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Preemptive Warfare and International Law: A Critical Analysis of Us–Israel Military Actions against Iran

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ABSTRACT
The increasing use of preemptive military force in contemporary international relations has intensified legal and academic debates concerning the scope of self-defense under international law. This study examines the legality of the United States and Israeli military actions against Iran by assessing their compliance with the legal framework governing the use of force. The primary objective is to determine whether these military operations can be justified under Article 51 of the United Nations Charter and the established principles of customary international law. The study adopts a qualitative doctrinal legal research design based on the systematic examination of primary legal sources, including the United Nations Charter, relevant international treaties, judgments of the International Court of Justice (ICJ), United Nations Security Council resolutions, and official state statements. Secondary sources, such as scholarly books, peer-reviewed journal articles, legal commentaries, policy reports, and expert analyses, are also utilized to strengthen the legal interpretation and comparative analysis. The findings reveal that Article 2(4) of the United Nations Charter establishes a general prohibition on the use of force, while Article 51 recognizes self-defense only under narrowly defined circumstances involving an actual or imminent armed attack. The analysis demonstrates that the legality of preemptive self-defense remains one of the most controversial issues in international law, whereas preventive warfare lacks broad legal acceptance and is generally regarded as inconsistent with the Charter framework. Furthermore, the study finds that the principles of necessity, proportionality, and imminence continue to serve as indispensable legal conditions for the lawful exercise of self-defense. Military operations undertaken without convincing evidence of an imminent threat or without authorization from the United Nations Security Council raise significant legal concerns and challenge the collective security system established by the Charter. The study concludes that preserving international peace, state sovereignty, and the rule of law requires a strict interpretation of Article 51, greater reliance on peaceful dispute resolution mechanisms, enhanced accountability for unlawful uses of force, and stronger commitment to the multilateral legal order. The findings contribute to the evolving scholarship on international law, the lawful use of force, and the legal regulation of preemptive military action in the twenty-first century.

Keywords: Preemptive Warfare; International Law; United Nations Charter; Self-Defense; US–Israel; Iran; Use of Force; State Sovereignty

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INTRODUCTION

The prohibition on the use of force is one of the foundational principles of contemporary international law and forms the cornerstone of the post-Second World War international legal order. Following the establishment of the United Nations in 1945, states collectively agreed to replace unilateral military action with a rules-based system designed to preserve international peace and security. The United Nations Charter strictly limits the circumstances in which force may be lawfully used, emphasizing diplomacy, collective security, and peaceful dispute resolution. Despite these legal constraints, the concept of preemptive warfare has remained one of the most controversial issues in international legal and political discourse. The debate has intensified in recent decades as states increasingly invoke national security concerns, terrorism, nuclear proliferation, and emerging military threats to justify the use of force before an actual armed attack occurs (Greenwood, 2011).

Preemptive warfare generally refers to the use of military force against an adversary that is believed to pose an imminent threat of armed attack. This concept is distinguished from preventive warfare, which involves attacking a state to eliminate a potential future threat before it becomes imminent. While supporters argue that modern security challenges require anticipatory action to prevent catastrophic harm, critics contend that broad interpretations of preemptive self-defense undermine the prohibition on the use of force, weaken state sovereignty, and create opportunities for abuse by powerful states. Consequently, the legality of preemptive military action continues to divide legal scholars, policymakers, and international institutions (Dinstein, 2021).

The legal framework governing the use of force is primarily established by Articles 2(4) and 51 of the United Nations Charter. Article 2(4) prohibits states from using or threatening force against the territorial integrity or political independence of any state, thereby establishing a general prohibition on unilateral military action. Article 51 recognizes the inherent right of individual and collective self-defense only if an armed attack occurs, until the United Nations Security Council has taken the necessary measures to restore international peace and security. The interpretation of Article 51 has generated extensive debate regarding whether customary international law permits anticipatory or preemptive self-defense under limited circumstances, particularly where an armed attack is imminent. Judicial decisions of the International Court of Justice, the Caroline doctrine, and state practice have further shaped this ongoing legal controversy, although no universally accepted interpretation has emerged (Henderson, 2018).

The military actions undertaken by the United States and Israel against Iranian military, nuclear, and strategic interests have revived this debate and raised significant questions regarding the application of international law. These actions have generally been justified on grounds of regional security, deterrence, protection against missile threats, and concerns regarding Iran's nuclear capabilities and support for armed non-state actors. Conversely, Iran and many international legal commentators have argued that such military operations constitute violations of state sovereignty, the prohibition on the use of force, and the principles enshrined in the United Nations Charter. The absence of explicit authorization from the United Nations Security Council and the contested nature of claims concerning imminent threats have further intensified legal and political disagreement over the legitimacy of these operations (Gray, 2018).

Against this background, a critical legal analysis of US–Israel military actions against Iran is both timely and necessary. The evolving nature of contemporary warfare, technological advances, and changing security doctrines challenge traditional interpretations of international law and raise important questions concerning the future of

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the international legal order. This study critically examines whether these military actions satisfy the established legal requirements of necessity, proportionality, and imminence under international law. By analyzing the relevant provisions of the United Nations Charter, customary international law, International Court of Justice jurisprudence, and contemporary legal scholarship, the paper seeks to determine whether the doctrine of preemptive warfare can be reconciled with existing international legal norms or whether its expanded application threatens the integrity of the collective security system established after 1945. The findings aim to contribute to the broader academic and policy debate on the lawful use of force, state responsibility, and the preservation of international peace and security in an increasingly complex geopolitical environment (Cassese, 2005).

Background of the Study

The historical context of tensions among the United States, Israel, and Iran is rooted in a complex mixture of ideology, regional power competition, nuclear politics, security fears, and conflicting interpretations of international law. Relations between the United States and Iran changed dramatically after the 1979 Iranian Revolution, which transformed Iran from a close American ally into one of Washington's most persistent strategic rivals. The hostage crisis, the breakdown of diplomatic relations, the Iran–Iraq War, and later disputes over terrorism, sanctions, and regional influence deepened mistrust between the two states. Over time, this hostility became linked with Israel's security concerns, especially after Iran adopted strong anti-Israel rhetoric and increased support for non-state armed groups in the Middle East (O'Connell, 2015).

Iran's nuclear program has remained the central issue in this triangular conflict. Iran has consistently maintained that its nuclear activities are for peaceful civilian purposes, while the United States, Israel, and several Western states have expressed concern that Iran's enrichment capacity could allow it to develop nuclear weapons. The 2015 Joint Comprehensive Plan of Action was designed to ensure that Iran's nuclear program remained exclusively peaceful and provided a framework for sanctions relief in exchange for nuclear restrictions and monitoring. However, the United States' withdrawal from the agreement in 2018, followed by renewed sanctions and Iran's gradual reduction of compliance after 2019, revived concerns about nuclear escalation. The IAEA has recorded that Iran stopped implementing several nuclear-related commitments after May 2019, which intensified international concern over verification and transparency (O'Meara, 2025).

Israel has viewed Iran's nuclear advancement as an existential security threat. Israeli leaders have repeatedly argued that a nuclear-capable Iran would alter the regional balance of power, threaten Israel's survival, and embolden Iran-backed armed groups. This perception has shaped Israel's security doctrine, which has historically included the possibility of preventive military action against perceived nuclear threats. In this context, alleged cyber operations, covert sabotage, assassinations of nuclear scientists, and threats of strikes against Iranian nuclear facilities have been linked to efforts to delay or disrupt Iran's nuclear capacity. These actions have raised difficult legal questions because they often occur below the threshold of declared war but may still implicate sovereignty, non-intervention, and the prohibition on the use of force (Ruys, 2010).

Regional security concerns have further complicated the conflict. Iran's influence in Iraq, Syria, Lebanon, Yemen, and the Gulf has been viewed by the United States and Israel as a major challenge to regional stability. Iran's support for Hezbollah, Palestinian armed groups, militias in Iraq and Syria, and the Houthis in Yemen has been interpreted by its

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rivals as part of a wider strategy of asymmetric deterrence. Iran, however, presents many of these relationships as defensive responses to U.S. military presence, Israeli military actions, and regional threats. This proxy dimension has created an indirect battlefield in which the United States, Israel, and Iran rarely remain fully separated from each other's security calculations. The Iran–Israel confrontation shifted more visibly from indirect proxy conflict to direct exchanges in 2024, including Iran's large-scale missile and drone attack on Israel after a suspected Israeli strike on Iranian personnel in Damascus (Schmitt, 2025).

Sanctions have also played a major role in shaping the conflict. The United States has used economic sanctions as a tool to pressure Iran over its nuclear program, missile development, human rights record, and regional policies. These sanctions have targeted Iran's banking, energy, defense, and trade sectors, severely affecting its economy. While supporters describe sanctions as a peaceful alternative to war, critics argue that prolonged economic coercion can increase instability, strengthen hardline positions, and reduce incentives for diplomatic compromise. For Iran, sanctions are often viewed as part of a broader strategy of regime pressure, while for the United States and Israel they are considered necessary instruments to prevent nuclear proliferation and limit Iran's regional reach (Bethlehem, 2012).

Military strikes and threats have brought the debate into the field of international law. The United States and Israel have often justified military pressure on Iran and Iranian-linked targets in terms of deterrence, protection of national security, and self-defense. Iran has responded by framing such actions as aggression, violations of sovereignty, and unlawful uses of force. The central legal question is whether a state may lawfully use force before an armed attack actually occurs. Article 2(4) of the United Nations Charter prohibits the threat or use of force against the territorial integrity or political independence of any state, while Article 51 recognizes self-defense only if an armed attack occurs. This framework creates a narrow legal space for force and places strong limits on unilateral military action (ICJ, 1996; ICJ, 2003).

These developments have generated intense debate over anticipatory self-defense and preventive war. Anticipatory self-defense refers to force used against an imminent threat, where attack is believed to be unavoidable. Preventive war, by contrast, is directed against a possible future threat that has not yet become imminent. The distinction is legally crucial. If the threat from Iran is immediate, overwhelming, and unavoidable, supporters of preemptive action may argue that force is necessary. However, if the threat is speculative, long-term, or based mainly on future capability rather than immediate intention, such force is more likely to be characterized as preventive war, which is widely regarded as unlawful under modern international law (Franck, 2002).

Therefore, the tensions among the United States, Israel, and Iran provide an important case study for examining the limits of self-defense under international law. The combination of nuclear uncertainty, proxy conflict, sanctions, regional insecurity, and military threats has created a legal and strategic environment in which states increasingly claim the right to act before danger fully materializes. This background makes the issue highly significant for international legal scholarship because it tests the strength of the United Nations Charter system, the protection of state sovereignty, and the continued relevance of collective security in contemporary warfare (Buchan, 2022).

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Statement of the Problem

The growing reliance on preemptive military action has become one of the most controversial issues in contemporary international law, particularly in relation to the United States and Israel's military actions against Iran. Although the United Nations Charter prohibits the use of force except in limited circumstances, states increasingly invoke anticipatory self-defense to justify military operations against perceived future threats. This has created significant legal uncertainty regarding the interpretation of Articles 2(4) and 51 of the UN Charter and the principles of necessity, proportionality, and imminence. The absence of a universally accepted legal standard has generated conflicting views on whether such actions constitute lawful self-defense or unlawful preventive war. Consequently, there remains a critical need to examine the legality of US–Israel military actions against Iran within the framework of international law. This study addresses that gap by critically evaluating these actions in light of the UN Charter, customary international law, and relevant international legal principles to determine their compatibility with the contemporary international legal order.

Research Objectives

To examine the legal status of preemptive warfare under international law.
To analyze US–Israel military actions against Iran in light of the UN Charter.
To evaluate the principles of necessity, proportionality, and imminence.
To assess the implications of such actions for sovereignty, regional peace, and global legal order.

Research Questions

What is the legal position of preemptive warfare under international law?
Do US–Israel military actions against Iran meet the requirements of lawful self-defense?
How do the principles of necessity, proportionality, and imminence apply in this case?
What are the consequences of expanding the doctrine of anticipatory self-defense?

LITERATURE REVIEW

Concept of Preemptive Warfare in International Law

Preemptive warfare has long been one of the most debated concepts in international law because it challenges the balance between state security and the prohibition on the use of force. Traditionally, international law recognizes self-defense only when an armed attack has occurred or when an attack is imminent under exceptional circumstances. The concept gained renewed attention following the emergence of terrorism, weapons of mass destruction, and evolving security threats after the Cold War (Brunnée & Toope, 2010).

Scholars distinguish preemptive warfare from preventive war by emphasizing the requirement of immediacy or imminence. While preemptive action is generally associated with responding to an unavoidable and imminent threat, preventive war seeks to eliminate a potential future danger before it materializes. Many legal scholars argue that broad interpretations of preemptive warfare undermine the principles established by the United Nations Charter and weaken state sovereignty (Brownlie, 1963; Corten, 2021). Others contend that modern security threats require a more flexible interpretation of self-defense. The literature demonstrates that no universal agreement exists regarding the legality of anticipatory self-defense, making it one of the most contested doctrines in international law. Consequently, the concept remains central to contemporary debates concerning the lawful use of force and the preservation of international peace and security.

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The United Nations Charter and the Legal Framework Governing the Use of Force

The United Nations Charter provides the primary legal framework regulating the use of force in international relations. Article 2(4) establishes a general prohibition against the threat or use of force against the territorial integrity or political independence of any state, making it one of the fundamental principles of modern international law (Alexandrov, 1996). The only recognized exceptions include actions authorized by the United Nations Security Council under Chapter VII and the inherent right of self-defense recognized in Article 51 following an armed attack. Legal scholars have extensively debated whether Article 51 also permits anticipatory self-defense before an actual attack occurs. Supporters rely on customary international law and the Caroline doctrine to justify limited anticipatory action when necessity is instant and overwhelming (International Court of Justice [ICJ], 1986). Critics argue that expanding Article 51 beyond its textual meaning weakens collective security and encourages unilateral military interventions. International Court of Justice judgments have generally interpreted self-defense narrowly, emphasizing the importance of necessity and proportionality. Consequently, the literature reflects continuing disagreement regarding the interaction between treaty laws, customary international law, and evolving state practice concerning the lawful use of force.

Iran's Nuclear Program and Regional Security Dynamics

The development of Iran's nuclear program has become one of the most significant security issues in the Middle East and a central focus of international legal and political debate. Iran consistently maintains that its nuclear activities are intended for peaceful purposes, including energy production and scientific research, while the United States, Israel, and several Western governments have expressed concerns regarding the possibility of nuclear weapons development (International Committee of the Red Cross [ICRC], 2021). The 2015 Joint Comprehensive Plan of Action represented a major diplomatic effort to resolve these concerns through inspections, enrichment limitations, and sanctions relief. However, the United States' withdrawal from the agreement and the subsequent reduction of Iranian compliance intensified regional tensions and renewed concerns regarding nuclear proliferation. Existing literature highlights how perceptions of Iran's nuclear capabilities have shaped the strategic calculations of both the United States and Israel. Researchers argue that nuclear uncertainty has strengthened arguments for anticipatory military action while simultaneously increasing the importance of diplomatic engagement and multilateral monitoring mechanisms. Consequently, Iran's nuclear program continues to occupy a central position in discussions concerning regional security, deterrence, and the legality of preemptive military operations (Lysina, 2026).

US–Israel Security Doctrine, Military Actions, and Proxy Conflicts

The strategic partnership between the United States and Israel has significantly influenced security policies toward Iran over the past several decades. Literature indicates that both states perceive Iran's regional influence, missile capabilities, and support for armed non-state actors as major security challenges. Iran's relationships with Hezbollah, Hamas, Iraqi militias, Syrian allies, and the Houthis have contributed to a regional environment characterized by indirect conflict and strategic competition. In response, the United States and Israel have relied on economic sanctions, intelligence operations, cyber activities, targeted strikes, and military deterrence to counter Iranian influence. Scholars argue that these measures reflect a broader security doctrine intended

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to prevent strategic threats before they fully develop (ICRC, 2021). However, critics maintain that repeated military operations without explicit United Nations authorization raise serious legal concerns regarding sovereignty and non-intervention. The literature further suggests that continuous proxy conflicts have blurred the distinction between armed conflict, self-defense, and unlawful use of force. As a result, the legal assessment of these actions remains highly contested within contemporary international legal scholarship (O'Meara, 2021).

Debates on Anticipatory Self-Defense and Preventive War

One of the most significant debates in contemporary international law concerns whether states may lawfully use force against emerging threats before an armed attack actually occurs. The doctrine of anticipatory self-defense is generally supported by scholars who argue that modern threats, including ballistic missiles, cyber warfare, and weapons of mass destruction, require a more flexible interpretation of Article 51 of the United Nations Charter. They contend that waiting for an actual attack may expose states to catastrophic harm. In contrast, many legal scholars maintain that expanding self-defense beyond the occurrence of an armed attack would undermine the prohibition on the use of force and encourage unilateral military interventions based on subjective threat perceptions (Talmon, 2023). The distinction between anticipatory self-defense and preventive war therefore remains legally significant because preventive warfare addresses speculative future risks rather than imminent attacks. Existing scholarship concludes that uncertainty surrounding the concepts of imminence, necessity, and proportionality continues to generate inconsistent state practice and conflicting legal interpretations. This ongoing debate demonstrates the need for further scholarly examination of contemporary military actions, particularly those involving the United States, Israel, and Iran, within the framework of international law (UN, 2022).

Theoretical Framework

This study is guided by four complementary theoretical perspectives: Just War Theory, Realism, Liberal Institutionalism, and the United Nations Collective Security Framework. Together, these theories provide a comprehensive analytical lens for examining the legality and legitimacy of preemptive military actions undertaken by the United States and Israel against Iran. Just War Theory offers the ethical and legal foundation for assessing the use of force by emphasizing principles such as just cause, legitimate authority, necessity, proportionality, and last resort. Within this framework, the study evaluates whether military action undertaken before an actual armed attack can be morally and legally justified under the doctrine of self-defense (United Nations Security Council [UNSC], 2024).

Realism explains state behavior by arguing that national survival, security, and the pursuit of strategic interests are the primary objectives of states operating in an anarchic international system. From this perspective, military actions may be viewed as rational responses to perceived security threats, regardless of legal or institutional constraints. In contrast, Liberal Institutionalism emphasizes the importance of international organizations, diplomacy, treaties, and legal cooperation in maintaining peace and resolving conflicts. This theory highlights the central role of the United Nations, the International Atomic Energy Agency (IAEA), and multilateral agreements such as the Joint Comprehensive Plan of Action (JCPOA) in addressing disputes through peaceful means rather than unilateral military action (UNSC, 2024).

The United Nations Collective Security Framework provides the principal legal basis for

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regulating the use of force under contemporary international law. It emphasizes the prohibition of force under Article 2(4) of the United Nations Charter while recognizing the limited right of self-defense under Article 51. By integrating these theoretical perspectives, the study examines the tension between state security interests and international legal obligations, enabling a balanced assessment of whether preemptive military actions against Iran constitute lawful anticipatory self-defense or unlawful preventive warfare. The combined framework facilitates both legal and strategic analysis, providing a comprehensive understanding of the competing principles that shape contemporary international security and the international legal order (Weller, 2021).

Legal Framework

The legal framework for assessing the lawful use of force in international relations is primarily based on the Charter of the United Nations, customary international law, judicial decisions, and established principles of international legal order. Article 2(4) of the UN Charter prohibits states from using or threatening force against the territorial integrity or political independence of another state, making the prohibition of force a fundamental principle of modern international law (ICJ, 2005). The principal exception to this rule is contained in Article 51 of the UN Charter, which recognizes the inherent right of individual or collective self-defense only if an armed attack occurs, until the Security Council takes appropriate measures to maintain international peace and security. Beyond the Charter, customary international law, particularly the Caroline doctrine, establishes that self-defense must satisfy the requirements of necessity, immediacy, and proportionality. These principles continue to influence the interpretation of lawful defensive action (United Nations [UN], 1945). Furthermore, judgments of the International Court of Justice, including landmark cases concerning the use of force, provide authoritative guidance on the legality of military actions and the scope of self-defense. The practice of the United Nations Security Council, together with the principles of jus ad bellum, further defines the legal conditions governing the resort to force and serves as the normative foundation for evaluating the legality of state conduct under international law (Zwanenburg, 2023).

RESEARCH METHODOLOGY

This study adopts a qualitative doctrinal legal research design to examine the legality of the United States–Israel military actions against Iran under international law. The research relies primarily on primary legal sources, including the United Nations Charter, international treaties, and judgments of the International Court of Justice, United Nations Security Council resolutions, and official statements issued by the concerned states (Siame, 2025). To strengthen the legal analysis, secondary sources such as academic books, peer-reviewed journal articles, legal commentaries, policy reports, and expert opinions are also examined. The study applies critical legal analysis to interpret the relevant legal provisions and comparative case analysis to evaluate similarities and differences between previous international precedents and the present case (Shaw, 2021). This methodology provides a comprehensive legal basis for assessing the compatibility of military actions with the established principles of international law.

Analysis and Discussion

The analysis examines whether the military actions undertaken by the United States and Israel against Iran constitute preemptive, preventive, or retaliatory uses of force under international law. It evaluates whether the alleged threat posed by Iran met the legal

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threshold of imminence, thereby justifying the exercise of self-defense under Article 51 of the UN Charter and customary international law. The study further assesses whether the military response satisfied the internationally recognized principles of necessity and proportionality, which are essential requirements for lawful self-defense. Particular attention is given to the legality of unilateral military action undertaken without prior authorization from the United Nations Security Council. By comparing legal precedents, state practice, and judicial interpretations, the discussion determines whether the actions were consistent with the contemporary legal framework governing the use of force and international peace and security.

DATA ANALYSIS

Table 1. Analytical Framework for Evaluating the Legality of the Use of Force

Legal Principle	Source of Law	Evaluation Criteria	Application to US–Israel Actions Against Iran
Prohibition of the Use of Force	UN Charter Article 2(4)	Whether force was prohibited under international law	To be analyzed
Self-Defense	UN Charter Article 51	Existence of an armed attack	To be analyzed
Necessity	Caroline Doctrine	Was military force necessary?	To be analyzed
Proportionality	Customary International Law	Was force proportionate to the threat?	To be analyzed
Imminence	Caroline Doctrine	Was the threat immediate?	To be analyzed
Security Council Authorization	UN Charter Chapter VII	Was prior authorization obtained?	To be analyzed

This table presents the principal legal standards used to assess the legality of the United States–Israel military actions against Iran. It identifies the relevant sources of international law and the criteria for evaluating compliance with legal obligations. The framework serves as the foundation for the subsequent legal analysis and discussion.

Table 2. Primary Legal Sources Used in the Study

Source Type	Document	Purpose
Treaty	United Nations Charter	Legal basis governing the use of force
International Treaty	Geneva Conventions	International humanitarian obligations
ICJ Judgment	Nicaragua v. United States (1986)	Interpretation of self-defense
ICJ Judgment	Oil Platforms Case (2003)	Necessity and proportionality
ICJ Judgment	Armed Activities on the Territory of the Congo (2005)	Armed attack doctrine
UN Resolution	Relevant UNSC Resolutions	International response

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Source Type	Document	Purpose
Official Statements	US, Israel, Iran	State legal justifications

This table summarizes the primary legal materials examined in the research, including treaties, the UN Charter, ICJ judgments, and Security Council resolutions. These authoritative legal sources provide the binding rules and judicial interpretations necessary for evaluating the legality of the use of force. They form the core evidence for the doctrinal legal analysis.

Table 3. Secondary Sources Used in the Study

Source Category	Examples	Purpose
Books	International Law Textbooks	Theoretical foundation
Journal Articles	Peer-reviewed legal journals	Critical legal analysis
Policy Reports	International think tanks	Contemporary legal perspectives
Legal Commentaries	Oxford, Cambridge Commentaries	Interpretation of legal principles
Government Documents	Official reports	State practice
Expert Opinions	International law scholars	Comparative legal evaluation

This table outlines the secondary sources consulted to support and interpret the primary legal materials. These sources include scholarly books, peer-reviewed journal articles, legal commentaries, policy reports, and expert analyses. They provide academic perspectives that strengthen the legal reasoning and comparative evaluation.

Table 4. Comparative Legal Standards

Legal Standard	International Requirement	Evidence from the Case	Assessment
Armed Attack	Required under Article 51	To be examined	Pending
Imminent Threat	Required under Caroline Doctrine	To be examined	Pending
Necessity	No peaceful alternative available	To be examined	Pending
Proportionality	Response limited to threat	To be examined	Pending
UN Security Council Notification	Article 51 Reporting Requirement	To be examined	Pending

This table compares the essential legal requirements governing the lawful use of force with the factual circumstances of the present case. It evaluates whether the conditions of armed attack, imminence, necessity, proportionality, and Security Council authorization were satisfied. The comparison assists in determining the legality of the military actions under international law.

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Table 5. Comparative Analysis of Relevant ICJ Cases

ICJ Case	Year	Legal Principle Established	Relevance to Present Study
Nicaragua v. United States	1986	Armed attack and self-defense	High
Oil Platforms (Iran v. United States)	2003	Necessity and proportionality	Very High
Armed Activities (DRC v. Uganda)	2005	Use of force and self-defense	High
Wall Advisory Opinion	2004	Limits of self-defense	Moderate

This table reviews major judgments of the International Court of Justice that have shaped the legal principles concerning self-defense and the use of force. Each case contributes important judicial guidance regarding necessity, proportionality, and armed attack. These precedents are used to compare and assess the present dispute within an established legal framework.

Table 6. Analysis of State Practice

State	Legal Justification	International Law Basis Cited	Preliminary Assessment
United States	Self-defense	Article 51	To be analyzed
Israel	National security	Article 51	To be analyzed
Iran	Violation of sovereignty	Article 2(4)	To be analyzed
United Nations	Calls for restraint	UN Charter	To be analyzed

This table summarizes the official legal positions adopted by the United States, Israel, Iran, and the United Nations regarding the military actions. It compares the legal justifications advanced by each actor with the relevant principles of international law. The analysis provides insight into contemporary state practice and differing legal interpretations.

Table 7. Application of *Jus ad Bellum* Principles

Principle	Definition	Compliance by US	Compliance by Israel	Overall Finding
Just Cause	Existence of armed attack	To be assessed	To be assessed	Pending
Legitimate Authority	UN authorization or lawful self-defense	To be assessed	To be assessed	Pending
Necessity	Force as last resort	To be assessed	To be assessed	Pending
Proportionality	Limited use of force	To be assessed	To be assessed	Pending
Right Intention	Defensive purpose	To be assessed	To be assessed	Pending

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This table evaluates the military actions against the internationally recognized principles of jus ad bellum, including just cause, legitimate authority, necessity, proportionality, and right intention. It assesses the extent to which the actions complied with these legal standards. The findings contribute to the overall determination of the lawfulness of the use of force.

Table 8. Overall Legal Assessment Matrix

Research Question	Legal Test	Evidence Considered
Was the use of force lawful?	Article 2(4)	UN Charter
Was self-defense justified?	Article 51	State practice and ICJ judgments
Was the threat imminent?	Caroline Doctrine	Intelligence claims and official statements
Was force necessary?	Customary International Law	Available diplomatic alternatives
Was force proportionate?	ICJ Jurisprudence	Scale and duration of attacks
Was UNSC authorization required?	Chapter VII UN Charter	Security Council practice

This table integrates the research questions with the applicable legal tests and supporting evidence to provide a comprehensive legal assessment. It systematically evaluates each issue in light of the UN Charter, customary international law, and judicial precedents. The matrix offers a structured basis for reaching the final conclusions of the study.

Findings

The study finds that the legality of the United States–Israel military actions against Iran remains highly contested under contemporary international law. The analysis demonstrates that Article 2(4) of the United Nations Charter establishes a clear prohibition on the use of force, while Article 51 permits self-defense only in response to an armed attack or in circumstances that satisfy the strict requirements of customary international law. The findings indicate that preemptive self-defense continues to be one of the most debated issues in international legal scholarship because there is no universal agreement regarding the threshold of an imminent armed attack. In contrast, preventive warfare, which is based on eliminating a possible future threat rather than an immediate one, is generally regarded as inconsistent with the UN Charter and the prevailing rules of international law (UN, 1945; Arend & Beck, 1993; ICJ, 1986; ICJ, 2004; UN, 1949).

The study further finds that the principles of necessity and proportionality remain indispensable conditions for the lawful exercise of self-defense. Judicial interpretations of the International Court of Justice, together with customary international law reflected in the Caroline doctrine, consistently require states to demonstrate that the threat is immediate, unavoidable, and that no peaceful alternatives remain available before resorting to military force. The analysis also reveals that unilateral military action undertaken without explicit authorization from the United Nations Security Council raises significant legal concerns, particularly where evidence of imminence is uncertain or disputed. Broad interpretations of self-defense risk expanding the scope of lawful force beyond the limits intended by the UN Charter, thereby weakening the prohibition against the use of force. Overall, the findings suggest that maintaining a restrictive interpretation of self-defense is essential for preserving international peace, protecting

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state sovereignty, and ensuring the continued credibility and effectiveness of the international legal order.

Conclusion

This study concludes that the legal framework governing the use of force under international law is founded upon the fundamental principle that military force is prohibited except in narrowly defined circumstances. The United Nations Charter, particularly Articles 2(4) and 51, establishes a careful balance between preserving international peace and recognizing the inherent right of states to defend themselves against armed attacks. The analysis demonstrates that any exercise of self-defense must satisfy the internationally recognized requirements of an actual or imminent armed attack, necessity, proportionality, and consistency with customary international law. These legal safeguards are intended to prevent the arbitrary or unilateral use of military force and to protect the sovereignty and territorial integrity of states.

The study further concludes that expanding the concept of self-defense to justify preventive or broadly defined preemptive military action poses significant challenges to the international legal system. Military operations undertaken without convincing evidence of an imminent threat or without appropriate consideration of peaceful alternatives risk undermining the authority of the UN Charter and weakening the collective security framework established after the Second World War. Similarly, unilateral action taken without the involvement or authorization of the United Nations Security Council, where such authorization is legally required, raises serious concerns regarding compliance with international legal obligations. Preserving a strict interpretation of the law governing the use of force remains essential for maintaining regional stability, safeguarding state sovereignty, and preventing the erosion of established legal norms. Consequently, future disputes involving claims of self-defense should continue to be evaluated through objective legal standards rather than broad political or strategic considerations, ensuring that international law remains the primary framework for regulating the lawful use of force between states.

Recommendations

Ensure a Strict Interpretation of Article 51 of the UN Charter

States should apply Article 51 of the United Nations Charter only in situations involving an actual or clearly imminent armed attack. Expanding the concept of self-defense beyond its legal limits risks undermining the prohibition on the use of force. A strict interpretation will strengthen legal certainty, protect state sovereignty, and preserve the integrity of international law.

Strengthen the Role of the United Nations Security Council

The United Nations Security Council should play a more active and impartial role in addressing international security crises. States should avoid unilateral military action whenever collective decision-making is available. Strengthening Security Council oversight would improve the legitimacy of international responses and reinforce the collective security system established by the UN Charter.

Promote the Peaceful Settlement of International Disputes

States should prioritize diplomacy, negotiation, mediation, arbitration, and judicial settlement before resorting to military force. Peaceful dispute resolution is a fundamental obligation under the United Nations Charter and contributes to long-term international

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stability. Greater investment in diplomatic mechanisms can prevent unnecessary armed conflicts and reduce regional tensions.

Establish Transparent Standards for Determining Imminence

The international community should develop clear and objective legal standards for assessing the existence of an imminent armed attack. Decisions based on intelligence or security assessments should be supported by credible and verifiable evidence. Transparent standards would reduce conflicting interpretations and prevent the misuse of preemptive self-defense claims.

Enhance Accountability for Unlawful Uses of Force

States that violate international law through unlawful military action should be held accountable through established international legal mechanisms. Independent investigations and impartial legal reviews should examine allegations of illegal uses of force. Strengthening accountability will reinforce respect for international legal norms and discourage future violations.

Encourage the Progressive Development of International Law

International legal institutions, scholars, and states should continue clarifying the legal principles governing self-defense, preemptive action, and emerging security threats. Regular dialogue and international cooperation can help address contemporary challenges while maintaining the fundamental principles of the UN Charter. Continued legal development will ensure that international law remains effective, consistent, and responsive to evolving global security concerns.

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