

Between Power and Principle: A Study of Legal Legitimacy under International Law in the Iran–Israel–U.S. Trilateral Conflict

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ABSTRACT

The trilateral conflict involving Iran, Israel, and the United States represents one of the most persistent and complex geopolitical tensions in the Middle East. Rooted in ideological opposition, strategic competition, and concerns over nuclear proliferation, this conflict has had far-reaching implications for regional stability and the credibility of international legal norms. Each actor, Iran, Israel, and the United States has engaged in actions that reflect differing perceptions of threat and power projection, often justified through contested interpretations of self-defense and sovereignty. This study raises a central question: to what extent do the actions of Iran, Israel, and the United States in their ongoing conflict reflect compliance with or violations of the core principles of international law, particularly those relating to state sovereignty, non-intervention, and the lawful use of force? The objective of this research is to analyze how the legal justifications and strategic behaviors of the three actors align with or undermine international legal norms. Employing a qualitative, descriptive-analytical method, the study draws on official documents, United Nations reports, and scholarly literature to assess relevant events, such as targeted killings, cross-border airstrikes, and proxy warfare. The findings suggest that all three states have frequently invoked self-defense in ways that stretch or sidestep legal boundaries, contributing to a pattern of norm erosion and legal ambiguity. In conclusion, this conflict illustrates a broader legitimacy crisis in international law and underscores the need for stronger, more consistent multilateral mechanisms to uphold legal accountability in global security affairs.

Keywords: Iran–Israel–U.S. conflict, International law, Regional security, Self-defense doctrine, Middle East geopolitics

INTRODUCTION

The trilateral conflict involving Iran, Israel, and the United States represents one of the most persistent and complex security dilemmas in the modern Middle East. Rooted in ideological hostility, regional rivalries, and contestation over strategic dominance, this conflict has spilled across borders, manifesting in direct attacks, proxy warfare, cyber operations, and nuclear brinkmanship.¹ It has long drawn the attention of international legal scholars, political

¹ Khoirunnisa Khoirunnisa et al., “Cyber Warfare and National Security Modernizing Defense Strategies in the Context of China’s Evolving Cyber Influence,” *China Quarterly of International Strategic Studies* 11, no. 1 (2025): 1–20, <https://doi.org/10.1142/S2377740025500010>.

scientists, and security analysts due to its sustained nature and its implications for global norms and institutions.

This topic is academically relevant because it occupies a crucial intersection between international law, strategic studies, and foreign policy analysis. While many conflicts are regional in scope, the Iran–Israel–U.S. triangle directly challenges the normative foundations of the post-World War II (WWII) international order, particularly the principles enshrined in the United Nations Charter regarding sovereignty, non-intervention, and the use of force.² The consistent invocation of “anticipatory self-defense” by Israel and the United States, alongside Iran’s expanding regional influence through proxy actors, exemplifies the growing gap between *das sollen* (what ought to be) and *das sein* (what is) in the conduct of international relations.³

The rationale for choosing this topic stems from both a theoretical concern namely, the erosion of international legal norms and a practical one: the potential for large-scale regional warfare, particularly given Iran’s nuclear ambitions and the fragility of international arms control regimes. With the collapse of the Joint Comprehensive Plan of Action (JCPOA) following the United States’ withdrawal in 2018,⁴ diplomatic pathways have narrowed, and escalatory behaviors have intensified.

From a legal perspective, multiple events have tested the boundaries of lawful conduct in international relations.⁵ Notable among them is the targeted killing of Iranian General Qassem Soleimani by a U.S. drone strike in Baghdad in January 2020, which many scholars and legal bodies deemed a violation of Iraqi sovereignty and potentially a breach of international humanitarian law.⁶ Similarly, Israel has carried out hundreds of airstrikes against Iranian-affiliated targets in Syria, claiming preemptive self-defense under Article 51 of the UN Charter.⁷ Iran, in turn, supports a transnational network of militias such as Hezbollah, Hashd

² United Nations, “Charter of the United Nations,” 1945, <https://www.un.org/en/about-us/un-charter>.

³ Martti Koskeniemi, *From Apology to Utopia: The Structure of International Legal Argument* (Cambridge, UK: Cambridge University Press, 2009), <https://doi.org/10.1017/CBO9780511493713>.

⁴ Dalia Dassa Kaye, *Talking to the Enemy: Track Two Diplomacy in the Middle East and South Asia*, Distribution, (1st ed.) (Santa Monica: RAND Corporation, 2007), http://www.rand.org/pubs/research_briefs/RB9539.html.

⁵ Didi Jubaidi and Dyah Ersita Yustanti, “Soft Law Strategy in the ASEAN Charter Framework: A Nonbinding Legal Approach to Strengthening Regional Cooperation,” *China Quarterly of International Strategic Studies* 11, no. 1 (2025): 39–57, <https://doi.org/10.1142/S2377740025500034>.

⁶ Dina Yulianti, Hasan Sidik, and Mu’min, “International Law Review in the Assassination of General Qasem Soleimani,” *Indonesian Journal of International Law* 18, no. 4 (2021): 571–92, <https://doi.org/10.17304/ijil.vol18.4.824>.

⁷ Major John J Merriam and Michael N Schmitt, “Israeli Targeting: A Legal Appraisal,” *Naval War College Review* 68, no. 4 (2015): 15–33, <https://digital-commons.usnwc.edu/nwc->

al-Shaabi, and the Houthis which have launched rocket attacks and disrupted regional shipping routes, especially in the Strait of Hormuz.⁸

Although much has been written about bilateral relations (e.g., U.S.–Iran nuclear negotiations or Israeli–Iranian enmity), there is a lack of integrated scholarly analysis that considers the trilateral dynamic and its cumulative effect on the international legal order. For example,⁹ focuses on Iranian support for terrorism and the challenges it poses for counterterrorism policy, while Kaye (2007) provides a diplomatic history of the JCPOA but does not explore the strategic doctrine behind Israel’s unilateral strikes or the legal implications of U.S. force projection. This study aims to fill this analytical gap by offering a comprehensive examination of how Iran, Israel, and the United States simultaneously shape and undermine the international legal framework.

The central problem is the disconnect between the normative commitments of these actors to international law and their actual behavior. This disconnect is particularly salient in their recurring justification of forceful actions under the doctrine of anticipatory self-defense, a legal theory that remains highly controversial and largely unsupported in international jurisprudence.¹⁰ The research is thus guided by the following question: *To what extent do the actions of Iran, Israel, and the United States align with or violate established principles of international law concerning sovereignty, self-defense, and the use of force?*

To address these questions, the study adopts a qualitative-descriptive method, relying on official policy statements, United Nations reports, Security Council resolutions, and peer-reviewed scholarly works. Particular attention is given to case studies such as the Soleimani strike, Israeli operations in Syria, Iranian retaliation, and incidents in the Persian Gulf. Theoretical insights from realism which emphasizes the primacy of state survival and power and constructivism which explores how states construct threats and legitimize norms are used to interpret the strategic behavior of the three actors.

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⁸ Ellias Aghili Dehnavi and Abitn Safavipour, “Decoding Iran’s Proxy Strategy: Determent or Destabilization? A Review and Scientific Commentary,” *Journal of Humanities and Education Development* 6, no. 5 (2024): 01–06, <https://doi.org/10.22161/jhed.6.5.1>.

⁹ Daniel Byman, *Deadly Connections: States That Sponsor Terrorism* (Cambridge, UK: Cambridge University Press, 2005).

¹⁰ Yoram Dinstein, *War, Aggression and Self-Defence*, 5th ed. (Cambridge, UK: Cambridge University Press, 2017), <https://doi.org/10.1017/9781108120555>.

From a practical standpoint, this conflict is not merely legal or ideological. It affects millions of lives and fuels broader instability in the region. For instance, the war in Syria has become a proxy battleground for the Iran–Israel confrontation, while the U.S. military presence in Iraq and the Persian Gulf has drawn regional actors into complex alliances and confrontations. The 2019 attack on Saudi Aramco oil facilities, attributed to Iran-backed forces, demonstrated how quickly regional tensions can spill over into the global energy market.¹¹

At a normative level, the consistent invocation of unilateral self-defense and targeted killings signals a weakening of multilateral institutions such as the United Nations Security Council, which has frequently been paralyzed by veto politics.¹² The situation raises deeper concerns about the erosion of legal constraints on the use of force and the potential normalization of preemptive violence in international affairs.

In conclusion, this research is situated at the crossroads of strategic realism and international legal analysis, aiming to provide a nuanced and critical examination of the Iran–Israel–U.S. conflict. By evaluating the justifications and consequences of their actions through both theoretical and legal lenses, the study contributes to ongoing debates about legitimacy, enforcement, and the future of international order. Ultimately, it asks whether the international legal system can remain viable when its most powerful actors frequently circumvent or reinterpret its foundational principles.

Literature Review

The trilateral conflict involving Iran, Israel, and the United States has been the subject of extensive scholarship across the fields of international relations, strategic studies, and international law. However, much of the literature remains fragmented, often focusing on bilateral dynamics or single-issue analyses. This literature review critically examines recent and relevant studies, highlighting their contributions, methodologies, and limitations in addressing the legal dimensions of the conflict.

One of the most prominent works on U.S.–Iran relations is Kaye's¹³ *Talking to the Enemy*, which provides a comprehensive account of Track II diplomacy and the negotiation processes that led to the Joint Comprehensive Plan of Action (JCPOA). Kaye adopts a policy-oriented approach, emphasizing the role of non-official dialogue in shaping official positions.

¹¹ Manfred Hafner, Pier Paolo Raimondi, and Benedetta Bonometti, *The Energy Sector and Energy Geopolitics in the MENA Region at a Crossroad*, 2023, <https://doi.org/10.1007/978-3-031-30705-8>.

¹² Ramesh Thakur, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, 2nd ed. (Cambridge, UK: Cambridge University Press, 2017), <https://doi.org/10.1017/9781316819104>.

¹³ Kaye's (2007)

While her analysis is rich in diplomatic detail, the study focuses largely on diplomatic history and underexplores the legal consequences of the U.S. withdrawal from the JCPOA, particularly in relation to the principle of *pacta sunt servanda* in treaty law. A critical gap in her work is the limited attention to how unilateral sanctions and the collapse of diplomatic agreements affect the normative structure of international law.

Deadly Connections by Daniel Byman,¹⁴ explores state sponsorship of terrorism, with Iran as a central case. His approach is rooted in security studies and focuses on the strategic rationale behind Iran's support for groups like Hezbollah. Byman argues that such sponsorship offers Iran plausible deniability and strategic depth. While the analysis is influential in understanding Iran's regional behavior, it largely sidesteps questions of legal accountability, particularly concerning Iran's obligations under UN Security Council Resolutions and the laws of state responsibility. The absence of legal framing makes it difficult to translate Byman's findings into a broader normative critique.

In the realm of international law, *War, Aggression and Self-Defence* by Yoram Dinstein¹⁵ offers one of the most authoritative legal analyses on the doctrine of self-defense. Dinstein critically examines both Article 51 of the UN Charter and customary international law, arguing against overly broad interpretations of anticipatory or preemptive self-defense. His work is particularly relevant to Israel's military doctrine, which often relies on the notion of preemption. However, Dinstein's perspective is predominantly doctrinal and less empirical, limiting its engagement with how legal norms operate or fail to operate in the realpolitik of the Middle East.

Agnes Callamard, the former UN Special Rapporteur on extrajudicial executions, published a 2020 report analyzing the U.S. drone strike that killed Iranian General Qasem Soleimani.¹⁶ Her investigation concludes that the strike constituted an arbitrary killing and violated international human rights and humanitarian law. The report is a landmark document in terms of applying legal scrutiny to targeted killings, and it challenges the U.S. justification of self-defense. However, as a UN report, it lacks the depth of strategic context and may be criticized by some policymakers as normatively strong but politically naïve.

A recurring weakness in the existing literature is the lack of integrative analysis that combines strategic rationale with legal accountability. Most studies examine policy decisions,

¹⁴ Byman, *Deadly Connections: States That Sponsor Terrorism*.

¹⁵ Dinstein, *War, Aggression and Self-Defence*.

¹⁶ Yulianti, Sidik, and Mu'min, "International Law Review in the Assassination of General Qasem Soleimani."

military strategies, or legal norms in isolation. Very few attempt to analyze how these three elements interact in the specific context of the Iran–Israel–U.S. conflict. As such, the present study seeks to fill this gap by adopting a multidisciplinary perspective that blends legal analysis with international relations theory, offering a more comprehensive understanding of the legitimacy crisis surrounding the use of force in this protracted conflict.

Theoretical Framework

This research operates within the paradigm of constructivist international legal realism, which acknowledges the tension between normative frameworks and power-driven behavior in international relations. The theoretical framework combines insights from international relations theories primarily realism and constructivism with international legal theory, particularly concerning the use of force, sovereignty, and state responsibility.

From the realist perspective, states are rational actors driven by survival, self-interest, and the pursuit of power. This perspective is particularly relevant in explaining the strategic behaviors of Iran, Israel, and the United States, each of which seeks to secure its regional or global position through both conventional and unconventional means. As Morgenthau¹⁷ posited, the international system is anarchic, and legal norms are often subordinate to power considerations. This helps explain repeated violations or reinterpretations of international law by major powers in pursuit of strategic goals.¹⁸

In contrast, constructivism emphasizes that state behavior is also shaped by identities, perceptions, and socially constructed norms.¹⁹ argues that "anarchy is what states make of it," suggesting that norms and legal frameworks can influence behavior when internalized. In this study, constructivism provides a lens to understand how concepts like "self-defense" and "threat" are not merely legal definitions but also subjective constructs shaped by historical narratives, political identities, and security doctrines.

On the legal-theoretical side, the research is grounded in the normative structure of international law, particularly Article 2(4) and Article 51 of the United Nations Charter, which regulate the prohibition of the use of force and the right to self-defense. Legal scholars such as

¹⁷ Hans Morgenthau, Kenneth Thompson, and David Clinton, *Politics Among Nations: The Struggle for Power and Peace*, 7th Edition (Columbus: McGraw-Hill Education, 2005).

¹⁸ John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: W.W. Norton & Company, 2001).

¹⁹ Alexander Wendt, *Social Theory of International Politics, Social Theory of International Politics* (Cambridge University Press, 1999), <https://doi.org/10.1017/cbo9780511612183>.

Dinstein²⁰ and Gray²¹ have debated the scope and limits of self-defense, including whether anticipatory or preemptive self-defense can be justified under customary international law. These legal doctrines are crucial in assessing the justifications invoked by Israel and the United States in launching strikes against Iranian targets.

Additionally, the theory of state responsibility as codified by the International Law Commission (ILC) is used to assess whether state support for non-state actors, as seen in Iran's sponsorship of regional militias, constitutes internationally wrongful acts.²² This theory helps evaluate attribution, intent, and the consequences of state behavior that may otherwise fall into legal grey zones.

This integrated theoretical approach allows the research to move beyond doctrinal legal analysis and assess how law and strategy intersect in shaping the behavior of powerful states. It also forms the basis for evaluating whether current international legal norms remain viable and legitimate under conditions of strategic conflict.

Figure 1. Theoretical Framework



This diagram illustrates the integrated theoretical framework of the study: *Constructivist International Legal Realism*. It combines four core perspectives Realism, Constructivism, International Legal Theory, and State Responsibility to analyze how normative legal structures

²⁰ Dinstein, *War, Aggression and Self-Defence*.

²¹ Christine Gray, *International Law and the Use of Force*, 4th Edition (Oxford: Oxford University Press, 2018), <https://doi.org/10.1093/law/9780198808411.001.0001>.

²² James Crawford, *State Responsibility: The General Part (Cambridge Studies in International and Comparative Law, Series Number 100)* (Cambridge, UK: Cambridge University Press, 2013).

and strategic behavior interact in shaping state conduct, particularly in the Iran–Israel–U.S. conflict.

RESEARCH METHOD

This study adopts a qualitative-descriptive research method, suitable for exploring normative and political dimensions of international conflict. A qualitative approach allows the researcher to engage deeply with legal texts, political statements, and scholarly interpretations, focusing not only on what actions are taken but also on how they are justified and interpreted.²³

The research design is based on documentary analysis. According to Bowen²⁴ documentary analysis is effective for extracting meaning and patterns from legal documents, treaties, speeches, and policy papers, which are essential in a study of this nature. The primary sources examined include the Charter of the United Nations (1945), particularly Article 2(4) on the prohibition of the use of force and Article 51 on self-defense, as well as UN Security Council Resolutions, the UN Special Rapporteur's reports, and legal documents concerning the laws of state responsibility.²⁵ These materials provide the legal framework for evaluating state behavior.

Secondary sources consist of academic journals, books, policy reports, and expert commentary by scholars such as Dinstein²⁶, Gray²⁷ and Wendt,²⁸ whose works form the theoretical and legal backbone of the study. These sources help interpret how legal and strategic doctrines are shaped by both state interest and normative claims.

Data collection follows a purposive sampling technique, selecting key incidents that illustrate the intersection of legal argumentation and strategic behavior in the Iran–Israel–U.S. conflict. Selected case studies include the U.S. withdrawal from the Joint Comprehensive Plan of Action (JCPOA), the assassination of Qassem Soleimani Yulianti et al²⁹, repeated Israeli airstrikes on Iranian targets in Syria, and Iran's sponsorship of non-state actors such as Hezbollah and the Houthis.

The data analysis method consists of content analysis and interpretive legal reasoning. Content analysis enables identification of recurring themes in state rhetoric and legal

²³ John W Creswell, *Penelitian Kualitatif & Desain Riset* (Yogyakarta: Pustaka Pelajar, 2015).

²⁴ Bowen (2009)

²⁵ Crawford, *State Responsibility: The General Part* (Cambridge Studies in International and Comparative Law, Series Number 100).

²⁶ Dinstein, *War, Aggression and Self-Defence*.

²⁷ Gray, *International Law and the Use of Force*.

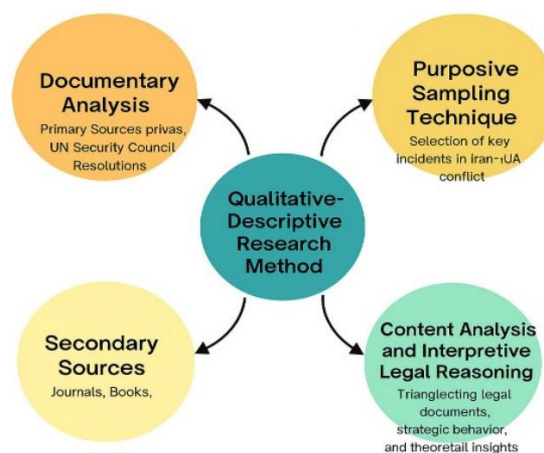
²⁸ Wendt, *Soc. Theory Int. Polit.*

²⁹ Yulianti, Sidik, and Mu'min, "International Law Review in the Assassination of General Qasem Soleimani."

justifications,³⁰ while interpretive legal reasoning allows for assessing the degree of compliance or deviation from international legal norms. To enhance reliability, the study applies triangulation comparing legal documents, strategic behavior, and theoretical insights to develop a multi-perspective understanding.³¹

This methodology enables a comprehensive and critical analysis of the conflict, situated at the intersection of strategic state behavior and normative international law, providing a well-rounded evaluation of the legal legitimacy of actions taken by Iran, Israel, and the United States.

Figure 2. Research Method



The diagram illustrates the research methodology centered on a qualitative-descriptive approach, which serves as the core of the study. Surrounding this core are four interconnected components. First, Documentary Analysis involves examining primary legal documents such as UN Security Council resolutions to extract legal and normative meaning. Second, the Purposive Sampling Technique guides the selection of key incidents within the Iran–Israel–U.S. conflict that are relevant for in-depth analysis. Third, Content Analysis and Interpretive Legal Reasoning are employed to identify recurring themes and assess the alignment of state actions with international legal norms through triangulation of documents, behavior, and theory. Lastly, Secondary Sources including scholarly books and journal articles provide theoretical and contextual support. Together, these components form a comprehensive

³⁰ Klaus Krippendorff, *Content Analysis: An Introduction to Its Methodology* (SAGE Publications, Inc., 2022), <https://doi.org/10.4135/9781071878781>.

³¹ Robert K. Yin, *Case Study Research and Applications: Design and Methods*, 6th, 2018.

methodological framework for understanding the legal and political dimensions of international conflict.

RESULTS AND DISCUSSION

The findings of this study reveal that all three actors, Iran, Israel, and the United States have engaged in behaviors that, while often legally justified through national security discourse, present serious challenges to the core principles of international law. These actions reflect a pattern of selective adherence to legal norms, often invoking self-defense under Article 51 of the UN Charter in ways that are increasingly contested both legally and politically.

1. The Stretching of the Self-Defense Doctrine

Among the most critical issues uncovered is the expansion of self-defense doctrine beyond its traditionally accepted boundaries. Article 51 of the UN Charter permits a state to use force in response to an armed attack, with the condition that any such response be necessary and proportionate. Yet, both the United States and Israel have adopted broader interpretations that favor anticipatory or even preventive self-defense, despite the lack of consensus within the international legal community on the legality of such measures.³²

A case in point is the assassination of Iranian General Qassem Soleimani by the United States in January 2020. Carried out via a drone strike near Baghdad International Airport, the operation was officially justified by the Trump administration as an act of anticipatory self-defense, citing an alleged imminent threat to American diplomats and service members.³³ However, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, issued a detailed report concluding that the U.S. failed to provide credible evidence of such imminent danger. Her assessment determined that the strike constituted an unlawful killing, violating international human rights law and the UN Charter's constraints on the use of force.

This incident exemplifies the erosion of the imminence threshold, a foundational element in the doctrine of anticipatory self-defense. Traditionally grounded in the Caroline test which requires a necessity that is "instant, overwhelming, and leaving no choice of means" the U.S. reinterpretation signals a shift toward a unilateral, subjective standard that invites abuse by

³² Gray, *International Law and the Use of Force*.

³³ Yulianti, Sidik, and Mu'min, "International Law Review in the Assassination of General Qassem Soleimani."

powerful states.³⁴ Such reinterpretations undermine legal predictability and risk establishing dangerous precedents in global security governance.

Israel's actions, though grounded in a different geopolitical context, follow a similar pattern. Israeli officials have consistently argued that airstrikes against Iranian military infrastructure and affiliated non-state actors in Syria and Lebanon are acts of preemptive defense aimed at thwarting future attacks. These operations often target weapons convoys or Iranian Revolutionary Guard outposts, which Israel views as long-term threats to its national security. While such operations may have tactical validity, they often violate the territorial integrity of third-party states without international authorization or consent.³⁵

The critical issue here is the transboundary nature of self-defense claims. International law, including General Assembly resolutions and International Court of Justice (ICJ) jurisprudence (e.g., the *Nicaragua v. United States* case), makes clear that preventive attacks in the territory of another state absent a concrete and imminent armed attack do not meet the criteria for lawful self-defense. Therefore, Israel's actions raise concerns over whether its use of force is truly reactive, or rather part of a broader doctrine of deterrence implemented through constant low-intensity strikes, which erode the foundational prohibition on the use of force in international law.³⁶

These case studies illustrate a widening gap between legal doctrine and state practice. While the language of self-defense remains the principal justification, its application has become increasingly disconnected from legal orthodoxy. States no longer rely solely on the traditional post-attack right of response, but instead articulate fluid, often unverifiable threat assessments to rationalize military interventions. This legal stretching is exacerbated by the absence of effective accountability mechanisms at the international level, particularly when the UN Security Council is immobilized by political deadlock.

Furthermore, the invocation of self-defense in this expanded form conflates law with security policy, turning legal norms into flexible tools for strategic ends. It also dilutes the

³⁴ Dinstein, *War, Aggression and Self-Defence*.

³⁵ Jules Lobel and Michael Ratner, "By Passing the Security Council: Ambiguous Authorizations to Use Force, Cease-Fires and the Iraqi Inspection Regime," *American Journal of International Law* 93, no. 1 (2017): 124–54, <https://doi.org/10.2307/2997958>.

³⁶ Khoirunnisa Khoirunnisa et al., "The Ukraine-Russia Conflict: An International Humanitarian Law Review of the Involvement of Foreign Fighters," *Social Sciences and Humanities Open* 11, no. January (2025): 2590–2911, <https://doi.org/10.1016/j.ssaho.2025.101340>.

universality and authority of Article 51, potentially emboldening other actors state and non-state alike to emulate similar practices under the guise of legality.

The broader implication is not simply doctrinal confusion, but a normative deterioration: as more states reinterpret or ignore the legal limits of self-defense, the foundational principle of non-use of force under international law faces a growing legitimacy crisis.³⁷ This crisis is not merely theoretical; it has tangible geopolitical consequences, including increased regional instability, the proliferation of military interventions without accountability, and the undermining of multilateralism in international dispute resolution.

2. Iran's Use of Non-State Actors: Strategic Depth or Proxy Destabilization?

A central component of Iran's regional posture involves its sustained support for non-state armed groups operating in Lebanon, Syria, Iraq, Yemen, and the Palestinian territories.³⁸ These include well-known actors such as Hezbollah, Hamas, and the Houthis, which function as key instruments of Tehran's foreign policy. Iran's justification for this strategy is couched in the language of resistance and regional security, presenting these relationships as legitimate support for oppressed groups against foreign aggression. However, from the standpoint of international law, this engagement raises complex questions of state responsibility, sovereignty, and the indirect use of force.

Iran's support for Hezbollah, for instance, is long-standing and multidimensional encompassing military training, financial aid, intelligence sharing, and ideological alignment³⁹. In this context, Iran does not merely act as a patron but arguably exerts a degree of direction and control over the group's strategic objectives. According to the International Law Commission's Articles on State Responsibility, a state can be held internationally responsible for the actions of non-state actors if it exercises "effective control" over their operations.⁴⁰ While there remains legal debate about the threshold of "effective control" versus "overall

³⁷ Khoirunnisa Khoirunnisa, "Toward a Political-Security Community in Southeast Asia: Progress, Pitfalls, and Prospects," *China Quarterly of International Strategic Studies* 9, no. 1–4 (2023): 269–94, <https://doi.org/10.1142/S2377740023500136>.

³⁸ Khoirunnisa et al., "Cyber Warfare and National Security Modernizing Defense Strategies in the Context of China's Evolving Cyber Influence."

³⁹ Mohammad Ayatollahi Tabaar, "Ideological Proximity and Armed Group Competition: The Case of the Iranian Mojahedin," *Perspectives on Politics*, 2025, 1–20, <https://doi.org/10.1017/S1537592725000489>.

⁴⁰ Crawford, *State Responsibility: The General Part (Cambridge Studies in International and Comparative Law, Series Number 100)*.

control” (as discussed in Tadić and Nicaragua cases), Iran’s relationship with some of these groups arguably meets or comes close to this threshold.⁴¹

More importantly, the operations of these non-state groups often cross international borders and contribute to the destabilization of neighboring states. The Houthis, with Iranian backing, have launched drone and missile attacks into Saudi Arabia and the UAE, while Hezbollah’s military engagement in Syria on behalf of the Assad regime challenges Syria’s post-conflict sovereignty.⁴² These actions not only exceed self-determination claims, which some of these groups assert, but also implicate Iran in the indirect violation of the non-intervention principle, one of the cornerstones of the UN Charter.

From a constructivist perspective, Iran’s behavior is partially rooted in identity-based motivations: the Islamic Republic sees itself as the protector of Shia communities and oppressed Muslims across the Middle East. This ideological framing enhances the legitimacy of its actions domestically and within aligned communities, even while it undermines formal legal norms internationally. It also reveals a dual strategy: Iran cultivates plausible deniability by outsourcing military influence to non-state actors while simultaneously asserting strategic deterrence against its adversaries, primarily the U.S. and Israel.⁴³

From a realist lens, this behavior is also rational. Given Iran’s conventional military limitations and regional isolation due to sanctions and political ostracization, supporting non-state actors becomes a cost-effective means of power projection. However, this power politics approach remains deeply problematic under international law, particularly when these groups commit human rights abuses or operate in foreign territories without consent.

Compounding this issue is the lack of effective international mechanisms to constrain or adjudicate state responsibility for non-state violence. The UN Security Council, frequently divided on Middle East issues, often fails to produce meaningful resolutions or impose consequences, thereby reinforcing a culture of impunity for indirect uses of force.⁴⁴ As a result,

⁴¹ Remy Jorritsma, “Where General International Law Meets International Humanitarian Law,” *Journal of Conflict & Security Law* 23, no. 3 (2018): 405–31, <https://www.jstor.org/stable/26989317>.

⁴² L F Paradisiaca, T Yuniasih, and S Fadlillah, “Diplomasi Arab Saudi Melalui Organisasi Kerja Sama Islam (OKI),” *Balcony* 1, no. 1 (2022): 42–60.

⁴³ Sekar Anugrah Resky Suhayatmi, Alia Rahmatulummah, “Eskalasi Konflik Iran-Israel Di Damaskus: Implikasi Terhadap Stabilitas Keamanan Regional Dan Global,” *Jurnal Hubungan Luar Negeri Kementerian Luar Negeri Indonesia* 9, no. 1 (2024): 49–68, <https://doi.org/10.70836/jh.v9i1.49>.

⁴⁴ Carsten Stahn, *Jus Post Bellum and Just Peace: An Introduction, Just Peace After Conflict*, 2021, <https://doi.org/10.1093/oso/9780198823285.003.0001>.

Iran's strategy may be politically effective, but it contributes to the broader erosion of legal accountability in contemporary armed conflicts.

3. Erosion of International Legal Norms

The cumulative effect of the behaviors undertaken by the United States, Israel, and Iran is not simply a series of isolated deviations from international law; rather, it reflects a systemic erosion of core legal norms that undergird the post-World War II international legal order. Specifically, the prohibition on the use of force, the principle of state sovereignty, and the non-intervention norm are being gradually weakened through practices that claim legal legitimacy while consistently departing from legal orthodoxy.⁴⁵

The U.S.'s frequent resort to unilateral military actions, often without UN Security Council authorization, has had a cascading effect on how states perceive the legality of preemptive or preventive uses of force.⁴⁶ The drone strike against Qassem Soleimani, conducted on the territory of a third state (Iraq), without host state consent and absent direct armed aggression, illustrates the increasing normalization of extra-territorial force framed as anticipatory self-defense. Israel's repeated military interventions in Syria and Lebanon, carried out in response to perceived threats rather than actual attacks, similarly challenge the conventional boundaries of lawful force under Article 51 of the UN Charter.

On the other hand, Iran's proxy strategy, while more covert, also undermines the stability of legal norms.⁴⁷ By outsourcing military influence to groups such as Hezbollah and the Houthis, Iran engages in a form of plausible deniability, allowing it to avoid direct attribution of responsibility while achieving strategic objectives that impact the sovereignty and stability of neighboring states.

Although all parties continue to claim adherence to international law frequently invoking terms like "self-defense," "necessity," or "proportionality" these invocations often serve rhetorical purposes rather than reflect genuine compliance.⁴⁸ This practice reflects a growing

⁴⁵ Oliver Dörr, "Use of Force , Prohibition Of," *Oxford Public International Law*, no. June 2011 (2019).

⁴⁶ Xiaofen Hu and Shengxiang Liu, "The Legality And Enlightenment Of Preventive Self-Defence In International Counter-Terrorism," *Humanities and Social Sciences Communications* 12, no. 1 (2025): 1–17, <https://doi.org/https://doi.org/10.1057/s41599-025-05271-3>.

⁴⁷ Amin Saika and David Vestenkov, "Iran's National Security and Operational Capability," *Scandinavian Journal of Military Studies*, 3, no. 1 (2020): 18–30, <https://doi.org/10.31374/sjms.29>.

⁴⁸ Chris O'Meara, "Reconceptualising The Right of Self-Defence Against 'Imminent' Armed Attacks," *Journal on the Use of Force and International Law* 9, no. 2 (2022): 278–323, <https://doi.org/10.1080/20531702.2022.2097618>.

crisis of legitimacy, not in the existence of international law per se, but in the credibility of its enforcement and interpretive consistency.

The role of the United Nations Security Council (UNSC), ideally positioned to serve as the institutional enforcer of legal norms under the collective security framework, is significantly constrained by geopolitical paralysis.⁴⁹ The permanent membership structure of the UNSC, particularly the veto power held by countries such as the United States, has resulted in a consistent failure to take action against violations committed by major powers and their allies.⁵⁰ This institutional deadlock fosters a permissive environment in which international law is seen as politically malleable, rather than normatively binding.

In such a climate of unaccountable action, a feedback loop of erosion emerges: legal violations go unchecked, norm violation becomes normalized, and other actors state or non-state begin to emulate these behaviors. The legitimacy and authority of international legal norms are gradually replaced by the primacy of power and unilateral discretion.

4. The Role of Legal Ambiguity and Strategic Narratives

Another critical finding of this study is the instrumental use of legal ambiguity by all three actors as a deliberate strategic tool. Rather than openly reject international law, the United States, Israel, and Iran each engage in a discursive strategy that blends legal terminology with geopolitical narratives, thereby blurring the boundary between legal reasoning and political justification.

This practice reflects what some scholars describe as “lawfare” the strategic use or manipulation of legal language to achieve military or political ends.⁵¹ Legal concepts such as “imminence,” “ongoing threat,” or “unwilling and unable doctrine” are reinterpreted or selectively applied in ways that suit a state’s operational goals. For example, Israel has increasingly relied on the “unwilling and unable” argument to justify strikes within Syria,

⁴⁹ Khoirunnisa, Firdiyatul Nabila, and Roza, “Security Convergence In Southeast Asia: Indonesia’s Initiative In Asean Our Eyes (AOE) 2017,” *Ilomata International Journal of Social Science* 5, no. 3 (2024): 644–59, <https://doi.org/10.61194/ijss.v5i3.1162>.

⁵⁰ Linda Frattini, Viola Becattini, and Marco Mazzotti, “Main Current Legal and Regulatory Frameworks for Carbon Dioxide Capture, Transport, and Storage in the European Economic Area,” *International Journal of Greenhouse Gas Control* 136, no. March 2023 (2024): 104172, <https://doi.org/10.1016/j.ijggc.2024.104172>.

⁵¹ Thandiwe Matthews, “Interrogating the Debates Around Lawfare and Legal Mobilization: A Literature Review,” *Journal of Human Rights Practice* 15, no. 1 (2023): 24–45, <https://doi.org/10.1093/jhuman/huac044>.

arguing that the Syrian state is unable to prevent Iranian military entrenchment.⁵² The legal basis for this doctrine, however, remains controversial and lacks universal acceptance.

Similarly, Iran's discourse frames its support for groups like Hezbollah not as interference, but as solidarity and resistance against Western aggression and occupation.⁵³ This ideological language is often interwoven with appeals to legitimacy and moral necessity, creating a narrative shield that complicates accountability efforts.

From a theoretical perspective, this fusion of legal and political rhetoric aligns with constructivist insights into how norms are socially constructed and interpreted through identity and power. However, it also reinforces realist concerns that international law, in the absence of enforcement mechanisms, remains subject to the strategic preferences of powerful actors.

The resulting effect is not merely doctrinal confusion but a normative weakening of the entire legal system. When legal terms are routinely politicized, their normative force declines. Law becomes less a standard for behavior and more a narrative device, wielded to justify predetermined actions rather than constrain them. The international community, in turn, becomes less capable of distinguishing between lawful defense and unlawful aggression, thereby undermining the rule-based order on which global stability ostensibly depends.

CONCLUSION

This study demonstrates that the conflict involving Iran, Israel, and the United States illustrates not only the enduring complexity of Middle Eastern geopolitics but also a deeper structural tension between international law and strategic state behavior. While legal frameworks, especially those governing the use of force, sovereignty, and non-intervention continue to be invoked by all three actors, their interpretations are increasingly shaped by national interests, security imperatives, and ideological worldviews.

The analysis reveals a recurring pattern: international law is cited not as a binding constraint, but as a discursive tool to legitimize pre-planned actions. Whether it is the U.S. assassination of General Qassem Soleimani, Israel's preemptive strikes against Iranian proxies, or Iran's strategic use of non-state actors, each actor constructs legal justifications that often

⁵² Jasmin Johurun Nessa, Agata Kleczkowska, and Jasmin Johurun Nessa, "Jus Ad Bellum Series: Self-Defence against Armed Non-State Actors in the MENA Region," *Journal on the Use of Force and International Law* 11, no. 1 (2024): 16-49., <https://doi.org/10.1080/20531702.2024.2419762>.

⁵³ Aldino Cakra Buana et al., "Analisis Keamanan Timur Tengah: Eskalasi Konflik Israel-Iran," *Retorika Jurnal Komunikasi, Sosial, Dan Ilmu Politik* 1, no. 6 (2024): 383-90, <https://jurnal.kolibri.org/index.php/retorika/article/view/4233>.

stretch or deviate from traditional interpretations of Article 51 of the UN Charter and related norms. These practices contribute to a growing elasticity of legal meaning, eroding clarity and predictability in how the law is applied.

Moreover, the lack of effective enforcement mechanisms, particularly the paralysis of the United Nations Security Council due to geopolitical rivalries and veto powers, reinforces a culture of selective adherence and impunity. In such an environment, the authority of international legal norms diminishes, and the gap between law in theory (*das Sollen*) and law in practice (*das Sein*) becomes increasingly pronounced.

If this trend continues, it threatens to undermine the legitimacy and relevance of international law as a governing framework for global conflict resolution. Instead of promoting stability and accountability, legal norms risk becoming secondary to unilateral power politics, further complicating efforts to uphold a rule-based international order.

In conclusion, this research calls for a renewed commitment to normative consistency, multilateral dialogue, and institutional reform, particularly within the UN system. Without such efforts, international law may persist as form but not function in a world where power, rather than principle, increasingly shapes the outcomes of conflict.

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