

THE US–IRAN CONFLICT AND ITS LEGAL IMPLICATIONS: A CRITICAL ASSESSMENT OF THE RULES–BASED INTERNATIONAL ORDER

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On 28 February 2026, large-scale strikes by the United States and Israel targeted Iran’s missile infrastructure, military installations and leadership in the capital, Tehran, and other strategic locations across the country. President Trump said hours after the offensive began, that his objective was eliminating “imminent threats” posed by the Iranian regime, particularly in relation to its alleged development of nuclear weapons. These claims were made despite Iran’s consistent position maintained in ongoing diplomatic discussions that its nuclear programme is exclusively peaceful and intended for civilian purposes. In response, Iran launched retaliatory attacks against Israel and several United States – allied states in the Gulf region.

This escalation intensifying the conflict in geographical scope, with casualties and destruction mounting on all sides.

This evolving crisis not only reflects a military confrontation but also underscores broader structural realities within the international system. In the international order, power dynamics play a decisive role. Traditionally, political and economic strength have shaped global influence; however, the conflict between the United States and Iran have brought nuclear capability to the forefront as a critical determinant of power.



Courtesy: The Caspian Post

This crisis, now persisting for nearly a month, has deepened global instability and disrupted all strata of society, contributing to a growing climate of economic uncertainty, disarray and disorder. It has also prompted a skepticism about the effectiveness of international law in sustaining a rules-based global order. In light of these developments, a range of arguments has emerged in response to the unfolding events. Accordingly, this article seeks to critically examine the legal underpinnings of the actions that have taken place since the onset of the attack.

Normative Question about the Legitimacy of Force

The hostilities between Iran and USA, must be understood within a long historical trajectory rather than as a sudden. Its origins can be traced to the Iranian Revolution, which transformed Iran from a U.S.-aligned monarchy into a republic fundamentally opposed to American influence. Over subsequent decades, tensions deepened due to disputes over Iran's nuclear ambitions, U.S. economic sanctions, and regional proxy conflicts, culminating in flashpoints such as the killing of Qasem Soleimani in 2020.

If one revisit President George W. Bush's "State of Union" address of January 2002 where he signals out Iran, Iraq, and North Korea as part of an "Axis of Evil," portraying them as significant threats to U.S. security. They feared that these countries would develop chemical, biological and nuclear weapons capable of endangering the United States. Donald Trump's recent "attack" was



Courtesy: Spectrum News

likewise justified on the very same grounds, though framed more broadly in terms of maintaining international peace and security. Such parallels suggest a continued reliance on historically embedded notions of "reasonable cause" to legitimise the use of force, reflecting a recurring pattern of justification grounded in the principles of "Just War Theory"; which in simple, holds that the use of force be morally justified when it is undertaken to secure peace, uphold justice, or preserve global order.

Historically, 19th century international law largely accepted the doctrine of *liberum ius ad bellum*, recognizing the sovereign right of states to go to war. During this period, the concept of *bellum iustum* (just war) functioned primarily as a moral framework rather than a binding legal standard. However, Just War Theory asserts that specific conditions must be satisfied for a war to be considered "just" – not only at its initiation, but also in its conduct and eventual resolution.

At the outset, to initiate a war – *jus ad bellum* requires that a war meet several key criteria, including legitimate authority, a just cause, right intention, formal declaration, the use of force as a last resort, a reasonable chance of success, and proportionality. The extent to which these criteria were adhered to by President Trump, remains subject to critical evaluation.

Importantly, a state's obligations do not end once war begins. They extend into *jus in bello*, which governs conduct during war, emphasizing proportionality and the protection of non-combatants, as well as *jus post bellum*, which concerns justice after war. This includes the responsibility to establish a just and sustainable peace and to ensure accountability for actions taken during the conflict.

In this light, even if a just cause is asserted by President Trump, it may be argued that the foundational principles governing the first two phases of the "just war" framework – *jus ad bellum* and *jus in bello* are significantly undermined. In particular, this includes the failure to adhere to the requirement of last resort, the principle of proportionality, and the prohibition against targeting civilians and civilian objects, such as schools, universities, and residential areas.

Pre-Emptive Force and the UN Charter

The current situation can be assessed against the broader framework of contemporary international law. In this regard, the United Nations Charter provides the primary legal standard governing the use of force between states.

At the international level, any military "attack" constitutes a use of force, which is generally prohibited under Article 2(4) of the Charter. This provision requires

all member states to refrain from the threat or use of force against the territorial integrity or political independence of any state establishing the horizontal nature of international law which upholds equality in international relations upholding the legal structure composed of sovereign equals, where no single state or central authority stands above the others. However, a limited exception is recognized under Article 51, which preserves the inherent right of individual or collective self-defence in the event of an armed attack, until the United Nations Security Council takes necessary measures to maintain international peace and security. The idea of States responding to an attack and calling it a self-defence evolved even covering anticipatory self defence where even in the absence of an actual armed attack, claims are sometimes justified on the basis of pre-empting future threats, including those that are not imminent, thereby creating significant ambiguity within the legal framework.

In response to this expanding interpretation, limitations have been articulated in the *Caroline Case*, where it was established that the exercise of self-defence is permissible only when the necessity is “instant, overwhelming, leaving no choice of means and no moment for deliberation.” This formulation, commonly referred to as the Webster formula, continues to serve as a crucial benchmark in assessing the legality of pre-emptive uses of force, ensuring that such actions remain constrained within the broader principles International Humanitarian Law.

The Constitutional Framework of the United States and Presidential War Powers

Another debate surrounding this issue concerns the extent of the President of the United States’ authority to unilaterally exercise such powers in the use of force. The constitutional framework of the United States distributes war powers between Congress and the President. Article I, Section 8 of the U.S. Constitution vests in Congress the exclusive authority to declare war. The Constitution also designates the President as the Commander-in-Chief under Article II, thereby granting authority to respond to immediate threats to national security. However, as an effort to restrain such unilateral executive action, Congress enacted the War Powers Resolution in 1973, which attempts to limit unilateral presidential military action to 60 days. Also, under the law, the president must also notify Congress within 48 hours of hostilities beginning.

In the present case, Trump complied procedurally by notifying Congress, asserting that the threat posed by Iran had become “untenable” despite ongoing diplomatic efforts. The Congress attempted to reassert its authority through a War Powers resolution and was rejected by 53–47 vote. Nonetheless, in the absence of any binding legislative constraint, President Trump

proceeded with the military operation, effectively on executive authority and congressional inaction.

His justification, however, remains contested. While the Trump administration, including Vice President JD Vance, asserted that the objective of the strikes was to eliminate Iran’s nuclear capabilities, no conclusive evidence was publicly provided to substantiate the claim that Iran was on the verge of acquiring a nuclear weapon. Notably, the International Atomic Energy Agency indicated that it possessed no evidence of an active nuclear weapons programme in Iran at the time of the attacks. In this context, it may be argued that the United States acted on the basis of a factual misapprehension in undertaking a pre-emptive strike. Consequently, the legal characterisation of the use of force shifts from a claim of anticipatory self-defence to one that more closely aligns with an act of aggression, as defined under United Nations General Assembly Resolution 3314.

International Law in Times of Crisis

Returning to international law, it is evident that, in practice, states frequently invoke broad and often subjective claims of threat to justify anticipatory self-defence. Even in the present situation, the United States has relied on such reasoning to frame its actions against Iran. However, the absence of clear and verifiable evidence particularly in relation to any imminent nuclear capability raises serious concerns regarding the legality and legitimacy of such action under international law.

Moreover, there exists an obligation to report measures taken in self-defence to the United Nations Security Council, a requirement that appears not to have been fulfilled in this instance. In this context, the enduring relevance of the *Caroline Case* standard lies in its capacity to strike a balance between permitting necessary self-defence and preventing the misuse of force under the guise of legal justification, particularly in a global order where tensions between multilateral legal norms and realist state interests remain pronounced.

Hence, while Iran’s response could arguably be justified on the basis of necessity, its compliance with the requirement of proportionality remains highly questionable. Reports indicate that the strikes extended to non-military targets, including oil and gas infrastructure, water desalination plants, and airports across the Gulf region. The scale and nature of this response suggest that it may have exceeded the permissible limits of lawful self-defence, particularly where such actions impact civilians objects or third States. This, in turn, risks triggering claims of self-defence by other nations and escalating the conflict into a form of proxy warfare, where initial parties to the dispute receive support from external actors.

Such dynamics further complicate the assessment of legality and legitimacy under international law.

This situation has put international law on cross roads. The precedent established by the *Nicaragua case* reinforced that a powerful nation cannot use military or paramilitary force to destabilize another state, setting a critical benchmark for post-Cold War international law. However, the current scenario challenges even the very purpose of the United Nations Security Council, whose mandate is to maintain international peace and security. As a result, faith in international law appears increasingly fragile, highlighting the difficulty weaker states face in upholding legal norms while more powerful states act with impunity.

International law has traditionally served to maintain global order and ensure peace. Unlike domestic law, it relies on the *consensus generalis* - voluntary consent of states, operating through consensus and shared expectations rather than coercion. States comply with legal norms not out of compulsion, but through mutual agreement and the recognition of common interests. However, the current conflict demonstrates the fragility of this system. What began as a bilateral confrontation has escalated into a broader global crisis, destabilizing political structures and disrupting socio-economic conditions across multiple states. This situation underscores that such crises cannot simply be treated as the "new normal"; instead, they highlight the urgent

need to reinforce international legal mechanisms, ensure accountability for the misuse of force, and restore faith in the principles that underpin a rules-based global order.



Courtesy: Reuters