

Patrick Lawrence

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The war on sovereignty

No, there is no calculating yet the extravagant costs of Israel's reckless bombing campaign against the Islamic Republic—which proceeds apace since the Trump regime joined in these acts of war last Saturday evening. We will not for some time count the casualties of this wanton assault, not on either side. Apart from the fatalities, there are the risks of political chaos, the destruction of an economy, the damage to productive capacities, the social dislocations, the ruined dreams of countless Iranians who had been preparing to contribute one or another way to the human cause.

This list goes on. We cannot yet know the extent of it—not, certainly, now that the U.S. Air Force's B-2 bombers have flown alongside Israeli jets, so assuming a direct role in these daily acts of barbarity.

But as the Zionist state extends its illegal aggressions further into West Asia—with some measure of American support at every step—fundamental implications of this its 20-month spree of lawlessness and terror are bitterly plain. What is now an Israeli-American operation against Iran announces an era of lawlessness and disorder such as humanity has not known for centuries. It is time, I mean to say, to consider in a world-historical context the conduct of the Zionist state and its American sponsor as they threaten another “regime change” in West Asia—this quite openly now.

It has been evident for some time—my date for this point of departure is 11 September 2001—that “the international rules-based order” is a preposterous misnomer for a long regime of chaos, violence, and at times near-anarchy. I think of the U.S. invasion of Afghanistan in the autumn of that year, the invasion of Iraq two years later, the bombing of Libya eight years after that, the long, covert operation to topple the Assad regime in Syria, Israel’s incessant attacks against Iran, covert and overt, over many years and now the genocide in Gaza and the attacks on Lebanon.

Disorder, then, is nothing new. The extreme degree of disorder with which we live, to make this point another way, will have endured 24 years this autumn.

One could cast the U.S.–Israeli aerial invasion of Iran as another page in this book. As an exercise of power in the name of power it is comparable with many others that preceded it—another unrestrained, uninhibited breach of international law and all norms associated with it. Its perpetrators make no apology for themselves, just as in the past. And there appears to be no prospect of an effective multilateral censure or intervention in the cause of global justice.

But this reading would be to miss the larger significance of what we witness daily. Israel and the United States, have embarked—carelessly, thoughtlessly—on an adventure that cannot end well for them and stands to harm many others aside from the Iranians. Straight off the top, attacking of Iran’s nuclear research and development sites, notably but not only the Bushehr nuclear power plant on the Persian Gulf coast, would release catastrophic levels of radioactivity that would require mass evacuations on both sides of the gulf. Rafael Grossi, director of the International Atomic Energy Agency, warned of this in [a statement to the U.N. Security Council](#) last Friday.

Iran is not the outcome of lines drawn on maps a century ago in the manner of Sykes and Picot. It is an old civilization with a singularly strong sense of national identity—a point apparently lost in Tel Aviv and Washington. It will not tip over or disintegrate as Iraq did after the 2003 invasion, or as Syria, crippled by years of covert operations, did late last year. Destroy the whole of Iran's nuclear programs, depose the leadership, install the last shah's hyper-reactionary son as leader, partition the Republic: All of these objectives are under discussion, To the extent the Israelis and the Americans succeed in achieving any of them, even partially, will be the measure of their failure.

I view the gross irresponsibility of this operation as marking a point of no return. As America joins Israel directly in this full-frontal aggression, we must recognize that Washington's long-running defense of its waning global dominance enters a critical, I would say desperate phase. There is no turning back from such a project this ill-considered, not with the question of American dominance so central to it. In my view, the attacks on Iran are likely to deepen this desperation and the recklessness that has arisen from it since 2001.

We witness, as I read our moment, the confirmation—the normalization, the enshrinement, even—of lawlessness as the law in international relations.

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The Peace of Westphalia, via two treaties signed in October 1648, brought to an end the Eighty Years' War between the Spanish and the Dutch and the Thirty Years' War, waged by those for and against the Holy Roman Empire. We remember the Westphalian settlement as marking a new era in international relations. Chief among its principles was an agreed respect for national or imperial borders, territorial integrity, and the inviolable sovereignty of states. It is going on

four centuries that humanity has relied on these enduring gifts as a source of order, imperfect as this has (inevitably) proven on many occasions.

The Westphalian peace has, indeed, never been altogether peaceful, to risk understating the obvious. Wars of all kinds have followed. But it was never abrogated or renounced, it is right to remind ourselves. It has remained as the fundamental structure of statecraft. Can one view the U.N. Charter, drafted in San Francisco over two months during the spring of 1945, as a kind of reiteration of the 1648 treaties, the United Nations as a descendant of the Westphalians? The former inherited the latter's principles, certainly.

The Westphalian order is collapsing, if it has not already collapsed. When this? When did it begin to corrode?

We are confronted with this question now, courtesy primarily of Israel and the United States. I suppose this is another way of asking when the U.N. began to fail. How, out of a remarkably modern vision of what the construction of an orderly world would require, did we arrive at the farce of a "rules-based order" whose most obvious characteristic has been incessant disorder? The rules-based order, to finish this point, is an American fiction intended, not explicitly but nearly so, to supersede the U.N.

I begin this amateur's contemplation of history with the signatories of the two treaties that comprised the Westphalian peace. The Swedes, the Dutch, the Saxons, the French, the Danes, the Spanish, the Habsburg Monarchy were among the many who negotiated those accords. There was not a non-Western power of any kind present. How could there be? In the first half of the 17th century, when diplomats gathered to "make peace," literally, the non-West was merely a source of resources and of people to be enslaved.

Order, in this pencil sketch of a complicated history, meant a European order, a white man's order. The non-West: The term would not have entered the minds of the Westphalian diplomats.

This is the very key difference between the 1648 treaties and the U.N. Charter. Most of the 50 signatories in 1945 were non-Western. This document and the institutions whose ideals it embodied may as well have served as an announcement of what we commonly call "the independence era," which commenced with India's independence from the British Empire in 1947. The U.N. now has 190-odd members, the vast majority of which are non-Western. The global order was meant to become genuinely global.

But post-1945 history tells a very regrettable story of failure in this regard. Simultaneously with the U.N.'s founding, the policy cliques in Washington determined that the United States must set out in pursuit of global dominance. This was an instant contradiction inherently beyond resolution. The only enlightened attempt to untie this Gordian Knot by an American ended on 22 November 1963 with the assassination of the president who began to make the effort.

The first American operation to breach the sovereignty of another nation in the postwar period came in 1948, when the Central Intelligence Agency subverted Italy's elections. But most of the C.I.A.'s covert operations thereafter, as well as those conducted by other Western intelligence agencies, were against Third World liberation movements and the non-Western nations that came into being during the first 15 years after the 1945 victories. Among the first of these, maybe not altogether coincidentally, was the now-infamous coup that deposed Mohammed Mossadegh, Iran's first democratically elected prime minister, in 1953. As we know, the C.I.A. and M.I.-6 shared the dishonor on that occasion.

The history of this period reflected a simple, bitter reality: The Western powers appear never to have had any intention of participating in a global order wherein parity between the West and non-West was to be the guiding principle—the bedrock principle from which all others were to flow. So do those who incessantly proclaim the international rules-based order identify it with the emergence of America’s “global leadership”—a comforting term for hegemony—in the early postwar years.

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I contend that the disorder of the second half of the 20th century worsened after the attacks of 11 September 2001 for a simple reason. It was on that day America’s long-held presumption that it was immune from the forces of history collapsed as dramatically as the Twin Towers in Lower Manhattan. The imperium that had assiduously consolidated its power over the previous decades sustained a grave wound.

This changed very nearly everything. The desperation to which I alluded earlier dates to that period, in my reading. The policy cliques began to act with a combination of defensiveness and urgency. An intolerance of difference, always evident among Americans of all kinds, grew acute. By way of policy, the Bush II regime set the course when it invaded Afghanistan and launched its war in Iraq. The latter was explained as “pre-emptive”—justified in defense of America’s “national security.” Even the most conformist of American ideologues now acknowledge the Iraq war was illegal—a breach of another nation’s sovereignty.

I recall at the time the Bush II White House had platoons of lawyers twisting their minds into pretzels as they concocted arguments as to the legality of the Iraq intervention. Bibi Netanyahu seems to have read up on that discourse, as he makes

the same case now for the Zionists' invasion of Iran: It is pre-emptive, a matter of national security, it was urgent "to thwart a danger before it fully materialized," and so on.

No serious legal scholar—apart from those professing at Israeli universities, and we need not count these as serious—takes these arguments seriously. Here is Marko Milanovic, a law professor at Reading University, as quoted in last Friday's editions of *The New York Times*: "There is simply no plausible way of arguing that Iran was about to attack Israel with a nuclear weapon which it doesn't even have."

[The New York Times piece to which I make reference](#) appeared under the headline, "Are Israel's airstrikes on Iran within legal bounds?" The piece is a not-so-faint echo of the intellectual contortions one watched as the Bush II regime invaded Iraq. This time, even *The Times* acknowledges that making a legal case for Israel's breach of Iranian sovereignty is a stretch too far. As to Trump's deliberations: "If Israel's actions are illegal, then the United States' participation in them would be, too."

There is an implicit truth in this we must not miss. Israel's campaign of terror in Iran is illegal, yes, and if the U.S. goes in alongside the Israelis that will also be illegal, but this does not matter. And—the core of my argument on this point—it does not matter that it does not matter. This is the reality with which we are compelled to come to terms.

"International tribunals move slowly," *The Times's* journalist writes, "so it is unlikely that Israel or the United States will answer for their decisions before a court soon, if ever." I find something shocking in the laconic manner in which *The Times* writer makes this statement. This is what I mean by the normalization of

disorder. This is what I mean by the end of sovereignty as a foundational value in international relations.

“But the laws of war still matter,” *The Times* journalist rather forlornly concludes. No, they don’t: The world’s silence in the face of Israel’s daily atrocities in Gaza forces this truth upon us. And the U.S.–Israeli attacks on Iran? What truth do they impose upon us?

One of the more insidious features of the rules-based order the intolerance of difference I mentioned earlier. It is congenital. I read the aggression against Iran in this context. This is at bottom a confrontation between what I may as well call a conformist bloc of nations and an independent bloc—nations that insist on their sovereignty and respect the sovereignty of other nations. It is between the West and non–West, the once-superior and the once-subjugated.

I do not read Iran under attack as the end of any story, then. It is part of this larger story. Iran is committed to a defense of its sovereignty, as its leaders often make clear. It also stands in defense of everyone’s.

TORRINGTON

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