 2003, the 82nd Airborne Division of US Soldiers moved their position to Al Qaed Elementary School in the residential neighborhood of Nazzal and turned it into a military base. On April 28, about 400 people, mostly students, relatives and teachers, peacefully protested near the main U.S. base and then moved to the school to express their opposition to the occupation of their school. When the demonstrators, whose number was 150, approached the school, shooting of civilians during protest. As a result of this crime, a total of fifteen people was killed, three of them children under the age of 10, with more than 60 injured. There were also some families who were living in the houses opposite the school, which were not connected to the demonstration but were totally destroyed by this indiscriminate shooting. This incident has led to the intensification of resistance (Jassim, 2006).

The city of Fallujah was not affiliated with the Baath Party. The city became the scene that mocked the will of the United States to democracy, the guarantee of the United States

administrative system. Iraq was invaded under the pretext of making it a democracy model in the Middle East, However, the brutal acts of the United States against peaceful demonstrations have crushed the dreams of all those who loved peace and democracy. U.S. forces in Iraq had opted to punish civilians instead of punishing those responsible for the chaos in Iraq. The United States had committed severe destructions of both international humanitarian law and the post-war principles of punishment (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 60).

The resistance by the population in the city intensified after the result of this incident increased arrests from homes with people disappearing to Abu Ghraib prison, some 30 kilometers away from Fallujah. On 31 March 2004, four members of the American private security company Blackwater were killed after they mistakenly entered Fallujah. This action escalated an already tense crisis, which in turn led to the worst decision ever taken by U.S. forces. In a comment on the position, Walden Bello states:

In what will definitely descend as one of the wickedest decisions for the occupation administration, a band of two-thousand crowds from the First Marine Expeditionary Force encircled Fallujah on April 4 to search out and discipline the Iraqis elaborate in the occurrence. Former on April 1, Brigadier Mark Kimmit, delegate operations director in Iraq assured an irresistible answer saying, “We will pacify that city” (Bello, 2005) .

The civilian population raised the slogan, “We will make Fallujah a cemetery for the Americans.” However, both sides were hurt. In April, many American soldiers were killed in Fallujah and ultimately the confrontation added strong impetus in other Iraqi cities. The U.S. military, which went beyond the principles of international humanitarian law, began firing indiscriminately on civilians, most of whom were children and non-combatant women. Because of these criminal actions carried out by American forces, it ensued in a wave of unbalanced guerrilla fighting that placed the U.S. military in trouble. Late 2004 saw heavy fighting between U.S. forces and the resistance, attracting many fighters from various provinces to fight U.S. troops. In the end, the United States entered into a ceasefire agreement and power was handed over to the U.S. military (Bello, 2005, p. 58) .

Bello points out the mistakes made by the U.S. administration in Iraq in three points. First, the Iraqi army was dissolved, second, the bureaucrats from the Baath Party were removed, and third, there was no specific time for the handover of power to the Iraqi government. Thirty-thousand bureaucrats were arbitrarily deprived of their jobs because they belonged to the Baath Party. A defilement of the important democratic principle to easily determine their political position is also a violation of the norm of post-war judgement that calls for an appropriate difference between others not blamable for the carnages dedicated in the occupied state. This kind of penalty is not a mistake; it is an immoral act that ultimately leads to chaos and this has occurred in Iraq. Because of this act, many people who have been separated from their jobs had joined the protests, whether peaceful or violent, as reprisals against abusive decisions. The separation of a quarter of a million Iraqis from their jobs is an important source resistance groups (Bello, 2005, p. 60).

4.5 TORTURE AT ABU GHRAIB

Many of the images that showed violations and abuse against Iraqi prisoners treated as sexual prey were presented, and this shock caused public support for the invasion to fail dramatically in the following years. After this expose, Lieutenant-General Ricardo Sanchez, the senior officer of the U.S. Army, selected Major-General Antonio Taguba to inspect the behavior of the U.S. 800th Military Police (MP) Brigade that was liable for the Abu Ghraib Confinement Facility between October and December 2003. Identified as the Taguba Report, the inspection revealed the occasions of the prevailing criminal attacks and discovery of very clear photographic evidence. The report revealed the following:

- Compelling prisoners to eliminate their clothes and keep them naked for numerous days at a time.
- Beating, kicking and slapping prisoners.
- Compelling naked male prisoners to wear women's underwear.
- Positioning naked male detainees into a pile and then hopping on them (Hersh, 2007)

The report surprised various Americans and it was a witness to the violation of the Geneva Convention on the Treatment of Prisoners by American forces and the unjust behavior of the American forces as occupation power (Irogbe, 2011).

After this treatment towards Iraqi prisoners, the U.S. administration portrayed the incident as a minor incident and did not to raise the issue. Regarding measures taken against the perpetrators, the Bush administration punished only a few soldiers and officers. However, not any of the senior officials were punished. Thus, the concept of punishment for the United States significantly undermines the principle of punishment provided for in post-war law because they call for the imposition of a random punishment on all those committing war crimes, including the victor when necessary (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 66).

4.6 U.S. FAILURES

Fallujah and Abu Ghraib were considered examples of violations by U.S. forces as an occupying power. There were many failures, not only in Fallujah and Abu Ghraib. U.S. forces were involved in another violation, namely erotic ferocity and the seizure of women and girls according to other reports. In Baghdad especially in the early days of the occupation and because of the social stigma, many women were unable to submit reports of brutal rapes. This was a breach of the military code of conduct (Irogbe, 2011, p. 19).

The American people and other of the world are normally not conscious that the U.S. government has borrowed accurately thousands of hired [mercenaries], various with infamous war corruption registers. An important number of these are killers, sodomites and rapists from Serbia and South Africa. These dreadful persons work for [the so-called] Security Service under agreement to the Pentagon. Many of these Security Services are associates of both Bush and Cheney and are possessed by despicable [individuals] who also have links to the Burbank, California pornography industry (Lendman, 2012).

There are reports of numerous violations against civilians rising from strategic decisions, including in Haditha where 24 civilians were killed. These incidents and violations are

normal events, particularly in a military environment which inclines to judge all Iraqis as an adversary. Moreover, it possible to add other incidents including the kidnapping and transference of terrorists and suspects to states recognized by the US military, specifically Guantanamo Prison, contravenes the United Nations Convention Against Torture, to which the United States was a signatory. It is believed that the CIA were behind the torture and kidnapping to extract valuable intelligence (Peace, 2006).

Seizing well the injustice, Consumers for Peace states:

“In the latter part of 2003 and on into 2005, it was corporate for U.S. troops to attack homes, hold children, the aging, and women at gunpoint whereas families are searched. Iraqi men were beaten and affronted in front of their families, wives and children before being handcuffed and led away. Some military leaders stimulated consistent and expansive sweeps of villages, towns and cities, delaying any men of military age. It was not rare for similar explorations to be performed everyday” (Peace, 2006).

Most of the abductees or detainees transferred to countries abroad were innocent. In fact, these a clear defilement of the Geneva Conventions, which pursue to defend the rights of detained persons. Military contingents used force and detention indiscriminately against all civilians .The Geneva Conventions explicitly country that illegal custody or denial of fair trial rights to civilians or prisoners of war and the taking of hostages are all serious violations of international law; thus, these are war crimes. Such violations, which occurred against innocent civilians, have tarnished the image of the United States worldwide and have generated hostility among all Iraqis. Ironically, the United States was obligating these abuses in a setting in which it must, as occupation power, be responsible for the restoration and rehabilitation of post-invasion Iraq (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 50). Therefore, the United States’ idea of rebuilding and rehabilitating the Iraqi people and disarming Iraq has deviated from the general definition. The United States has prepared this definition, and the Iraqis have been appalled by false allegations and the apprehension of suspected terrorists. The United States has failed to uphold another belief of the laws of war, specifically the principle of rehabilitation, which requires sound human

rights learning joined with demilitarization. Thus, the United States has greatly contributed to the increased militarization of Iraq, which was the reason for paving the way for a bloody rebellion that lasted for several years (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 66).

4.7 DESTRUCTION OF PROPERTY AND LIFE

US troops were required to avoid destroying property and killing people. The Human Rights Network in Iraq delivered a report that recognized a range of crimes dedicated by the occupying forces. Even non-governmental organizations had used internationally banned weapons to bombard cities, especially Fallujah. Dr. Hafeez al-Dulaimi, director of the Compensation Commission for Fallujah residents created by the Iraqi government, stated 36,000 destroyed houses throughout Fallujah, accompanied by 8,400 shops. In spite of the severity of the invasion on the city and the attendance of at least 50,000 civilians, the U.S. forces prevented the Red Crescent from entering the city. According to the U.N. special Rapporteur, US forces had been accused of “using hunger and deprivation of water as a weapon” (Peace, 2006, p. 22).

On the agricultural and health level, U.S. forces were reluctant to destroy farmland. Nevertheless, health and medical services were also damaged because of ongoing fighting between the two sides, especially during the 2004-2005 period. Examples include the destruction of medical facilities in Al-Qaim, Fallujah and Haditha. These violations and attacks by U.S. forces against civilians were a violation of the rules of International Humanitarian Law as well as a violation of the Geneva Convention and International Human Rights Law. Such violations demonstrated the failure of America to encourage freedom and reverence for the lives of Iraqis, an alleged fundamental commitment by the occupying power (Peace, 2006, p. 24).

The attack on Iraq led to the looting of its resources, another failure on the part of the United States. Conflicts have further affected the image of the United States around the world .Irogbe believes that the United States has helped and simplified the undoing of the academic and

cultural gadget to erase this list to create an atmosphere conducive to the establishment of a new secular democratic country (Irogbe, 2011, p. 17).

Moreover, thousands of relics valued in millions of dollars chronicling about 7,000 years of civilization were looted in Mesopotamia, which occurred after the US-led the attack in 2003. Numerous relics can still be seen in galleries in London, New York, Chicago and Los Angeles. The looting became possible because the US forces occupied Iraq only to protect the Oil Ministry. When U.S. Secretary of Defense Donald Rumsfeld was asked why this robbery happened, he explicitly answered with the phrase, “The freedom is not arranged, the people are free to commit mistakes and crimes and do bad deeds”, adding that “democracy is chaotic”. Prowling was the value to pay for the freedom of Iraq. Thus, the chief official was the United States for exploiting precious historical treasures, a breach and violation of a fundamental commitment by the victor to protect the losing nation so that the loser can rebuild quickly in accordance with the theory of a Just War (Irogbe, 2011, p. 18).

The lack of social and economic security had exacerbated the situation in Iraq and collapse the water supply, electricity, health services and infrastructure due to fighting between US forces and the resisters. This contributed to the deterioration of the situation for Iraqis. Internal displacements, as well as the increase in killings and kidnappings by U.S. forces were recorded against the United States in the human rights field. In addition to the number of crimes committed by the U.S. forces, the targeting of areas where civilians are present, such as in Fallujah and Baghdad, was a violation of international humanitarian law. U.S. violations against Iraqis created a creation of Iraqis aggressive to American values. The Iraqis had agreed to pay \$400 million in recompense to American soldiers who were tortured by the Iraqi regime during the Kuwait War. These compensations are now considered unreasonable deals in the light of the fact that compensation was not given for the heinous crimes carried out U.S. forces due to the U.S. attack on Iraq. The United States should have compensated Iraq as the losing country (Mohammed, 2010).

We must not forget that there were efforts to build Iraq after the war. The U.S. Agency for International Development (USAID) worked to invest \$1.7 billion in Iraq to rebuild the

country, an insufficient amount to compensate for the devastation. The Americans are doing everything very quickly” said a senior U.S. administration official on post-war efforts. “We don’t have a plan for any additional funding for this” says USAID director Andrew Natsios. The United States believed that the construction of Iraq would be as quick as any peacekeeping mission, Iraq was a country and it is a country in this aspect, Deputy Foreign Minister Richard Armitage said in rejecting comparisons of more complex and protracted peace operations. “ It’s not a failed state like Afghanistan, it’s not a new state like East Timor, and it’s not a non-state like Kosovo” (Lindsay 2003, 152).

On the other side, Naomi Klein provides some perceptive comments and investigates. Klein went to Iraq to cover the rebuilding and was shocked by what she saw: "I saw bulldozers in military bases. I saw bulldozers in the Green Zone, where a huge amount of construction was going on, building up Bechtel’s headquarters and getting the new U.S. embassy ready. There was also a ton of construction going on at all of the U.S. military bases. However, on the streets of Baghdad, the former ministry buildings are untouched. They hadn’t even cleared away the rubble, let alone started the reconstruction process" (Klein, 2005).

Thus, it is evident that the United States attacked Iraq and was only absorbed in obliteration and not construction. Iraq was a sovereign country on mythical grounds, removed the governor of that country on charges of human rights defilements, and left Iraq extremely cooperated in terms of economic, social, party-political instability, and insecurity. In other word, the US destroyed Iraq. (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 70)

4.8 ROLE OF THE US IN DEMOCRACY BUILDING IN IRAQ

Democracy played a significant role in the invasion of Iraq in 2003, the justification of which being Iraq’s disappointment to obey with Security Council resolutions relating to the resolution of the issue of weapons of mass destruction. However, the United States was not sincere in its promise to democratize Iraq and make Iraq a haven for Iraqis who were persecuted by the Iraqi regime. Moreover, the United States was not able to achieve its goal nor did the US administration have a strategy to deal with Iraq after the invasion. At first,

democracy meant liberation from Saddam Hussein's regime, and post-invasion violence was deemed to be evidence of liberty. Hilary Charlesworth, speaking of the United States' idea of violence in Iraq within the broader context of the U.S. Defense Secretary, observed the chaos and violence after the invasion:

Donald Rumsfeld: "Stuff happens and it's untidy, and freedom's untidy, and free people are free to make mistakes and commit crimes and do bad things." (Charlesworth, 2007).

This is not logical; if individuals have absolute freedom to do everything, why does the United States have a law punishing violators? Moreover, if people kill each other even under democracy, then tyranny would not be the best option to regulate people's behavior as even Saddam Hussein had been punished for committing such crimes.

Later, when the United States realized the error it had caused, it attempted to alter the mistake of spreading copies of democracy through elections, the parting of powers and the permitted market. The United States' understanding of democracy was weak, imperfect and flawed after democracy had been brought to Iraqis without consulting them. In other word, the Coalition Provisional Authority, which was created by the United States in early May 2003, had enforced democracy in an entirely inequitable manner (Charlesworth, 2007, p. 237).

The United States' usual response to the impact of violence on democracy was that the United States also suffered from violence and major unrest. The United States believed Iraq would be in a similar position to Germany and Japan after the World War II, and that democracy would be applied similarly in Iraq. However, these hopes were shattered by resistance and the Iraqis' rejection of American models. The United States was then forced to hand over power to the temporary government in 2004 (Charlesworth, 2007, p. 238).

In 2005, an interim government was elected that was no less damaging than the former government of Saddam Hussein. This interim government was filled with political unrest, instability, insecurity and increasing sectarian violence. With increasing violence, instability and chaos, the 2010 elections were inconclusive and continued for 10 months until the

government was approved (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 80).

4.9 THE U.S. AND INCREASED MILITARY FORCES IN IRAQ

After the 2003 attack on Iraq, the United States and its partners were in a dilemma and in conflict with diverse groups of resisters despite the Bush administration seeking a short occupation; however, the reality was the opposite. Therefore, a new strategy from the Bush administration was implemented at the end of 2006, a year that was one of the bloodiest years in the history of Iraq after the U.S. invasion. This year marked a significant increase in the ranks of U.S. forces to control violence and sectarian warfare in Iraq. U.S. forces were unable to stop Iraq’s collapse into a civil war that had killed thousands of people between 2004 and 2008. Moreover, the U.S. administration did not take the advice on the reduction of U.S. troops in Iraq, ignoring the suggestions of the Iraq Study Group to decrease U.S. troops in Iraq rather than increase the number to control the position (Schlosser, 2017).

Perhaps the only work that the United States has been capable to carry out in its accountabilities to Iraq, in place of vacating Iraq undecided by its own hands, has been its decision to stay in Iraq and protect it. As Aymen Jawad al-Tamimi refer that, as the surge developed, witnesses ubiquitously started to note the decrease in violence through Iraq. An almost universal agreement illustrated a straight cause-and-effect relationship between increasing military forces and the affected decrease in violence levels.

Thus, increasing the numbers of American soldiers would not prosper in decreasing the level of violence in Iraq. According to the report, continued increases in U.S. troops in Iraq would not solve the underlying cause of violence or the absence of national reconciliation. As the Increase military forces, observers everywhere had begun to observe a decrease in violence throughout Iraq. However, Obama announced that “the boom had succeeded beyond our deepest dreams” (Al-Tamimi, 2011).

4.10 THE OBAMA ADMINISTRATION

The Obama administration innate many security problems from the Bush administration and assured a special change in strategy about Iraq. President Obama immediately began to set a time for the withdrawal of U.S. crowds from Iraq, as specified in the 2008 agreement signed by his precursor, President George W. Bush, and the Iraqi government. Through his electoral initiate to stop flawed policies (Lecamwasam N. , Iraq Invasion: A “Just War” or Just a War?, 2013, p. 85), perhaps the most important change in policy was the withdrawal from Iraq. Largely having succeeded in this effort, President Obama completely withdrew US troops from Iraq on December 18, 2011, even before the December 31 2011 deadline. The withdrawal of U.S. troops from Iraq raised serious questions regarding the success of the United States in Iraq from many perspectives, including from the perspective of International Humanitarian Law and Just War theory (McCormick, 2011).

4.11 CONCLUSION

In this chapter, assessed the role of the United States in post-invasion Iraq. The United States that made little contribution in achieving security and stabilizing the situation in Iraq. In this chapter, examples were presented regarding how the United States failed to fulfill its obligations as a victorious country. The credibility gained by the United States through toppling Saddam Hussein's regime has been eroded by the incapability of America to prove its claims. The United States was unable to find the mass destruction weapons and did not make Iraq any better than it was, making the invasion morally unjustified. The failure of the United States in Iraq by imposing its military and democratic models has pushed Iraq from bad to worse.

In this chapter it was concluded that the United States failed in all tests identified by the jus post bellum component by the following points:

- The United States has desecrated the judgement attitude by directly pointing civilians and alleged terrorists who later became innocent people. And also, by depriving Baath

party bureaucrats simply because they belonged to the Iraqi regime and there were no proper investigations.

- The United States did not compensate Iraq but received compensation from Iraq.
- The United States did not rehabilitate Iraq, but the militarization of Iraq because of this militarization increased seizures for coercion, and despite of spreading a sound education to the human rights sustained violation of the Iraqis rights.
- The United States arbitrarily punished Iraqis based on suspicion, abuse of detainees and disregard of crimes committed by their forces.
- There were no clear conditions for peace.

Thus, it is true to conclude that the United States generated and uncontrolled a weak Iraq that suffers from sectarian divisions, internal unrest, political instability, sectarian wars and political dishonesty, a position far worse than before the attack.

5. CONCLUSION

This study has addressed the premise that the United States invasion of Iraq was not within the framework of a Just War. This chapter will address the presumption concerning the main outcomes of the thesis and whether the questions of the dissertation have been answered. The argument presented is not new, and this study has touched on all aspects of a Just War in assessing the distinct case of the behavior of the United State in Iraq. The thesis has determined why the United States invaded Iraq and how the invasion occurred as well as why the invasion by the US-led coalition was unjust, focusing solely on the conduct of the United States and finding results rather than on the coalition forces and Iraq.

In any military campaign or military attack on another country, the attacking country would use moral justifications because they are more convincing than political or tactical confirmations. The thesis in the investigation focused on the legal and moral ramifications of the 2003 invasion of Iraq by considering the goodwill of the invasion decision, conduct through the invasion and the method which through the hostilities were decided. The thesis consisted of three parts, pertaining namely to *jus ad bellum*, *jus in bello* and *jus post bellum* regarding American behavior during the Iraqi invasion in 2003.

The study in Chapter I presented a summary of the problem, the hypothesis statement and the problem of the research followed by the research question and the importance of the thesis in terms of the Just War theory and the structure of the thesis. This was then followed by the literature review that discussed the topic being addressed. The study also addressed the definition of Just War theory” as the main framework of the thesis as well as the role of Neo-Conservatives in formulating and shaping the foreign policy of Bush, the pre-emptive strike, and the concepts of the War on Terror, which all had important roles in the invasion of Iraq.

In the second chapter, the study presented a historical summary of the relationship between Iraq and America, the sanctions imposed by the United States on Iraq, and an analysis of the central argument. Explaining the justifications provided by the United States and linking

them to the Just Theory of war, this chapter, which is linked to the theory of fair warfare, provided a careful assessment of the conduct of the United States prior to the invasion period.

In the third and fourth chapters, the main argument of the thesis, namely that the United States occupation of Iraq in 2003 could not be justified by the theory of a Just War, was thoroughly debated and assessed in terms of American behavior during and after the invasion with the following conclusions:

The second research question regarding the American invasion of Iraq was from a moral perspective provided for under a Just War theory. It was answered in the second chapter in which it was stated that the United States violated all norms relating to the law of war (*jus ad bellum*), which is one of the principles of a Just War theory. Nevertheless, the United States took the decision to wage an immoral war. Results on the causes and consequences of the attack showed that America could not prove its claim of war by finding weapons of mass destruction, and that the Iraqi regime had been showing acceptance to inspection teams in their search for weapons of mass destruction, so the United States could not justify its decision from the perspective international law at the time of the invasion.

The third argument about the United States' claim of saving Iraq from dictatorship and spreading democracy was that there had been human rights violations in Iraq that necessitated humanitarian intervention when the invasion was decided.

The legitimate authority had proved to be fragile and the United Nations should have taken the decision. The likelihood of the United States being a legitimate authority based on self-defense was very small as the United States was not under any imminent threat and Iraq did not strike during the US offensive.

Through the issue of proportionality, the fact that the proposed U.S. measures to deal with the bad circumstances in Iraq were not commensurate with the real Iraqi threat was evident prior to the invasion. Arguably, America was attempting to find a convincing reason to attack Iraq and America did not want to give Iraq any more time so that United Nations sanctions and diplomatic negotiations could have an impact, thereby violating the final asylum

criterion .It can be said that in a situation where the reason is unfair, it confirms that the intentions were not correct.

In the third chapter, the following dimension of the theory is known: the right to war (jus in bello). The study found certain cases that the United States violated International Humanitarian Law, which amounts to violations of law because it is included in International Humanitarian Law. The chapter reached the following conclusions:

- The behavior of the United States during the short period of invasion was unsatisfactory.
- Later violations of International Humanitarian Law had occurred, and these violations are in contravention of the principles of jus in bello.
- Violations related to human shields are the reason for the many losses of human lives that outweigh the expected military benefit. The use of cluster munitions on inhabited regions causes serious damage to life and property. In addition, there was no planning that would cause the damage by attacking installations that later proved to be working for civilian purposes.
- The violation of one standard of fair war theory is a violation of the entire theory, so the American behavior had fully challenged the theory of a just war by violating most of the principles laid down by the theory during the invasion.

In chapter 5, the final part of the theory, jus post bellum and its application to post-invasion Iraq were examined through the study, which concluded that the United States did not abide by the other two elements of the theory and that US forces left Iraq in a worse position than it was before the U.S. arrived. Except for the period when the number of U.S. troops had increased, the US forces had contributed to the increase in chaos rather than ensuring security and stability. In the chapter, a careful assessment was made of how the United States violated the six standards of the post-war rules (jus post bellum) and how it could not pass the force test for responsible occupation. Consequently, the United States failed to meet the criteria set out in the final remaining Just War standard.

In brief, the three chapters were able to debunk the alleged correctness of the U.S. attack on Iraq and whether the U.S. attack was fair according to Just War theory. The American invasion was without doubt not fair, and there was no single case in which the actions of the United States could be defended, making the American occupation of Iraq totally dissipated.

The evidence from the research proposes that the United States was not able to provide any strong arguments to justify its conduct in accordance with fair war theory despite many researchers' having attempted to draw an image of the United States' actions using the same criteria. One of the implications of the research is that the theory may have been misunderstood in cases where the American invasion was justified by the theory of a just war.

The thesis contributes to the combination of the three standards of a fair war theory and submits considerable and logical influences on the general sympathetic of the invasion of Iraq. This study is rare because most studies on the application of the theory in the invasion of Iraq only discuss the right to war, *jus in bello* and *jus ad bellum*, and rarely post-war *jus post bellum*. Moreover, the study discussed all the principles of the three fair war theories and provided a complete and detailed analysis of them.

The thesis did not focus on legal details; however, it did focus on the ethical position of the subject. Moreover, the study excluded Iraq's and the coalition partners' actions.

The results of this thesis indicate that there should be more work to determine whether there is a threat of military intervention, or to set new standards for proper ethical conduct for the preventive use of military force. The humanitarian intervention thought must also be studied and reassessed among states, particularly among powerful states. Additionally, it is important to undertake more legal research to establish legal standards that hold violators responsible for any crimes and punish them accordingly.

In summary, the thesis recommends various political substitutes for the practical use of military force.

- When making a decision to launch war, the decision must be carefully considered after careful discussion with the international community, administrative units and the general public to verify any information.
- The international community must effectively monitor any aggression against another state. In the event of a state waging war against another state, the international community, especially organizations including the United Nations, must ascertain whether the aggressor state has complied with all laws relating to the use of force. If it can be proved that a state has not complied with the laws on the use of force, the international community must take drastic action against the invading state, including political isolation and imposing sanctions on it regardless of its political influence.
- The application of international law to the invading state must be stricter, and it must also discuss certain matters in international law, such as the use of human shields in war and strict laws must be enforced in order to prevent immoral conduct in war.
- In post-war law (jus post bellum), laws must be put in place on an equal footing with the other two criteria of a fair war, giving legal weight in order to be committed to rebuilding, thus minimizing any vandalism.
- When going to war and during a war as well as after the war, clear and reasonable arguments and justifications must be provided to avoid any immoral action.

6. REFERENCES

- Ahmed, K. (2003, jun 1). *Revealed: the cluster bombs that litter Iraq*. Retrieved from The Guardian: <https://www.theguardian.com/world/2003/jun/01/iraq.foreignpolicy1>
- Ahmed, N. (2010). International humanitarian law and protection of civilians and civilian objects in time of armed conflict . *Al-Halabi's Human rights publications*, 226.
- Ali, S. F. (2009). International Law, Human Rights and the Iraq War. *Pakistan Institute of International Affairs*, 64_75.
- Al-Jumaily, A. S. (2004). Position of international law on the occupation of Iraq. *Journal of Tikrit University for Legal and Political sciences*, 1_24.
- Al-Rifai, R. (2010, 07 27). *Bombs thrown at Iraq* . Retrieved from thawra.sy: <http://thawra.sy/index.php/political-reports>
- Al-Tamimi, A. J. (2011, December 22). *Assessing the Surge in Iraq*. Retrieved from pundicity: <http://www.aymennjawad.org/10919/assessing-iraq-surge>
- Askari, H. (2012). *Conflict and Wars : Their Fallout and prevention*. New York: Palgrave Macmillan.
- Bakti, J. (1997). *Studies in international humanitarian law* . Cairo : Daralnhdah Arabic .
- Bassil, Y. (2012). The 2003 Iraq War: Operations, Causes, and Consequences. *Journal Of Humanities And Social Science*, 32.
- BBC. (2018, October 3). *Iraq profile - timeline*. Retrieved from BBC News: <https://www.bbc.com/news/world-middle-east-14546763>
- Bello, W. (2005). *Dilemmas of Domination: The Unmaking of the American Empire*. London: Zed Books Ltd.

- Beres, L. R. (1991). On Assassination as Anticipatory Self-Defense: The Case of Israel. *Hofstra*, 321.
- Bergenek, V. C. (2014). International Sanctions and Consequences Iraq 1990-2003. *Centre for Languages and Literature*, 29.
- Bonney, R. J. (2006). Impossible to Reconcile? Christian Just War Theory and the Second Iraq War. *Research Gate*, 69_91.
- Brown, T. J. (2005). SUCCESS IN CIVIL MILITARY OPERATIONS . *NAVAL POSTGRADUATE SCHOOL* .
- Bush, G. W. (2002, October 7). *President Bush Outlines Iraqi Threat*. Retrieved from White house:
<https://nsarchive2.gwu.edu/NSAEBB/NSAEBB80/new/doc%2012/President%20Bush%20Outlines%20Iraqi%20Threat.htm>
- Chambers, R. (2004). Just War theory and the US-led War on Iraq from 2003. *Science, Technology & Society University of Wollongong*, 1_20.
- Charlesworth, H. (2007). Law after War. *Melbourne Journal of International Law*, 236_237.
- Chevalier, J.-J. (1995). *History of Political Thought" from the city to the nation State "*. Beirut: University Foundation for Studies, publishing and distribution.
- Childress, J. F. (1983). Moral Responsibility in Conflict Essays on Nonviolence War and Conscience. *Baton Rouge: Louisiana State Univ*, pp. 78_79.
- CIA. (2002). *Iraq's Weapons of Mass Destruction Programs*. United states America : National intelligence Council.
- Cleveland, W. L. (2009). a history of the modern middle east. *United States: Westview Press*, 309-310.

- City, O. (2005, 12 15). *Atomic bombs. Cluster.. Phosphorus.. Uranium... America's weapons are always dirty.* Retrieved from Oujda City: <http://www.oujdacity.net/correspondants-article-696-ar.html>
- Colassis, K. D. (2004). International Humanitarian Law in the Iraq Conflict. *German Yearbook of International Law* , 5.
- Constable, M. (1991). Foucault & Walzer: Sovereignty, Strategy & the State. *The University of Chicago Press Journals*, 24, 269_293.
- Conventions, G. (1949). What is International Humanitarian Law? *International Committee of the Red Cross*, 2.
- Conventions, t. G. (1977). PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949. *International Committee of the Red Cross*, 10.
- Coughlin, C. (2005). *Saddam His Rise and Fall*. United States: Harper Collins.
- Council, T. U. (1990, November 29). *Resolution 678*. Retrieved from Search engine for the United Nations Security Council Resolutions: <http://unscr.com/en/resolutions/678>
- Council, U. N. (1990, August 6). *Resolution 661*. Retrieved from Search engine for the United Nations Security Council Resolutions: <http://unscr.com/en/resolutions/661>
- Currie, D. E. (2003, May 22). *'Preventive War' and International Law After Iraq*. Retrieved from Globelaw: http://www.globelaw.com/Iraq/Preventive_war_after_iraq.htm#_ftn11
- Cross, I. C. (2015, JANUARY 22). *What are jus ad bellum and jus in bello?* Retrieved April 6, 2019, from International Committee Of The Red Cross: <https://www.icrc.org/en/document/what-are-jus-ad-bellum-and-jus-bello-0>
- Crittenden, J. (2003, March 23). *Abuse of Red Cross and Red Crescent Emblems*. Retrieved from Human Rights Watch: https://www.hrw.org/reports/2003/usa1203/5.htm#_ftn182

- Daffar, H. (2007, march 1). *Weapons Of Mass Bewilderment*. Retrieved from Vice Channels:
https://www.vice.com/en_us/article/xdv8jd/weapon-v14n3
- Dolan, C. J. (2004). Foreign Policy on the Offensive,” in *Striking First: The Preventive War Doctrine and the Reshaping of US Foreign Policy*. New York: Palgrave Macmillan, 7.
- Douglas, I. (2008). *Iraq under occupation destroys state and devotes chaos*. Beirut: Center for Arab Unity Studies .
- Edwards, A. (2013). A Neoclassical Realist Analysis of American ‘Dual Containment’ Policy in the Persian Gulf: 1991- 2001. *The London School of Economics and Political Science*, 76.
- Elshtain, J. B. (2008). *The Ethics of Fleeing: What America Still Owes Iraq*. Retrieved from WORLD AFFAIRS: <http://www.worldaffairsjournal.org/article/ethics-fleeing-what-america-still-owes-iraq>
- Enemark, C. a. (2005). Just War Doctrine and the Invasion of Iraq. *Australian Journal of Politics and History*, 63.
- Fiala, A. G. (2008). The just war myth: the moral illusions of war. *Rowman & Littlefield*. Retrieved from Rowman & Littlefield.
- Fisher, L. (2003). Deciding on war against Iraq: Institutional failures. *Political Science Quarterly*, 390-391.
- Gloriam, D. (2011, March 10). *Was the war in Iraq a just one?* Retrieved from Life Examinations: <https://lifeexaminations.wordpress.com/2011/03/10/was-the-war-in-iraq-a-just-one-what-do-you-say-professor/>
- Goldenberg, S. (2003, October 29). *Up to 15000 people killed in invasion claims thinkink*. Retrieved from The Guardian: <https://www.theguardian.com/world/2003/oct/29/iraq.suzannegoldenberg>

- George W. Bush (2003, February Thursday). Transcript of Powell's U.N. presentation. (CCN., Interviewer)
- Gordon, J. (2009). Economic Sanctions & Global Governance: the case of Iraq. *Global Crime*, 10, 359.
- Guardian, T. (2005, June 29). *George Bush's Iraq speech*. Retrieved from The Guardian: <https://www.theguardian.com/world/2005/jun/29/iraq.usa>
- Hussein, S. (1991, 07 13). U.S. Message on July 1990 Meeting of Hussein and American Ambassador. (S. al-Zubaydi, Interviewer) Retrieved from <https://www.nytimes.com/1991/07/13/world/us-messages-on-july-1990-meeting-of-hussein-and-american-ambassador.html>
- Hersh, S. M. (2007, June 18). *How Antonio Taguba, who investigated the Abu Ghraib scandal, became one of its casualties*. Retrieved from The NEW YORKER: <https://www.newyorker.com/magazine/2007/06/25/the-generals-report>
- Irogbe, K. (2011). United States Occupation of Afghanistan and Iraq: A Hindrance to Combating Global Terrorism. *Forum on Public Policy*, 18.
- Jassim, W. K. (2006). *Fallujah Qurra Al Ain*. Iraq: Basra Network.
- Kadouri, Z. S. (2004). Islam and the events of September 11, 2001. *Arab Dunes Union*, 34.
- Klein, N. (2009). *The doctrine of trauma (the rise of disaster capitalism)*. Beirut: Company Publications for Publishing and Distribution.
- Klein, N. (2005, May 5). *How to End the War*. Retrieved from In These Times: http://inthesetimes.com/article/2103/how_to_end_the_war
- Lecamwasam, N. (2013). 2003 Iraq Invasion: A “Just War” or Just a War? *international relation students*, 10.

- Lindsay, I. H. (2003). *America Unbound: The Bush Revolution in Foreign Policy*. N.W., Washington: brookings institution press.
- Lendman, S. (2012 , Mar 18). *Mainstream Media Coverup of the U.S. Military Afghanistan Massacre*. Retrieved from The Market Oracle: <http://www.marketoracle.co.uk/Article33660.html>
- MacMillan, A. D. (2005). *The Iraq War and Democratic Politics*. New York: Taylor & Francis e-Library.
- Magazine, K. K. (2003, 6 1). *American psychological warfare on Iraq stages and methods*. Retrieved from King Khalid Military College Magazine : <http://www.kkmaq.gov.sa/>
- Malik, I. (2005). Afghanistan and Iraq Failed states, or democracy on hold? In A. D. MacMillan, *The Iraq War and Democratic* (p. 206). LONDON AND NEW YORK.
- Mansour, A. (2004). The story of Fall Baghdad. *Algeria edition*, 93-94.
- Markakis, D. (2012). US Democracy Promotion in the middle east . *the London school of economics and political science*, 2-137.
- Mccallen, J. L. (1996). DUAL CONTAINMENT IN THE PERSIAN GULF: STRATEGIC CONSIDERATIONS AND POLICY OPTIONS. *INSTITUTIONAL ARCHIVE OF THE NAVAL POSTGRADUATE SCHOOL*, 71-72.
- McCormick, J. M. (2011). The Obama Presidency: A Foreign Policy of Change. *Political Science Publications* , 248.
- McMahan, J. (1994). Innocence: Self-Defense, and Killing in war . *Journal of political Philosophy* , 193.
- Michaelsen, E. a. (2005). Just War Doctrine and the Invasion of Iraq. *Australian Journal of Politcs &History*, 545_563.

- Milbank, W. P. (2004). The Iraq Connection Al Qaeda-Hussein Link Is Dismissed .
Washington Post, A01.
- Mohammed, M. (2010, September 11). *Iraq will pay compensation to Americans subjected to ill-treatment during Saddam's reign*. Retrieved from REUTERS:
<https://www.bing.com/translator/>
- Morgan, J. (1949). An Historical Analysis of the principle of Double effects. *Theological Studies* , 40.
- Morrow, P. D. (2013). Just War Theory and the 2003 Decision to Invade Iraq. *STRATEGY RESEARCH PROJECT*, 1_22.
- Nations, U. (1999, December 17). *Security Council resolution 1284*. Retrieved from Refworld: <https://www.refworld.org/docid/3b00f26ac.html>
- O'Driscoll, C. (2008). Renegotiation of the Just War Tradition and the Right to War in the Twenty-First Century . *New York: Palgrave Macmillan*, 27.
- Orend, B. (2000). "War" in Stanford Encyclopedia of Philosophy. *Pacifism*, 1_10.
- Orend, B. (2003). Michael Walzer on war and justice. *Edinburgh Univ*, 11.
- Orend, B. (2004). Jus post Bellum . *Philosophy and Public Affairs* , 384.
- Paul, W. M. (2010). *Erasing Iraq The Human Costs of Carnage*. London-New York: Pluto Press.
- Peace, C. f. (2006). War Crimes Committed by the United States in Iraq and Mechanisms for Accountability. *International Relations Students* , 18.
- Pictet, J. S. (1958). Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. *German Yearbook of International Law*, 20.
- Pierce, A. (1996). just War Principles and Economic Sanctions. *Ethics and International Affairs*, 99_113.

- Rahim, A. (2014). *Iraq invasion 2003*. Tunisia: College of Social and Cultural sciences, Department of Human Sciences.
- Ramazani, R. K. (2008). President Bush Deviates from Core American Principles in Middle East Policies . *Middle East Critique*, 209.
- Record, J. (2004). preface to *Dark Victory: America's Second War against Iraq*. *Naval Institute Press*.
- Record, J. (2010). *Wanting War, Why the Bush Administration Invaded Iraq*. *Washington, D.C.: Potomac Books Inc*, 30..
- Rengger, N. (1944). On the Just War Tradition in the Twenty-First Century. *Royal Institute of International*, 355.
- Robert E. Goodin, P. P. (1988). Just War. In J. McMahan, *A Companion to Contemporary Political Philosophy* (p. 669). UK: UK copyright.
- Ryan, D. &. (2009). America and Iraq. *New York Times*, 4.
- Sanders, R. (2013, March 19). *The myth of 'shock and awe': why the Iraqi invasion was a disaster*. Retrieved from The Telegraph: <https://www.telegraph.co.uk/news/worldnews/middleeast/iraq/9933587/The-myth-of-shock-and-awe-why-the-Iraqi-invasion-was-a-disaster.html>
- Schlosser, N. J. (2017). *THE SURGE 2007_2008*. Washington, United States: Center of Military History.
- Schmitt, M. N. (2003). The Conduct of Hostilities during Operation Iraqi Freedom: An International Humanitarian Law Assessment. *Cambridge University Press*, 74.
- Semple, K. (2006, JULY 19). *Iraqi Death Toll Rises Above 100 Per Day*, *U.N. Says*. Retrieved from The New York Times: <https://www.nytimes.com/2006/07/19/world/middleeast/19iraq.html>

- Shekhli, K. A. (2005, March 1). *Occupation Forces have used internationally prohibited weapon*. Retrieved from Basra Network: http://articles.abolkhaseb.net/maqalat_mukhtara/arabic/0305/kimawi_230305.htm
- Sick, G. (1998). Rethinking Dual Containment . *the international Institute for strategic Studies* , 40(1), 5-8.
- Simpson, G. (2005). THE WAR IN IRAQ AND INTERNATIONAL LAW. *Melbourne Journal of International Law*, 1-22.
- Snauwaert, D. T. (2004). The Bush Doctrine and Just War Theory . *Research Gate*, 121_133.
- Sreedhar, S. (2008). *Defending the Hobbesian Right of Self-Defense* (Vol. 6). Boston University: Political Theory. Retrieved from <https://doi.org/10.1177/0090591708323366>
- Strecker, D. R. (2012). The Catholic Just War Tradition and the War in Iraq: Just Pre-Emptive War, Just Humanitarian Intervention. *JOURNAL OF CATHOLIC LEGAL STUDIES*, 77_110.
- Tofiq, Z. (2014). Why did the United States lead an invasion of Iraq in 2003? *International Journal of Political*, 302.
- Tunander, O. (2004). War on Terror and Transformation of World Order. *PRIO* 60.
- Towler, C. C. (2014). Traditional or Reactionary Conservatism: Exploring the Far-Right of the 1960s. *University of Washington*, 4.
- Verri, P. (1985). Le destin des dents cultureld dants les conflits arme. *emes partie*, 130.
- Waheed, A. (2011). The Invasion of iraq : failings and consequences . *international relation students* .
- Walzer. (1977). *Just and unjust warss: Moral Argument with Historical Illustrations*. New York: passim.

- Walzer, M. (2004). *Arguing about war*. *New Haven: Yale Univ* , 67.
- Watch, H. R. (2012, August 31). *Iraq: Lack of Transparency in 26 Executions*. Retrieved from Human Rights Watch: <https://www.hrw.org/news/2012/08/31/iraq-lack-transparency-26-executions>
- Williams, B. C. (2008). The Bush Doctrine and the Iraq War: Neoconservatives Versus Realists. *Security Studies*, 199-200.
- Williams, R. E. (2014). Jus post Bellum: Justice in the Aftermath of War. In A. E. Caron E. Gentry, *The Future of Just War* (p. 167_178). United States: University of Georgia Press.
- Wilson. (2003). What I Didn't Find in Africa. *New York Times*. Retrieved from <https://www.nytimes.com/2003/07/06/opinion/06WILS.html>
- Wittig, A. (2007). Capacity-building for the Assessment of Depleted Uranium in Iraq. *United Nations Environment Programme*, 10.
- Wolfowitz, P. (2003). Threats and Responses: Strategy; Serving Notice of a New U.S. *New York Times*.
- Yetiv, S. (2008). *The Absence of Grand Strategy*. United States: London politic's. Retrieved 3 15, 2018
- Ziegler, J. (2005, 3 31). *International report accuses US forces of using water and food as "weapons of war"*. Retrieved from East Online Field: <https://middle-east-online.com>