

Assess the impact of the Gulf War, September 11th and the war in Iraq on the US Constitution

The Constitution of the United States is the supreme law of the United States of America. It was completed on September, 1787, with its adoption by the Constitutional Convention in Philadelphia, Pennsylvania, and was later ratified by special conventions in each of the original thirteen states. It created a more unified and defined government in place of what was then a group of free and independent states operating under the Articles of Confederation. During its history there have been a numerous number of events which have occurred which have seriously tested this Constitution

After conflicts in South Korea, the two World Wars and Vietnam the next conflict to have tested the Constitution was the first Gulf War in 1991. The 1991 Gulf War was a conflict between Iraq and a coalition force of 34 nations mandated by the United Nations and led by the United States. Iraq, led by Sadaam Hussein, invaded Kuwait in 1990 and declared parts of Kuwait to be 'controlled' by Iraq. George Bush, President at the time, took exception to this and with a coalition of 34 nation opposed this.

The United States gave several public justifications for involvement in the conflict. The first reasons given were the importance of oil to the American economy and the United States' longstanding friendly relationship with Saudi Arabia. However, some Americans were dissatisfied with these explanations and "No Blood For Oil" became a rallying cry for domestic opponents of the war.

The intervention by America was seen to be as un-constitutional behaviour. The constitution was based on the land of free will and was set up by the founding fathers of America in order to give those escaping personal, religious and economic persecution an opportunity to survive. With George Bush Sr defeating Sadaam Hussein and ordering him and his troops withdrawal from Kuwait this was deemed to be going against the Constitution. This is because America and George Bush were imposing themselves on a foreign country and determined how they were to conduct themselves. There was no justification for their involvement. Having previously defeated the Soviet Union there was no opposition to America and they were seen as the only 'Super Power'. With the concept of Separation of Power being upheld in America, Internationally, this was not the case as there was no form of checks and balances, there was no one to question America so they did what they perceived to be correct. They were imposing their own form of government on foreign land, this goes against the Constitution and the 6 defining principles which make up the Constitution.

The next challenge on the Constitution was the attack on the World Trade Centres on September 11th 2001. The September 11, 2001 attacks were a series of suicide attacks against the United States conducted on Tuesday, September 11, 2001. According to the official 9/11 Commission Report, nineteen men affiliated with Osama bin Laden and Al-Qaeda, a loose network of Sunni Islamist terrorists, simultaneously hijacked four U.S. domestic commercial airliners. Two were crashed into the World Trade Center in Manhattan, New York City — one into each of the two tallest towers, about 18 minutes apart — shortly after which both towers collapsed. The 9/11 Commission reported that these attackers turned the hijacked planes into the largest suicide bombs in history in one of the most lethal acts ever carried out in the United States. The September 11th attacks are among the most significant events to have occurred so far in the 21st century in terms of the profound economic, social, political, cultural and military effects that followed in the United States and many other parts of the world.

It is speculated that the motive behind these attacks was due to US occupation of the Arabian Peninsula, US aggression against the Iraqi people and US support of Israel. The Gulf War and the ensuing sanctions against and bombing of Iraq by the United States, were cited, in 1998, as further proof of these allegations.

As a result of these attacks America can now arrest and imprison suspected terrorists without trial. This is a breach of the Bill Of Rights which was added to the Constitution. It breached article 7 which is regard to the judicial system, which states that everyone is entitled to trial by jury and a fair trial. However with suspected terrorists being arrested with no evidence this goes against basic human rights and the freedom of the individual. This can also be seen as a form of religious persecution, as it was primarily perceived to be an anti-muslim campaign. The irony of this is that the Constitution was formed by the founding fathers for those who inhabited America first, which were those escaping religious persecution. The people then in turn lost faith in its constitution and its government.

The terrorist attacks on America, New York, led to the eventual invasion of Iraq in 2003 and the continual ongoing conflict there. The motive for invasion given was the fact that America was fighting a global war on terrorism and they believed that Iraq held weapons of mass destruction. The 2003 invasion was undertaken by a multinational "Coalition of the willing" led by the United States and the United Kingdom, which had invaded Iraq and deposed Saddam Hussein's regime on the claimed basis that Hussein had failed to comply with UN resolutions requiring a full accounting of its weapons of mass destruction and full cooperation with UN inspections. The second phase of the conflict began after the Hussein regime had been overthrown, and centers around coalition and UN efforts to establish a democratic state capable of defending itself.

The war was against Sadaam Hussein who had previously been let free by America in 1991 during the Gulf War, the same person who they now claimed to be holding weapons of mass destruction. This, consequently, put pressure on the Constitution as people began to challenge the basis of the constitution therefore they began to lose faith in the constitution. This began to happen as the reason that was known was soon proved to be untrue after the overthrow of the tyrant Sadaam regime where no 'weapons of mass destruction' were discovered and the Americans still lay stuck deep in Iraq which inadvertently sent their children to Iraq to fight for a cause unknown to most the American public and which could have easily been avoided. Some may say a recent day Vietnam is on the hands of George. w. Bush. As the declaration of Independence, written by Thomas Jefferson in 1776, states:

"...whenever any form of government becomes destructive, it is the right of the people to alter or abolish it and to institute a new government"

This was clearly not the case in Iraq as even to this day it is America who are trying to establish a new form of government in Iraq after removing its predecessor. This was clearly going against the declaration of independence as it was America who removed the government in Iraq, who they had deemed to be unlawful, they were basing the concepts of their own way of life and following their own Constitution and applying it elsewhere, they were trying to 'rule' Iraq.

To conclude over the years the US Constitution has had to withstand many attacks and challenges, from the early World Wars to the most recent in war in Iraq. However, with the US Constitution being so solid and the basis of many other governments in the world, including France, it is able to withstand these pressures. Also it can be seen that over the more recent years the Constitution has begun to be questioned more often, amendments can be made to ensure that this does not occur no more. Witnessing the Gulf War, 9/11 and the war in Iraq can all show that the strongest form of government is being scrutinized more often. It is not up to one individual or nation to determine what is deemed to be unconstitutional in other countries, this makes America look to be hypocrites, this leads to the question is there is one law for America and another for the rest?