

KUVVET KULLANIMINDA RADİKAL DÖNEM: BUSH DOKTRİNİ, IRAK İŐGALİ VE YOĐUNLAŐAN HAKLI/KUTSAL SAVAŐ TARTIŐMALARI

Mustafa YETİM*-Hüsna TAŐ YETİM**

Öz

11 Eylül 2001 tarihinde el-Kaide tarafından ABD'ye düzenlenen terörist saldırılar uluslararası ilişkiler alanında küresel terörizm ile mücadele ve kuvvet kullanımı ile ilgili tartışmaları yeniden yoğunlařtırmıřtır. Küresel alandaki "yeni" tehdide karřı stratejisini Bush Doktrini ile oluřturan küresel güç ABD'nin bu çerçevedeki ilk ve somut kuvvet uygulaması 2003 yılındaki Irak iřgali olmuřtur. Bu çalıřma ilk olarak Irak iřgali ile somut nitelik kazanan Bush Doktrinini, kuvvet kullanımının tarihsel geliřimi ve günümüzdeki kapsamı açısından deđerlendirmektedir. Dünyanın daha barıřçıl ve güvenilir olmasını demokrasilerin küresel alanda yaygınlařtırılmasına bađlayan Bush Doktrini, haklı savař ve bu savař biçiminin önemli geleneđi ve literatürde yeterince dikkat çekilmeyen boyutu kutsal savař bađlamında incelenmektedir. Bu bađlamda çalıřma, Bush doktrinini kutsal savařa yaklařtıran Irak savařını gerekçelendirmeye yönelik kullanılan Amerika Birleřik Devletleri'nin (ABD) siyasi ve söylemsel eylemlerini, bu giriřimlere uluslararası tepkileri ve bu giriřimlerin somut sonuçlarını Irak örneđi üzerinden analiz etmeyi amaçlamaktadır.

Savař.

Anahtar Kelimeler: *Bush Doktrini, 2003 Irak Savařı, Önleyici Savař, Haklı Savař ve Kutsal*

RADICAL PERIOD on THE USE of FORCE: BUSH DOCTRINE, INVASION of IRAQ and INTENSIFYING JUST/HOLY WAR DEBATES

Abstract

The debate on the fight against global terrorism and the use of force has intensified in the field of international relations as a result of the September 11, 2001 terrorist attacks in the United States of America perpetrated by al-Qaeda. Designing its strategy with Bush Doctrine against "new" threat within global area, United States of America's (USA) first and concrete use of force in this context was the invasion of Iraq in 2003. The present study firstly assesses the Bush Doctrine with respect to the historical and present context of the use of force. The Bush Doctrine that links a more peaceful and safe world to global democratization, is analyzed within the framework of "the just war" (*bellum iustum*) and its important tradition and least-emphasized dimension within the literature, holy war. In this context, the study intends to analyze USA's discursive and political practices to justify Iraq war that brings Bush Doctrine to holy war, international reactions to these attempts and tangible results of these policies through the Iraq example.

* Assist.Prof., Eskiřehir Osmangazi University, Department of International Relations, E-posta: mustafayetimm@gmail.com, ORCID: 0000-0001-6013-9299.

** Sakarya Üniversitesi Uluslararası İliřkiler Doktora Öğrencisi, ORCID: 0000-0002-8581-0656

Key Words: Bush Doctrine, 2003 Iraq War, Preemptive War, Just War and Holy War.

1. Introduction

The George W. Bush administration significantly broadened and unilaterally assessed the extent of the use of force by the USA against the new global threat of terrorism with Bush Doctrine. This attitude, which is based on spreading liberal values through military intervention, if necessary, for a safe and peaceful world, adding an ideological-normative value to the use of force and stressing the moral-religious values of neoconservative (neocon) ideology, proposed the abandonment of deterrence and containment policies applied during the Cold War. According to this approach, deterrence and containment policies might not have been effective against international terrorism, the new threat emerging after globalization, and the states that support this threat. The elimination of imminent threats should be relied on preventive war/intervention without allowing the threats to emerge. While there are numerous works analyzing Bush Doctrine's principles and its impact over the use of force there are only a few ones mainly concentrating on its close situation to holy war tradition exemplified during 2003 Iraq invasion.

In this doctrine, prevention of the re-emergence of the security problem was the only possible through 'the export of democracy' that indicates the requirement and the 'holiness' of the use of force. This approach that makes definitions of legitimate reasons and the use of force far beyond the self-defense which is only exception to the prohibition on the use of force, generated the concerns and reactions in international community on the USA's hegemonic power and its "new" interpretation of military intervention. In this context, the main argument of this paper, which conducts an in-depth discussion on the use of force, is the fact that some and especially lastly preferred practices and rhetoric that the USA used before, during and after the 2003 Iraq invasion brought the Bush Doctrine closer to the just war and even the holy war tradition prioritizing partly the religious-moral values. Understanding seemingly implicit and another inseparable aspect of Bush Doctrine, namely holy war tradition, can show us the possible u-turn of un-constrained global power to moral-liberal values when international legal mechanisms attempt to restrain its illegal actions.

2. The Use of Force in International Security: Historical Background and the Just War

Until the end of the Middle Ages, the distinction between the just war (*bellum iustum*) and the unjust war (*bellum iniustum*), which constituted the legitimate ground of military wars especially in the European territories, was affected by Jewish tradition, the just war practices and approaches in the Roman-Germanic world and the critical influence of some Christian thinkers.¹ On the other hand, holy war (*crusades*), the

¹ For an extended discussion on just war, see: Fulya A. Ereker, "İlkçağlardan Günümüze Haklı Savaş Kavramı", *Uluslararası İlişkiler*, Vol. 1, No. 3, p. 1-36; Andrew Fiala, "The Bush Doctrine, Democratization, and Humanitarian Intervention A Just War Critique", *Theoria*, 2007, p. 28-49;

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

tradition of the just war, developed in European territories during the 16th and 17th centuries and defined the fighting sides as religiously-morally 'just-unjust' or 'good-bad'. This tradition, which claims that the 'necessary means should be used to achieve the purpose' approach, and considers the use of force as the 'order of God, not the consent of God' to form a divine order, requires the moral and religious dimension in the use of force, which is radically distinct from the just war theory.² The just war, which is not a complete religious phenomenon and discusses actually how the wars should be conducted on a legitimate ground, is based on three fundamental principles. Among these, the first is the concept of *jus ad bellum*, which legitimizes the war. The second is the *jus in bello* principle which is related to the jurisdiction that would be applied in war. The third is the *jus post bellum* principle, which proposes to resolve the disputes that emerge as a result of the war.³

From the 16th and 17th centuries on, the embodiment of the sovereign-modern political entities in the international system left the applications of the use of force and 'justness' of wars partly to the interpretation of 'new' sovereign formations.⁴ Furthermore, the right/justifications of the use of force that were once 'legitimized' by the just war principles having strong religious-moral dimensions gained more secular-positivist dimension by the 19th century due to natural law understanding. This does not mean that the principles of just war doctrine and customary international law and agreements have ceased to exist.⁵ The main principles, such as necessity, proportionality and the justification (*burden of proof*) substantiated in the *jus ad bellum* principle were continued to be emphasized in various international legal resources and cases.⁶ Moreover, the 1899 and 1907 The Hague Conferences limited the powers of the modern-sovereign states on the use of force in part. The major progress was achieved with the foundation of the League of Nations (LN) in 1919 to ensure stable peace and security in international realm.

The LN agreement strongly recommended the member states to resolve their disputes with peaceful means and to refrain from war. However, it did not explicitly prohibit the use of force. Despite such positive developments, it was not possible to

Gökhan Koçer, "Savaş ve Barış: Temel Seçenekler", *Uluslararası Politikayı Anlamak Ulus Devletten Küreselleşmeye*, Der. Zeynep Dağı, Alfa Yayınları, İstanbul, 2007, p. 115-17.

² Alex J. Bellamy, "Ethics and intervention: the 'humanitarian exception' and the problem of abuse in the case of Iraq", *Journal of Peace Research*, Vol. 41, No. 2 (2004), p. 138-141.

³ Mark Rigstad, "Jus ad Bellum After 9/11 A State of Art Report", *The IPT Beacon*, Vol. 3 (2007), p. 1-3.

⁴ Funda Keskin, *Uluslararası Hukukta Kuvvet Kullanma: Savaş, Karışma ve Birleşmiş Milletler*, Mülkiyeliler Birliği Vakfı Yayınları, Tezler Dizisi:4, Ankara, 1998, p. 26-29.

⁵ Bellamy, "Ethics and intervention", *ibid.*, p. 132-135.

⁶ Jus ad bellum principles are as follows: *just cause, legitimate authority, right intent, last resort, probability of succes), proportionality, and finally the war to obtain peace*. See; Jutta Brunne and Stephen J. Toope, "Slouching Towards New 'Just Wars': International Law and The Use of Force After September 11th", *Netherlands International Law Review*, Vol. LI, 2004, p. 372; Koçer, *ibid.*, p. 118.

ban wars and the use of force by LN as a legitimate 'last resort' of international politics. Another important development in the inter-war period on the limitation of the use of force was the Kellogg-Briand Pact, which was prepared by the incentives of the US and France in 1928. This agreement was the first in history to recognize the war as an unlawful action. With this pact, state parties accepted the obligation of not resorting to war as an instrument of their 'national policies'.⁷ The dramatic events the Second World War brought criticism once again on the rights the states had on the use of force in the international community. As a result, the international community supported the inclusion of regulations to prohibit the use of force in the United Nations (UN) Charter.

In this context, the UN Charter (Article 2 (4)) placed a major limitation on the use of force. The UN Charter that prohibits the use of force with the exception of 'legitimate self-defense' as a result of a concrete armed attack, stipulated that the United Nations Security Council (UNSC) could take all measures, including military ones when a threat to international peace and security is perceived or in the event of violation of international law by a state.⁸ Thus, the right to use force and the "just war" tuned into a collective situation except *right of self-defense* and states' "freedom of action" on the use of force was severely limited.⁹ Article 51 of the UN Charter established the legitimate self-defense, which is the exception of the ban on the individual use of force, on the criteria such as necessity, proportionality and the burden of proof¹⁰ Thus, the UN Charter legitimizes the self-defense with the only to protect the national security in the event of a military attack under the criteria such as *necessity, proportionality* and *burden of proof*, which were essential principles of just war tradition, and gained increased customary law status with the 1837 *Caroline Case*.¹¹ During the right of self-defense, the state should share the measures it takes with the UNSC without delay and terminate these measures after the UNSC takes the necessary measures¹²

⁷ For a detailed analysis on the use of force before UN system please see; Yusuf Aksar, *Teoride ve Uygulamada Uluslararası Hukuk II*, Seçkin Yayıncılık, Ankara, 2015, p. 101-105.

⁸ Mary Ellen O'Connell, "The Myth of Preemptive Self-Defense", *ASIL*, (2002), p. 3.

⁹ Accordingly, "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." UN Charter, Article 2, Section 4.

¹⁰ For the exceptions of use of force in UN Charter, see: Keskin, *Uluslararası Hukukta Kuvvet Kullanma: Savaş, Karışma ve Birleşmiş Milletler*, p. 41-63

¹¹ Necessity criterion means the legitimate military gains in the use of force and proportionality means the limitation of human losses. Burden of proof expresses the need for a state to prove that it's under a continuous and significant threat before using its right of self-defense, and consider war as a last resort. W. Michael Reisman, "Redesigning the United Nations", *Singapore Journal of International & Comparative Law*, (1997), p. 14-16; Geir Ulfstein, "Terrorism and the Use of Force", *Security Dialogue*, Vol. 34 (2003), p. 163-164.

¹² Michael Byers, "Terrorism, the Use of Force and International Law after 11 September", *International Relations*, Vol. 16 (2002), p. 158-159.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

As a result, the legitimate-just war situation was linked to UN Charter-based collective principles instead of the independent interpretations of sovereign states.¹³ Although this process did not limit individual military interventions completely, the UN Charter strengthened the understanding of collective security and the UN maintained its international peace and security efforts during the Cold War.¹⁴ In the context of collective security understanding that refers to radical change in the use of force, the UNSC interprets human rights violations as the situations that threaten the international peace and security and require the use of force in certain instances. Accordingly, if serious violations of human rights are observed in a country, the UNSC may have the authority to consider this situation as a threat to peace and use force against a particular state or group of states according to Article 39 of the UN Charter Section 7. Through allowing the humanitarian intervention this situation partially seems to weaken *jus cogens tradition* in the UN Charter Article 2 (7) that prohibits "interference in domestic affairs", albeit it does not render it meaningless.¹⁵

The use of force for humanitarian intervention, defined as "responsibility to protect"¹⁶ after 2005-2006, was carried out either directly by the international military coalitions formed by the UNSC or through the regional-military organizations authorized by the UNSC.¹⁷ In this context, certain UNSC decisions on Iraq in 1991 (688) were considered as preliminary steps of humanitarian intervention and indicates that humanitarian causes are added to international peace and security issues. Later, in the context of humanitarian intervention, the UNSC exercised force directly or by granting authority to regional organizations in some cases such as in Somalia between 1992-93, in Bosnia Herzegovina between 1991-95 and in Rwanda in 1994. Furthermore, even though the North Atlantic Treaty Organization (NATO) was not authorized by the UNSC, the UNSC recognized the military intervention and the actual situation the intervention created in the Federal Republic of Yugoslavia between 1998-1999 within the context of humane or moral values.¹⁸ The Kosovo intervention based on humanitarian and moral values and the attitude and decisions of the UNSC regarding

¹³ Brunne and Toope, "Slouching Towards New 'Just Wars'", p. 372.

¹⁴ Boutros Boutros-Ghali, "Empowering the United Nations", *Foreign Affairs*, 1992-93, p. 90.

¹⁵ Funda Keskin, "İnsancıl Müdahale: 1999 Kosova ve 2003 Irak Sonrası Durum", *Uluslararası İlişkiler*, Cilt. 3, Sayı. 12 (2006-2007) p. 50-53; Brunne and Toope, "Slouching Towards New 'Just Wars'", p. 380-383.

¹⁶ For an example of the use of force under the responsibility to protect, also see: Simon Chesterman, "'Leading from Behind': The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya", *Ethics and International Affairs*, Vol. 25, No. 3 (2011), p. 279-285; Alex J. Bellamy and Paul D. Williams, "The New Politics of Protection? Cote d'Ivoire, Libya, and the Responsibility to Protect", *International Affairs*, Vol. 82, No. 7 (2011), p. 825-850.

¹⁷ Niels M. Bloker, "Is the Authorization Authorized? Powers and Practice of the UN Security Council to Authorize the Use of Force by 'Coalitions of the Able and Willing'", *EJIL*, Vol. 11, No. 3 (2000), p. 541-568.

¹⁸ Keskin, "İnsancıl Müdahale", p. 53-59.

this intervention¹⁹ led to the 'abuses' of certain states and groups of states which attempted to develop a new just war with 'legitimate causes' based on humanitarian reasons.²⁰ The most important example of this was the attempts by the US President George W. Bush (2001-2009) to present the occupation of Iraq as 'just' and 'legitimate' warfare due to 'humanitarian causes' in Iraq.²¹

In addition to humanitarian reasons, the ban on the use of force was also attempted to 'erode' with the right of anticipatory self-defense. The attitude of the UN Security Council on Israeli aggression in 1967 caused a debate on the right of anticipatory self-defense which has the customary international law base and relies on the preemptive strike. As in NATO's use of force conducted collectively and based on humanitarian reasons, the UNSC did not condemn and even partially endorsed Israel's individual use of force through the preventive self-defense justified on 'close, permanent and damaging assaults'. The UNSC's stance in Kosovo and the events of 1967 reinforced the comments on the addition of preventive self-defense along with humanitarian reasons as the exceptions of use of force. On the other hand, while the UNSC considered the threats of Arab states' military mobilizations and their threats to 'destroy the Israeli state' in 1967 as partially legitimate reasons for Israel's use of force, it condemned Israel's use of force in 1957 against the Arab states and its destruction of Iraqi nuclear reactors in Osirak in 1981.²² Thus, the Kosovo intervention and the 1967 events, which supposedly indicated the partial softening of the UNSC on the use of force, have yet to point to a radical change and acceptance. Nevertheless, the Bush administration sought to consider the developments in anticipatory self-defense, as in the debates within humanitarian reasons, to legitimize the war in Iraq.

3. The Bush Doctrine within the context of Legitimate Use of Force

Bush Doctrine, which was based on the USA National Security Strategies of 2002 and 2006, the United States of America²³ intended to expand the scope of USA's unilateral use of force. For this reason, it caused critical controversy since it included some principles of just war tradition in addition to the right of self-defense. The doctrine that was shaped by the neo-conservative team that began to be influential in

¹⁹ Adam Roberts, "Humanitarian War: Military Intervention and Human Rights", *International Affairs*, Vol. 69, No. 3, 1993, p. 433.

²⁰ Bellamy, "Ethics and intervention", p. 133-136.

²¹ Keskin, "İnsancıl Müdahale", p. 52-66.

²² For the actions taken by Israel within the context of anticipatory legitimate self-defense and assessments on these actions, see: Leo Van den Hole, "Anticipatory Self-Defense under International Law", *American University International Law Review*, Vol. 19, No. 1 (2003), p. 98-101; Louis Rene Beres, "On Assassination as Anticipatory Self-Defense: the Case of Israel", *Hofstra Law Review*, Vol. 20, No. 2 (1991), p. 321-336.

²³ "The National Security Strategy of the United States of America", September 2002; "George W. Bush, Speeches", 2002, "President Delivers State of the Union Address", 22 January 2009; "The National Security Strategy of the United States of America", 2006.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

USA administration after September 11²⁴ was founded on the idea that the USA is the only power in the world and suggested abandoning the traditional balance of power policies pursued during the Cold War. The neo-conservative view that considered the multipolar world as a threat to American interests was built on the 'expectation' that other states would approve and support the USA leadership of the global incentive of 'democracy and freedom'.²⁵ Another important characteristic of the Bush Doctrine was its wider interpretation of preemptive strategy compared to the previous USA administrations. This approach that argued the change of the threat perception considered destroying the threat prior to the threats turn into concrete attacks. Such a strategy was the only way to prevent 'possible' threats of terrorist organizations and 'tyrant' states that could support terrorist organizations with chemical weapons, etc..²⁶

In this sense, the third feature of the Bush Doctrine that provided unilateralism for the USA on the right of the use of force against such threats if necessary emerged. The USA administration acted unilaterally in organizing military operations, although it was adequately approved by the UN and the international community as seen in the occupation of Iraq. In this context, despite the opposing calls of the international community and the UNSC, the Bush administration adhered to the approach of neo-conservatives that the 'sovereign power can act alone' in the international arena when necessary.²⁷ Another characteristic that distinguishes this doctrine from other post-cold war American military interventions was its tendency to consider humanitarian causes, lack of democracy and moral-religious values such as 'axis of evil' as 'justification' for the use of force.²⁸ Thus, 'encouragement' of the expansion of 'democracy-freedoms' to

²⁴ This team that was the leader and proponent of the "New American Century" Project collaborated with George H. W. Bush (the father) to actualize that "ideal." However, economic conditions of the time and the failure to reelect Bush delayed the project. According to the New American Century Project, the USA should expand democracy around the world alone if necessary and should be able to deploy its military forces effectively and rapidly worldwide. Thus, leading names in this team that considered containment and deterrence policies of the cold war as meaningless were Paul Wolfowitz, Donald Rumsfeld, Dick Cheney, Richard Perle and Condoleezza Rice. Certain foundations, institutions and media that supported these individuals in the US created a movement called the American Century Project in 1997. Brian C. Schmidt and Michael C. Williams, "The Bush Doctrine' and Iraq War: Neoconservatives versus Realists", *Security Studies*, Vol. 17 (2008), p. 191-220.

²⁵ Miljenko Antic, "Iraq War (2003-): Was it morally Justified?", *Politicka Misao*, Vol. 46, No.1 (2009), p. 90-92.

²⁶ John L. Hammond, "The Bush Doctrine, Preventive War, and International Law", *The Philosophical Forum*, Vol. 36, No. 1 (2005), p. 98-100.

²⁷ Schmidt and Williams, "The Bush Doctrine' and Iraq War", p. 196-200.

²⁸ Maria Helena de Castro Santos and Ulysses Tavares Teixeira, "The Essential Role of Democracy in the Bush Doctrine: the Invasions of Iraq and Afghanistan", *Revista Brasileira de Política Internacional*, Vol. 56, No. 2 (2013), p. 131-133.

other societies,²⁹ which is the general-‘principal’ attitude of American administrations gained more ‘interventionist-aggressive’ ground under the Bush administration.³⁰

The Bush administration, linking the causes of terrorism to the lack of 'democratic governments' in their statements declared after Afghanistan intervention, considered the relationship between the international security issues and the lack of liberal-ethical principles inseparable.³¹ In other words, the reasons for the use of force in the Bush Doctrine were linked to liberal-moral values. In this framework, it tried to legitimize/justify the Iraqi operation with humanitarian causes and ethical/abstract reasons such as 'bringing democracy' to this country.³² The Bush Doctrine that assumed the 'strong democratic administration' to be formed in Iraq would be a source of inspiration for other Middle Eastern states, considered the use of force as a legitimate way to spread the democracy. The invasion of Iraq, which led to concerns in the international community on use of force, was the first concrete practice of the Bush doctrine and it recognized the ‘absence’ of democracy in a country as a sufficient ‘justification’ for the military intervention and considered such a military intervention as legitimate.³³

Unlike Afghanistan intervention, which was based on UNSC Resolution 1368 and defined as legitimate by the international community,³⁴ the USA was severely

²⁹ For a significant study on liberal internationalist rhetoric that is prominent in American administrations, see Jeremy Moses, "Liberal internationalist discourse and the use of force: Blair, Bush and beyond", *International Politics*, Vol. 47, No. 1, 2010, p. 26-51.

³⁰ Unilateral military intervention that was prevalent in the Bush Doctrine was implemented by the most US presidents at times for different reasons. In this context, the principles of the Monroe Doctrine announced in 1823, the Mexican-American war of 1848, Spanish war of 1898, the US attack on Japan after the Pearl Harbor in the 2nd World War could be considered as examples. Robert J. Delahunty and John Yoo, "'The Bush Doctrine': Can Preventive War Be Justified?", *Harvard Journal of Law & Public Policy*, Vol. 32, No. 3 (2009), p. 843-865; Tony Smith, "From Woodrow Wilson in 1902 to the Bush Doctrine in 2002: Democracy Promotion as imperialism", *International Politics*, Vol. 48, No. 2-3 (2011), p. 229-250.

³¹ Bush, who was elected US President in the eventful December 7, 2000 elections, continued the foreign policies of his predecessor Bill Clinton partially during the first years of his presidency. However, 9/11 attacks and increasing influence of neocons on the administration resulted in an increased focus by the Bush administration on democratic expansion policies, in other words moral-liberal values to prevent terrorism and instability. After 9/11, neocons, who wrote a letter to Bush administration and emphasized that the US should lead the global relations to expand democracies, considered the post-9/11 international and national trends to implement their views. The most concrete evidence of this policy was the 2003 war in Iraq. Benjamin Miller, "Explaining Changes in U.S. Grand Strategy: 9/11, the Rise of Offensive Liberalism, and the War in Iraq", *Security Studies*, (2010), Vol. 19, p. 40-60.

³² Paul Froese and F. Carson Mencken, "A US holy war? The Effects of Religion on Iraq War Policy Attitudes", *Social Science Quarterly*, Vol. 90, No. 1 (2009), p. 103-104.

³³ Fiala, "Bush Doctrine, Democratization," p. 28-31.

³⁴ UN strongly reacted to terrorist activities conducted in the US and enacted decisions no. 1368, 1373, 1378 and 1377 in 2001 to establish peace and security. Ulfstein, *ibid.*, p. 153-167; Carol

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

questioned by the international community for the occupation of Iraq due to the above-mentioned reasons. Furthermore, the warning by the Bush administration that the 'world will not be the same again' in this process and its religious discourse and exclusionist approach in the form of 'either you are for us or against us' was heavily criticized firstly by its allies. In addition to possibility of using military force on humanitarian-democratic grounds the Bush administration also included the probability of organizing military operations against the global terrorist groups and the states that allegedly support these activities. Thus, the armed aggression that was only condition for the right of self-defense was replaced in the Bush Doctrine by abstract and potential threat perceptions instead of concrete military attacks from terrorist organizations or 'axis of evil' states that help/could help these organizations.³⁵

As a result of this strategy the USA unilaterally intervened in Iraq in 2003 with the possibilities of Iraq's possession of weapons of mass destruction (WMD) and providing these weapons to al Qaeda. Thus, the preventive war strategy implemented firstly in Iraq, which was completely different from the right of self-defense principle, pushed the Bush Doctrine towards just war and even its holy war tradition that requires religious-moral values in the use of force.³⁶ Accordingly, Bush Doctrine went even beyond the pre-emptive strike doctrine, which was crucial in customary international law and subject to Israel's past practices in 1957, 1967 and 1981, by legitimizing the use of force against 'potential, future and imminent threats'.

In this perspective, the Bush administration had a broad interpretation of the pre-emptive strike when compared to the historical precedents of the just war doctrine, which was banned by the UN Charter. The Bush Doctrine that defined the countries like Iraq, Syria, North Korea and Sudan as 'rogue states'³⁷, assumed that there would be 'possible wars in the future' with 'these states' due to their supposed support for global terrorism.³⁸ The Bush Doctrine which adds not only 'liberal-secular' values such as 'regime change' and 'bringing democracy' but also moral-religious values such as 'God, crusader beliefs and biblical references' as the justifications of the use of force³⁹ mostly

M. Glen, "The United Nations Charter System and the Iraq Wars Ethical Implications", *Public Integrity*, Vol. 11, No. 4 (2009), p. 313-314.

³⁵ Hammond, "The Bush Doctrine", p. 101; Glen, "The United Nations Charter System", p. 314-316.

³⁶ The objective in the phenomenon of holy war is to consider the means legitimate, albeit these do not comply with humanitarian and judicial principles, and propose intervention in domestic affairs of 'enemy' nations. Andrew Fiala, "Crusades, Just Wars, and the Bush Doctrine", *Peace Review: A Journal of Social Justice*, Vol. 19 (2007), p. 165-172; Adnan M. Hayajneh and Jamal A. Al-Shalabi, "The U.S. Occupation of Iraq and the Arab World", *Alternatives*, Vol. 4, No. 1 & 2 (2005), p. 31-35; William James Stover, "Preemptive War: Implications of the Bush and Rumsfeld Doctrines", *International Journal on World Peace*, Vol. 21, No. 1 (2004), p. 3-16; Fiala, "Bush Doctrine, Democratization," p. 29-44.

³⁷ Kemal İnat (Ed.), *ABD'nin "Haydut Devletler"i*, (Adapazarı: Değişim, 2004).

³⁸ For detailed information on these concepts see Marcel Kaba, "Targeting the World: Assessing the Lawfulness of the 'Bush Doctrine'", *Global Security*, Vol. 11, No. 1 (2009), p. 32-36.

³⁹ Froese and Mencken "A US holy war?", p. 103-104.

resembles the idea of holy war instead of just war tradition and pre-emptive strike, which justifies 'means for the purpose'. In the holy war doctrine, the basic principles of international law, such as necessity and proportionality, which are regulated by agreements and conventions, could be set aside to achieve the objective. The Bush administration that perceived Iraq as a potentially aggressive state in this framework, considered the overthrow of the 'Saddam Hussein regime', which represented 'authoritarian-tyrannical rule,' as a legitimate and sacred 'necessity'.⁴⁰ Bush administration's policies before (*jus ad bellum*), during (*jus in bello*) and after (*jus post bellum*) the Iraq war ⁴¹ as well as its attempts to present this war as a holy war through liberal-moral values reinforced the above-mentioned interpretation.⁴²

4. 'Holy' Attempts to Justify the Iraq War and Domestic / International Public Opinion

George W. Bush, who was elected President of the United States of America at the end of 2000, had to confront the effects of the terrorist events of September 11th in the domestic politics and international society. The increasing fear of terror and the rising nationalism in the American public as a result of the terrorist attacks on the World Trade Center in New York and the USA Department of Defense (Pentagon) in Washington on September 11, 2001, and the growing influence of the Neo-Conservative team leading the New American Century project on American politics led firstly to the Afghanistan intervention and later the occupation of Iraq.⁴³ The reaction of the American people towards Afghanistan intervention and partly to the occupation of Iraq was considerably positive due to the panic and fear created by the experience of the terrorist attacks. On the other hand, the main concern of the American administration was the legitimization of the Iraqi occupation, which was more controversial both in terms of domestic public opinion and international law.

The media reports and statements by the American administration that Iraq, which possessed 'chemical weapons' could give these weapons to al-Qaeda contributed to the perception of the Iraqi regime as a 'rogue state' and 'axis of power' especially in the eyes of the American public. Bush and the vice president Dick Cheney, along with other senior executives, voiced that the documents proving the relationship between Iraq and al-Qaeda leader Usame bin Laden were 'surprising'. In 2003, the Bush

⁴⁰ Fiala, "Crusades, Just Wars", p. 165-172.

⁴¹ For studies on Iraq was within the framework of just war principles, see: Christian J. Westra, "Will the 'Bush Doctrine' survive its progenitor? An assessment of *Jus Ad Bellum* norms for the Post-Westphalian Age", *Boston College & Comparative Law Review*, Vol. 32 (2009), p. 401-408; Benjamin R. Banta, "Just War Theory and the 2003 Iraq War Forced Displacement", *Journal of Refugee Studies*, Vol. 21, No. 3 (2008), p. 263-275; Stover, "Preemptive War", p. 7-14.

⁴² Seifudein Adem, "Constructing a New Imperial Order? The War in Iraq and the Ideology of Clashism", *Alternatives*, Vol. 2, No.2 (2003), p. 1-25.

⁴³ Kemal İnat, "Irak: ABD ve Saddam Hüseyin "İşbirliği" ile Gelen Yıkım", *Dünya Çatışmaları: Çatışma Bölgeleri ve Alanları*, Kemal İnat, Burhanettin Duran and Muhittin Ataman (Ed.), (Ankara: Nobel Yayın Evi, 2010), Cilt 1, p. 30-31.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

administration argued that the Saddam regime abetted and assisted terrorists. As a result of the intense anti-Saddam propaganda, in a March 2003 study, it was observed that about 88% of American people approved the assumption that Saddam Hussein "helped terrorist organizations".⁴⁴ The Bush administration, which partially convinced the USA public before intervention in Iraq, did not achieve a similar success in the international arena. In the second half of 2002, the American administration tried to convince the international public opinion that Iraqi Leader Saddam produced some WMD and that Iraq had a strong connection with al-Qaeda. But the absence of credible documents supporting the USA allegations caused Washington to fail to receive the expected support from the international community and tarnished its image. Despite the lack of credible evidence, the US conducted military action against Iraq and this further intensified the doubts about Washington's 'preventive war' strategy in the international community beginning with September 11th.

The negative perception towards the USA due to its illegally perceived armed intervention in Iraq and its justifications for this occupation was strengthened by the presentation conducted by the USA Secretary of State Colin Powell in the UN on February 5, 2003 with the aim of persuading UNSC members. The report, which was allegedly based on intelligence information provided by the Central Intelligence Agency (CIA) and presented with satellite photographs-sound recordings, resembled the 'sci-fi' movies.⁴⁵ The report, which later turned out to be unfounded, undermined Powell's and the US administration's credibility in the international community and deepened concerns and criticism about the increasing unilateral practices. The commission investigating the September 11 attacks revealed in 2004 that there was no 'strong evidence' that al-Qaeda and Iraq collaborated to attack the United States of America, confirming the "invalid" nature of the US claims.⁴⁶

The report presented by Hans Blix, President of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and Muhammad al-Baradei, President of the International Atomic Energy Organization (IAEO) on January 9, 2003, stated that they did not find weapons of mass destruction in Iraq in their inquiries at that time.⁴⁷ More interesting was the claim that the issue of weapons of mass destruction was raised by an Iraqi opponent against Saddam regime. Iraqi Refid Ahmed Elvan al-Cenabi, code-named Curveball, stated that Powell's speech that included visual evidence for the existence of weapons of mass destruction to convince the international community for the necessity of the Iraq war was 'nothing but the phantasies' he narrated to Powell about Iraq.⁴⁸ In summary, it was understood that the two main reasons for occupation, the weapons of mass destruction were not found in Iraq, and that American intelligence reports, which brought Saddam and al-Qaeda

⁴⁴ Amy Fried, "Terrorism as a Context of Coverage before the Iraq War", *The Harvard International Journal of Press/Politics*, Vol. 10 (2005), p. 125-126.

⁴⁵ Tayyar Arı, *Irak, İran, ABD ve Petrol*, (İstanbul: Alfa Yayınları, 2007), p.494.

⁴⁶ Fried, "Terrorism as a Context of Coverage", p. 125.

⁴⁷ İnat, "Irak: ABD ve Saddam Hüseyin", p. 34.

⁴⁸ "Yüzyılın Yalanı", *Milliyet*, 17 February 2011.

relations to the agenda, were also intended to influence the domestic and international public opinion.⁴⁹

According to the Bush administration, which experienced difficulties in legitimizing the Iraq war due to these allegations, the UN resolutions before the war in Iraq in 1990 no 678 and 687 and the resolution on November 8, 2002 about Iraq provided the legal grounds for the Iraqi occupation. Decision 1441, which provided the Iraqi last chance to disarm,⁵⁰ did not propose the use of armed force against Iraq, similar to the decisions 687 and 688, although it was a harsh warning to Iraq.⁵¹ On the other hand, the Bush administration, which did not take into account the positive signals received from Saddam Hussein and the UN Secretary General's criticisms about the legitimacy of the Iraq war, argued that the UN would become 'insignificant' if it 'shadows' the legitimacy of the USA operation in Iraq.⁵² The Bush administration, which was unable to legitimize the Iraqi occupation even with the pressure it applied on the UN aimed this time to *legitimize (sanctify)* the above-mentioned military invention through the moral values by resorting the "democracy promotion" discourse and "biblical references".⁵³ Such a step was obvious situation proving Bush Doctrine's slide into holy war tradition.

In this context, the USA administration, which emphasized that Saddam would be overthrown whether or not supported by the UN, warned that the UN should demonstrate whether it was able to implement its own charter to the international community, or otherwise it might end up like the LN. Expressing that the role of the UN would be taken over by the United States of America in the event that the United Nations could not provide international peace and security, Bush stated that 'the United States of America would do everything in its power ... for freedom, democracy and the world peace'⁵⁴ and would overthrow Saddam who represents the 'axis of evil.' Thus, the just war approach of the Bush administration, which attributed the Iraqi war a 'sacred' dimension through using liberal and most importantly moral values, considered replacing the dictatorship in Iraq with democracy, namely the 'ideal order', as a legitimate reason for the war.⁵⁵

Targeting the Saddam Hussein regime with the pretext of 'exporting democracy' and toppling this regime when there was no attack against the US by Iraq and there

⁴⁹ Mustafa Aydın, Ali Özcan and Neslihan Kaplıanođlu, "Riskler ve Fırsatlar kavşaoında Irak'ın geleceđi ve Türkiye", *TEPAV Ortadođu Çalışmaları*, (2007), p. 24-25.

⁵⁰ United Nations Security Council, Resolution 1441 (2002).

⁵¹ Since these resolutions were about liberalization of Kuwait, it is obvious that they would not constitute a legal basis for the 2003 Iraq operation. Resolution 678 and 687, William Hale, *Turkey, the US and Iraq*, (London: Middle East Institute, (2007), p. 102.

⁵² Adem, "Constructing a New Imperial Order?", p. 10.

⁵³ Fiala, "Crusades, Just Wars," p. 170.

⁵⁴ Nicholas Kerton-Jhonson, "Justifying the Use of Force in a Post-9/11World: Striving for Hierarchy in International Society", *International Affairs*, Vol. 84, No. 5 (2008), p. 991-1007.

⁵⁵ Glen, "The United Nations Charter System", p. 316-321.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

were other countries where human rights violations were prominent, were not generally considered as legitimate in the international community, conversely such claims were met with suspicion. Consideration of the preservation of innocent Iraqi citizens and Iraq's 'liberation' as justifications for military use of force⁵⁶ were far beyond the use of legitimate force in international law and even the practice of just war and preemptive strategies. Besides, there were strong assumptions about the fact that the 'just-holy' causes behind this war were not as 'ethical-sacred' as they were presented, but rather 'economical'. It was questioned that whether the main purpose of the Bush administration in this framework was to 'root' the democracy in Iraq or to control the Iraqi oil resources that make up 10% of the world reserves.⁵⁷

5. The Effects of the 'New Just (Holy) War': Invasion of Iraq and International Community

Regardless of the reasons behind the Iraq war, the pre-war and post-war developments brought about certain tensions between the USA and the international community. Among the permanent members of the UNSC, France, Russia and China, as well as temporary members Germany, Syria, Mexico and Canada declared their opposition to the use of force.⁵⁸ On the other hand, Pakistan, Angola, Cameroon, Guinea and Chile were among the indecisive interim members of the UNSC, while Bulgaria chose to move with the USA and the United Kingdom (UK). It was observed that the same division occurred in the EU.⁵⁹ France and Germany did not have the support they received in the UNSC among the EU countries, and most EU countries adopted a policy supporting the US intervention in Iraq.

The failure of France and Germany to support the Iraqi operation received reactions from the USA. USA Defense Secretary Donald Rumsfeld stated on January 22th that these two countries were the 'old Europe' and that these countries were 'problems' on the international arena. Rumsfeld also referred to countries like Poland, Hungary and the Czech Republic that supported the US war policy as the 'New Europe'. These expressions of Rumsfeld were met with reactions by Germany and France. The countries, which Rumsfeld described as the 'new Europe', announced on 30 January 2003 that they supported the USA's Iraq policy in a joint statement with the UK, Spain, Italy, Denmark and Portugal. In addition to these countries, the support provided by the EU candidate Eastern European countries, which considered the USA

⁵⁶ For the views of Bush on "exporting democracy" see Fiala, "The Bush Doctrine, Democratization," p. 33-35.

⁵⁷ Raymond Hinnebusch, "The American Invasion of Iraq: Causes and Consequences", *Perceptions*, (2007), p. 9-28; Antic, "Iraq War (2003-)", p. 99-100.

⁵⁸ Ari, *Irak, İran, ABD ve Petrol*, p. 494.

⁵⁹ Hinnebusch, "The American Invasion of Iraq", p. 24-25.

as a safeguard against Russian threat, was criticized by the French President Jacques Rene Chirac: "It would have been better if they could hold their tongues".⁶⁰

The division in Europe as a result of the USA invasion of Iraq also surfaced among the Arab states. Much of the Arab people opposed the unilateral intervention of the USA and considered Iraq as the first step in a widespread attack on their countries. In this period, the Arab public perceived the sanctions imposed on Iraq as sanctions imposed on them and took a position against the USA and Israel and evaluated a possible war in this framework.⁶¹ Several Middle Eastern countries, which could not resist the anti-American sentiments of the Arab people, declared their opposition to this occupation. Iran, on the other hand, did not hide the satisfaction it felt for the increasing Shiite influence, which was caused by the absence of authority in Iraq after Saddam's overthrown, despite its discomfort with the US occupation.

Turkey, one of the USA' most important allies in the Middle East, also opposed the Iraq intervention. Turkey, not desiring to harm its alliance with the USA, refused to allow the USA to intervene in Iraq using Turkish soil at the Grand National Assembly (Parliament) on March 1, 2003, despite the negotiations it held on the Iraqi intervention with the US before the war. Despite the strong reaction of the United States of America and the deterioration of relations between the two countries as a result of the decision taken by Turkey, Ankara attempted to soften the tension by cooperating with the US after the occupation.⁶²

In the meantime, a similar development took place within the NATO. The first serious crisis in the history of the alliance, in which France, Germany and Belgium blocked the proposal for the deployment of AWACS and Patriot missiles in Turkey first proposed by the US and then by Turkey within the scope of Article 4 of the NATO charter, was experienced. In this package proposal, it was proposed that the NATO pact should protect Turkey, the only neighboring country to Iraq, however this US initiative was considered as a preparation for the war in Iraq.⁶³ However, all these crises and divisions did not prevent the USA intervention in Iraq, and President Bush gave 48 hours for Saddam Hussein and his sons to leave the country on March 18, 2003. After this period, American and British aircraft began bombing Iraq on March 20, 2003 at 04.34 and launched the Operation Iraqi Freedom.⁶⁴

⁶⁰ İnat, "Irak: ABD ve Saddam Hüseyin", p. 34.

⁶¹ Sherine Bahaa, "Arab Anger", *Al-Ahram Weekly*, 10-16 April 2003.

⁶² Meliha Benli Altunışık, "Turkey's Iraq Policy: The War and Beyond", *Journal of Cotemporary European Studies*, Vol. 14, No. 2 (2006), p. 183-196.

⁶³ Arı, *Irak, İran, ABD ve Petrol*, p. 495.

⁶⁴ İnat, "Irak: ABD ve Saddam Hüseyin", p. 36.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

Bush declared on May 1, 2003 that the war in Iraq was over. At the time of this announcement, American forces lost 130 troops, in contrast, the Iraqi government stated that 2,252 Iraqi civilians were killed and 5,103 were wounded during the war.⁶⁵ Contrary to the statements, the war in Iraq did not come to an end and the conflicts between the local resistance forces and the USA troops continued in Iraq for a long time. Furthermore, the transformation in the USA army implemented by Rumsfeld, despite the short-term success of the invasion of Iraq, in the long-term, resulted in heavy USA losses and the Iraq War was compared to the Vietnam War. Following the occupation, the actions of US soldiers in the violation of international law, the failure to protect the civilians against the attacks and the lack of provision of basic food, health and education services were among the other adverse effects of the invasion. In this context, it was alleged that during the first year of occupation, nearly 100,000 Iraqis lost their lives due to infrastructure and health problems, the acts of resistance, bombings and the illegitimate actions of American soldiers. A year after the invasion, the fact that about 82% of the Iraqi people were opposed to American occupation revealed the consequences and the reason for the concentration of acts of resistance.⁶⁶ In addition, it was noted that approximately two million Iraqis fled the country and approximately the same number of citizens were displaced.⁶⁷

The USA administration, which has occupied Iraq with the promise of bringing democracy and by assuming the leadership of the "Coalition of Willing," was confronted with increasing cost of the war and intense terrorist attacks. Thus, the USA Treasury allocated a budget of \$ 212 billion for the re-construction of Iraq after the war in 2005.⁶⁸ As stated in the Report on Global War Against Terrorism, the war that USA initiated with the excuse of non-existing chemical weapons did not result in anything but death and destruction in Iraq.⁶⁹ Another reason for the increased cost of the Iraq war on the USA economy and the chaos in Iraq was that the countries participating in the Coalition of Willing only provided symbolic support for the USA.⁷⁰ These countries avoided from providing military support for the Iraqi operation. While the number of American soldiers in Iraq was around 150,000 in 2003, the number of coalition troops remained around 23,000. The reluctance of the coalition countries to take over the economic, military and political burden of the war left the USA and the UK to assume the costs of the war.

The problems that the USA faced in Iraq following the end of the war were not just the attacks against USA. Having more than 80 billion dollars in debt, Iraq was

⁶⁵ Stover, "Preemptive War", p. 11.

⁶⁶ Hinnebusch, "The American Invasion of Iraq", p. 18-19.

⁶⁷ Banta, "Just War Theory", p. 263-275.

⁶⁸ Tim Dunne and Klejde Mulaj, "America after Iraq", *International Affairs*, Vol. 86, No. 6 (2010), p. 1294-1295.

⁶⁹ Kaba, "Targeting the World", p. 35-36.

⁷⁰ Hinnebusch, "The American Invasion of Iraq", p. 25.

more destabilized politically and economically with the destruction caused by the war, and this was another significant aspect of the problems that the USA faced after the invasion. The situation was completely dire for the Bush administration when it was considered that the reconstruction cost of Iraq's infrastructure alone was about 25 billion dollars. The Washington administration, knowing that the reaction of the people and the attacks in the country would increase if Iraq was not supported economically, demanded the abolition of UN sanctions against Iraq and the removal of some of its debts. Since the authority to abolish the sanctions belonged to the UNSC, the USA needed their cooperation, views of which Washington ignored before the war. Thus, the USA administration changed its approach to these countries such as France, China, Germany and Russia,⁷¹ which US could have difficulties to make its existence in Iraq legitimate without the closer relations between USA and these countries.

As a result, these countries, which considered that further increase of chaos in Iraq would have negative consequences, approved the UNSC resolution that the USA requested on 22 May 2003. With this resolution, the UNSC recognized the presence of USA-led occupation forces in Iraq. The resolution that granted the USA and UK 'occupation forces the combined command' status and the authority to govern Iraq also removed the sanctions against Iraq implemented after the 1991 war.⁷² Since then, significant changes took place in the relations between Iraq and the United States of America. Barack Hussein Obama, who was elected President of the United States of America on November 5, 2008, began to act again with the allies of the USA, following a different policy from the Bush administration, and abandoned unilateralism in his presidency. At the same time, the USA announced that it would adopt a foreign policy that respects the international law. Obama administration, which aimed to pursue a different method to struggle with global terrorism that was the most important discourse of the Bush era, initiated certain important transformations in foreign policy and announced that the USA would withdraw from Iraq in 2011.⁷³ When he welcomed the troops withdrawn from Iraq, Obama, on the other hand, ignored these problems and said, "We shed a lot of blood here. But none was in vain. This blood was to make Iraq a sovereign and independent, self-governing country, we have reached our goals in Iraq".⁷⁴

6. Conclusion

The USA occupation of Iraq in 2003 that 'consecrated' liberal symbols and presented the war as a struggle between the 'good and the evil' and against the 'axis of

⁷¹ İnat, "Irak: ABD ve Saddam Hüseyin", p. 37-38.

⁷² İnat, "Irak: ABD ve Saddam Hüseyin", p. 38.

⁷³ Toby Dodge, "The US and Iraq: Time to go Home", *Survival*, Vol. 52, No. 2 (2010), p. 134-140; Kaba, "Targeting the World", p. 35-36; Dunne and Mulaj, "America after Iraq", p. 1298.

⁷⁴ "ABD Savaşı Bitirdi Enkaz Irak'a Kaldı", *Milliyet*, 16 December 2011.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

evil' based on religious symbols clearly demonstrated the dilemma in the Bush Doctrine and diminished the confidence for the Neo-Conservative team in the domestic and foreign public opinion. The most obvious indication was that Obama, who came to power in 2008, gave his promise to withdraw the USA troops in Iraq before the elections and the support he received in return. The unilateral and abstract reasoning-based intervention phenomenon in the Bush Doctrine, which caused deep concerns in the international arena from the outset, was perceived by several countries as a means by which the United States of America attempted to protect its own interests. The legitimization of the use of force in the Bush Doctrine was based on moral-liberal statements such as 'lack of democracy' and the consideration of the regime change as legitimate by the doctrine, therefore, led to a general increase in reactions and concerns about the USA in the international community and especially in the Middle East.

Although this initiative by the Bush administration that pushed the limits of the use of force led to reactions, it would be a compelling interpretation to make a conclusion that international law and the UN were rendered completely dysfunctional. Similarly, after a while, the Bush administration, aware of the mistakes made, sought support from its allies and the UN to solve the problems that arose in Iraq after the occupation. After the Obama administration took office (especially in its first period), the reaction and concern for the policies of the United States of America partly diminished with the departure of the rhetoric from the emphasis on unilateral foreign policy, which emerged during the Bush era. Nevertheless, 'justification' and even 'sanctification' of the use of force by the Bush administration centered on secular-liberal values such as 'exporting democracy' and moral-religious accents such as 'axis of evil' were interpreted as the return of the debates concerning the just war and partially the holy war tradition to the international law. Furthermore, the USA' efforts to change established principles of the use of force with religiously and liberally oriented one showed the critical importance of restraining role of the embedded international mechanisms and principles. All in all, in contrast to Kosovo case Iraq invasion was not only criticized by Russia and China but most of the countries since it involved ambiguous moral values and invalid "proofs" which can be used to justify any war against any country.

Bibliography

- "ABD Savaşı Bitirdi Enkaz Irak'a Kaldı", *Milliyet*, 16 December 2011.
- Adem, Seifudein, "Constructing a New Imperial Order? The War in Iraq and the Ideology of Clashism", *Alternatives*, Vol. 2, No.2 (2003), p. 1-26.
- Aksar, Yusuf, *Teoride ve Uygulamada Uluslararası Hukuk II*, (Ankara: Seçkin Yayıncılık, 2015).
- Altunışık, Meliha Benli, "Turkey's Iraq Policy: The War and Beyond", *Journal of Cotemporary European Studies*, Vol. 14, No. 2 (2006), p. 183-196.

- Antic, Miljenko, "Iraq War (2003-): Was it morally Justified?", *Politicka Misao*, Vol. 46, No.1 (2009), p. 88-115.
- Arı, Tayyar, *Irak, İran, ABD ve Petrol*, (İstanbul: Alfa Yayınları, 2007).
- Aydın, Mustafa, Nihat Ali Özcan and Neslihan Kaplanoğlu, "Riskler ve Fırsatlar kavşağında Irak'ın geleceği ve Türkiye", *TEPAV Ortadoğu Çalışmaları*, (2007), p. 1-144.
- Bahaa, Sherine, "Arab Anger", *Al-Ahram Weekly*, 10-16 April 2003.
- Banta, Benjami R., "Just War Theory and the 2003 Iraq War Forced Displacement", *Journal of Refugee Studies*, Vol. 21, No. 3 (2008), p. 261-284.
- Bellamy, Alex J. and Paul D. Williams, "The New Politics of Protection? Cote d'Ivoire, Libya, and the Responsibility to Protect", *International Affairs*, Vol. 82, No. 7 (2011), p. 825-850.
- Bellamy, Alex J., "Ethics and Intervention: the 'Humanitarian Exception' and the Problem of Abuse in the Case of Iraq", *Journal of Peace Research*, Vol. 41, No. 2 (2004), p. 131-147.
- Beres, Louis Rene, "On Assassination as Anticipatory Self-defense: the Case of Israel", *Hofstra Law Review*, Vol. 20, No. 2 (1991), p. 321-340.
- Bloker, Niels M., "Is the Authorization Authorized? Powers and Practice of the UN Security Council to Authorize the Use of Force by "Coalitions of the Able and Willing", *EJIL*, Vol. 11, No. 3 (2000), p. 541-568.
- Brunne, Jutta, and Stephen J. Toope, "Slouching Towards New 'Just Wars': International Law and The Use of Force After September 11th", *Netherlands International Law Review*, Vol. LI (2004), p. 363-392.
- Byers, Michael, "Terrorism, the Use of Force and International Law after 11 September", *International Relations*, Vol. 16 (2002), p. 155-171.
- Chesterman, Simon, "'Leading from Behind': The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya", *Ethics and International Affairs*, Vol. 25, No. 3 (2011), p. 279-285.
- Delahunty, Robert J. and Yoo, John, " 'The Bush Doctrine': Can Preventive War Be Justified?", *Harvard Journal of Law & Public Policy*, Vol. 32, No. 3 (2009), p. 843-865.
- Dodge, Toby, "The US and Iraq: Time to go Home", *Survival*, Vol. 52, No. 2 (2010), p. 129-140.
- Dunne, Tim and Mulaj, Klejda, "America after Iraq", *International Affairs*, Vol. 86, No.6 (2010), p. 1287-1298.
- Ereker, Fulya A., "İlkçağlardan Günümüze Haklı Savaş Kavramı", *Uluslararası İlişkiler/International Relations*, Vol. 1, No. 3 (2004), p.1-36
- Hale, William, *Turkey, the US and Iraq*, (London: Middle East Institute, 2007).
- Fiala Andrew, "Crusades, Just Wars, and the Bush Doctrine", *Peace Review: A Journal of Social Justice*, Vol. 19 (2007), p. 165-172.
- Fiala, Andrew, "The Bush Doctrine, Democratization, and Humanitarian Intervention A Just War Critique", *Theoria*, (2007), p. 28-49.

Radical Period on The Use of Force: Bush Doctrine, Invasion of Iraq and Intensifying Just/Holy War Debates

- Fried, Amy, "Terrorism as a Context of Coverage before the Iraq War", *the Harvard International Journal of Press/Politics*, Vol. 10 (2005), p. 125-134.
- Froese, Paul and F. Carson Mencken, "A US holy war? The effects of religion on Iraq war policy attitudes", *Social Science Quarterly*, Vol. 90, No. 1 (2009), p. 103-116.
- "George W. Bush., Speeches," 2002, <http://www.whitehouse.gov/news/releases>.
- Ghali, Boutros Boutros, "Empowering the United Nations", *Foreign Affairs*, (1992-93), p. 89-102.
- Glen, Carol M, "The United Nations Charter System and the Iraq Wars Ethical Implications", *Public Integrity*, Vol. 11, No. 4 (2009), p. 309- 326.
- Hammond, John L., "The Bush Doctrine, Preventive War, and International Law", *The Philosophical Forum*, Vol. 36 (2005), p. 97-113.
- Hayajneh, Adnan M. and Al-Shalabi, Jamal A., "The U.S. Occupation of Iraq and the Arab World", *Alternatives*, Vol. 4, No. ½ (2005), p. 31-57.
- Hinnebusch, Raymond, "The American Invasion of Iraq: Causes and Consequences", *Perceptions*, (2007), p. 9-28.
- Hole, Leo Van den, "Anticipatory Self-Defence under International Law", *American University International Law Review*, Vol. 19, No. 1 (2003), p. 70-105.
- "Iraq War Costlier than Vietnam", *BBC*, 2005, <http://news.bbc.co.uk/2/hi/americas/4201812.stm>.
- İnat, Kemal, "İrak: ABD ve Saddam Hüseyin "İşbirliği" ile Gelen Yıkım", *Dünya Çatışmaları: Çatışma Bölgeleri ve Alanları*, Kemal İnat, Burhanettin Duran and Muhittin Ataman (Ed.), Nobel Yayın Evi, Ankara, Cilt 1, 2010, p. 1-99
- İnat, Kemal (Ed.), *ABD'nin "Haydut Devletler"i*, (Adapazarı: Değişim, 2004).
- Kaba, Marcel, "Targeting the World: Assessing the Lawfulness the "Bush Doctrine"", *New Presence*, Vol. 11, No. 1 (2009), p. 32-37.
- Kellner, Douglas, "Preemptive Strikes and the War on Iraq: A Critique of Bush Administration Unilateralism and Militarism", *New Political Science*, Vol. 26, No. 3 (2004), p. 417-440.
- Kerton-Johnson, Nicholas, "Justifying the Use of Force in a Post-9/11World: Striving for Hierarchy in International Society", *International Affairs*, Vol. 84, No. 5 (2008), p. 991-1007.
- Keskin, Funda, "İnsancıl Müdahale: 1999 Kosova ve 2003 Irak Sonrası Durum", *Uluslararası İlişkiler*, Cilt. 3, Sayı. 12 (2006-2007), p. 49-70.
- Keskin, Funda, *Uluslararası Hukukta Kuvvet Kullanma: Savaş, Karışma ve Birleşmiş Milletler*, (Ankara: Mülkiyeliler Birliği Vakfı Yayınları, Tezler Dizisi:4, 1998).
- Koçer, Gökhan, "Savaş ve Barış: Temel Seçenekler", *Uluslararası Politikayı Anlamak Ulus Devletten Küreselleşmeye*, Zeynep Dağı (Ed.), (İstanbul:Alfa Yayınları, 2007), p. 78-124.
- Miller, Benjamin, "Explaining Changes in U.S. Grand Strategy: 9/11, the Rise of Offensive Liberalism, and the War in Iraq", *Security Studies*, Vol. 19 (2010), p. 26-65.
- Moses, Jeremy, "Liberal internationalist discourse and the use of force: Blair, Bush and beyond", *International Politics*, Vol. 47, No. 1 (2010), p. 26-51.

- O'Connell, Mary Ellen, "The Myth of Preemptive Self-Defense", *ASIL*, (2002), p. 1-21.
- "President Delivers State of the Union Address", 22 Ocak 2009, <http://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>.
- Reisman, W. Michael, "Redesigning the United Nations", *Singapore Journal of International & Comparative Law*, (1997), p. 1-27.
- Rigstad, Mark, "Jus ad Bellum After 9/11 A State of Art Report", *The IPT Beacon*, Vol. 3, (2007), p. 1-30.
- Roberts, Adam, "Humanitarian War: Military Intervention and Human Rights", *International Affairs*, Vol. 69, No. 3, (1993), p. 429-449.
- Santos, Maria Helena de Castro and Ulysses Tavares Teixeira, "The essential role of democracy in the Bush Doctrine: the invasions of Iraq and Afghanistan", *Revista Brasileira de Política Internacional*, Vol. 56, No. 2 (2013), p. 131-156.
- Schmidt, Brian C. and Williams, Michael C., "'The Bush Doctrine' and Iraq War: Neoconservatives versus Realists", *Security Studies*, Vol. 17 (2008), p. 191-220.
- Smith, Tony, "From Woodrow Wilson in 1902 to the Bush Doctrine in 2002: Democracy Promotion as Imperialism", *International Politics*, Vol. 48, No. 2-3 (2011), p. 229-250.
- Stover, William James, "Preemptive War: Implications of the Bush and Rumsfeld Doctrines", *International Journal on World Peace*, Vol. 21, No. 1 (2004), p. 3-16.
- "The National Security Strategy of the United States of America", Eylül 2002, <http://www.state.gov/documents/organization/15538.pdf> [Last visited 1 December 2011].
- "The National Security Strategy of the United States of America", 2006, <http://www.whitehouse.gov/nsc/nss/2006> [Last visited 1 December 2016].
- Ulfstein, Geir, "Terrorism and the Use of Force", *Security Dialogue*, Vol. 34 (2003), p. 153-168.
- "United Nations Security Council", Resolution 1441 (2002), Resolution 678, Resolution 687.
- Westra, Christian J., "Will the 'Bush Doctrine' survive its progenitor? An assessment of *Jus Ad Bellum* norms for the Post-Westphalian Age", *Boston College & Comparative Law Review*, Vol. 32 (2009), p. 399-422
- "Yüzyılın Yalanı", *Milliyet*, 17 February 2011.