

WHAT AMERICA LEARNED BY IGNORING THE SECURITY COUNCIL

John Bolton's appointment as national security adviser plunges the United States back into one of the most contentious debates of George W. Bush's presidency. Does America need other countries and institutions? Or do they tie it down like Gulliver? In Iraq, the Bush administration made a point of assembling an international coalition for the invasion. But it also sought the blessing of the U.N. Security Council, and then went to war anyway when approval wasn't forthcoming. Three continuing consequences from that decision show the difference between the perception of legitimacy and the reality of it.

1. U.S. allies learned where they really stood: on the outside.

Like the U.S. Congress, where bills that won't pass don't usually get a vote, it's rare for Security Council resolutions to be put forward if the sponsors don't know they'll pass. But that's exactly what happened in 2003. Under pressure from its allies, the U.S. backed a resolution to authorize military action, then withdrew it in the face of a veto threat. That was a bad outcome for the U.S. and its allies, since it became obvious the war was unauthorized.

That process also showed how thin the American coalition was. Allies like the U.K. could persuade the U.S. to go to the Security Council, but they couldn't make Washington respect the decision. Alexander Thompson, an associate professor of political science at Ohio State University, said that decision showed how international cooperation exists on a spectrum. For action to be truly collaborative, said Thompson, other countries should be "part of the process and not just jumping on board a policy that was started unilaterally." That came back to bite the United States years later. In 2013, when President Barack Obama wanted British support in a plan to strike Syria, U.K. lawmakers [voted](#) the measure down, and Obama's plan fell apart.

2. It made the world question America's intentions, even after Bush.

September 11 created a wellspring of solidarity for the United States. A French newspaper declared, "We are all Americans," and the first foreign leader to call President George W. Bush after the attacks was none other than Vladimir Putin. The decision to push ahead with the war without the Security Council diminished that support. "It created for everyone a more

cynical view of the war on terrorism," said Thompson. That lack of legitimacy may have undermined counterterrorism efforts.

For all of Obama's personal popularity outside the U.S., he never managed to convince the rest of the world his military policies were truly different. "The idea that Obama wiped clean the stain of American foreign policy has never been true," said Richard Gowan, a senior policy fellow at the European Council on Foreign Relations. "There's a very strong belief among non-U.S. diplomats that the U.S. will default back to Iraq-style interventions."

3. It gave Russia the upper hand in legal debates.

Addressing the Russian Duma after the invasion of Ukraine, Vladimir Putin thumbed his nose at the the U.S. and its allies. "They say we are violating norms of international law," he said dryly. "It's a good thing that they at least remember that there exists such a thing as international law—better late than never."

For Putin, the decision to snub the Security Council over Iraq, ignoring the domain where Russia holds veto power, "was a humiliating reminder that in the eyes of the West, Russia was irrelevant," wrote Julia Ioffe. Given that NATO had intervened in Kosovo without Security Council approval just a few years prior, the move felt like a trend.

In the years since, Russia has loudly demanded that the world adhere to the letter of international law. "The U.S. feels that it's doing the world a favor when it goes to the Security Council. It doesn't think the word of what's agreed is as important as making the effort. Other countries, ironically, think the wording does matter," said Gowan. Russia plays that to great effect in debates over Syria, for instance, where it carefully maneuvers diplomacy to Russian advantage. The result is not stronger rule of law, however, but legalism—the use of legal instruments to advance political power.

Now Enter John Bolton

The contest over Iraq illustrated the power dynamics of the Security Council. The U.S. acted as if America was conferring legitimacy on the U.N., rather than seeking it. Bolton, who served as Bush's U.N. ambassador after the invasion began, expresses this worldview almost explicitly. Though Bolton is an ardent American nationalist, his views overlap in certain ways with the Russians'. "They believe in international law in the same way that Bolton does," said Gowan. "Laws are temporary, and it's the nature of the big powers to break them."

America has long viewed international law as a source of its power. That's changing. Speaking about the WTO, the international lawyer Gregory Shaffer said recently, "Once other countries learn how to use the law against the powerful, then the powerful start thinking maybe the law isn't such a great thing."

Bush believed that America was powerful, and took the country to war without international law on his side. Trump and Bolton believe America is powerful, too, and that international law should not constrain it. Iraq revealed how other countries could seize on the perception of lawlessness, and use it to their own ends. Trump and Bolton presumably believe America will be stronger if the law is weaker; against that lies the example of the past 15 years in Iraq.

— *Masthead - Matt Peterson*