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The recent US missile attack against the sovereign state of Syria was an act of aggression bearing distinct resemblance to the strike on Iraq in 2003. On April 6, 2017, the United States military dropped nearly 60 cruise missiles at a Syrian airfield; this strike was in response to President Bashar al-Assad's usage of chemical weapons in an attack that killed over 80 Syrian civilians. This is the U.S.'s first direct attack on the Syrian government since the beginning of the Syrian civil war in 2011.

Democratic and Republican lawyers alike have argued that the strike may have been unconstitutional, as President Trump acted without first seeking Congressional approval. [Sen. Tim Kaine \(D\) issued a statement](#) on April 7, 2017, that stated, "Donald Trump was advocating that America turn its back on Assad's atrocities ... but, his failure to seek congressional approval is unlawful." [Sen. Rand Paul \(R\) similarly said raised similar concerns](#) when he said that "The president needs congressional authorization for military action as required by the Constitution."

Whether the airstrike was constitutional or not, however, it was against international law. Not only did President Trump lack authorization from Congress, he also lacked authorization from the United Nations Security Council, therefore lacking the authority to commit an act of war.

The Trump administration has used Syria's violation of the United Nation's ban against chemical weapons to justify the strike; it has not, however, clarified if this is its judicial argument or simply policy rationalization. [Secretary of State Rex. W Tillerson](#), called upon Syria's violation of the Chemical Weapons Convention, stating that "The use of prohibited chemical weapons, which violates a number of international norms and violates existing agreements, called for this type of a response, which is a kinetic military response."

Hypothetically, if this claim were used as a legal argument, it would not suffice. [The Chemical Weapons Convention resolution](#) says that if anyone uses chemical weapons in Syria in the future [the Security Council](#) would impose "measures," but it does not directly authorize force. The treaty does not have an enforcement mechanism that authorizes other parties to attack or punish the violator.

The United Nations Charter, a treaty that the United States has ratified, recognizes two justifications for committing actions of war: permission from the Security Council or self-defense. Regarding the former, the Charter states that the Security Council, of which the United States is a member, determines "the existence of any threat to the peace, breach of

the peace, or act of aggression,” and it is responsible for making recommendations to restore international peace. In this case, however, [the Security Council Council did not approve](#) the U.S.’s strike, and the President’s actions were not a response to another country’s action against its own population, therefore this is not actions of American self-defense.

Comparing these strikes to the U.S, bombings targeting the Islamic State (IS), an action part of the self-defense of Iraq, whom had asked for help to combat the rebel group. Assad’s chemical weapons, however, [were not used against the United States or an ally such as Iraq](#).

The United States has not taken the position that humanitarian interventions are lawful absent Security Council authorization. As [the U.S government has not recognized the right for humanitarian interventions under international law](#), the administration cannot argue that its actions have a legal basis in the responsibility to protect the Syrian civilians.

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

[\(United Nations Charter, Chapter 7\)](#)

Despite this clear breach of international laws, global reactions to the U.S.'s military actions have been mixed. The Kremlin, for one, quickly issued a statement stating that the strikes were breaching international law, as the actions were targeting a sovereign state; [Iran has also condemned the airstrikes](#), stating that the actions were dangerous, destructive and violating the principles of international law. The strikes were, however, welcomed by the U.S.'s allies. Israel's president Reuven Revlin praised the U.S. for its quick actions. [Japan's Prime Minister Shinzo Abe expressed support](#), and a Saudi ministry official said that the strikes were welcomed actions against violations of the Chemical Weapons ban. [Canada published a statement fully supportings the United States](#), as well as with Australia and Turkey. China has remained silent in the issue.

The jury may still be out when it comes to international opinion: indeed, the actions were welcomed by most the international community, indicating that reprimands are not to be expected. Nevertheless, the United States clearly violated international law, as it did not have authorization from the Security Council, nor was it acting in a manner of self-defense. The argument that Syria violated the ban of chemical weapons does not hold under international law, and the U.S. cannot argue on behalf of the right for humanitarian intervention. The question remains what larger implications this may have for international policy if the US is not held accountable.



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