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Guardianship Inversion and Enforcement Asymmetry: The US-Iran Conflict in Comparative Perspective

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Abstract

Why do institutions created to restrain war become least effective when their privileged guardians enter conflict? The analysis develops guardianship inversion, a role-conflict mechanism in which a permanent member of the United Nations Security Council becomes a belligerent, strategic patron, or political protector while retaining influence over collective judgement. The argument links institutionalized enmity to enforcement asymmetry. Durable threat narratives generate expansive security claims; privileged position filters their assessment; selective or fragmented enforcement permits escalation; and escalation reproduces enmity. A theory-building process trace follows the erosion of the 2015 nuclear agreement and the 2025–2026 US-Iran conflict using United Nations records, Article 51 notifications, International Atomic Energy Agency reports, International Maritime Organization materials, and official state documents. Comparative probes drawn from Ukraine, the Falklands or Malvinas, and the Sahel assess portability and boundary conditions. The evidence shows that dense legal rules do not disappear during conflict. Unequal access, evidentiary control, veto privilege, and fragmented jurisdiction instead weaken reciprocal restraint. The contribution is a social-scientific account of how role conflict inside international institutions converts formal guardianship into privileged belligerency. The findings support conflict-of-interest abstention, public veto justification, independent assessment of self-defence claims, and continuity protocols for international monitoring.

1. Introduction

International institutions face their most demanding test during war. Armed conflict exposes civilians, compresses decision time, and narrows the space for diplomacy. Institutions built to restrain violence often appear slow or powerless. This pattern invites a familiar conclusion: law disappears when powerful states decide that force is necessary.

That conclusion is too simple. States invoke self-defence, necessity, proportionality, sovereignty and humanitarian obligation. They submit letters to the United Nations and cast their own violence as defensive. Law remains present. The deeper problem is unequal authority over which claims gain credibility, scrutiny and consequence.

The 2026 US-Iran war makes the contradiction visible. Iran told the Security Council that the United States and Israel had attacked it on 28 February 2026. The United States later invoked individual and collective self-defence under Article 51. Resolution 2817 then condemned Iranian missile and drone attacks against Gulf states. The conflict unfolded through the Charter system, not outside it (Islamic Republic of Iran 2026; United Nations Security Council 2026a; United States 2026).

Other institutions were also engaged. The IAEA reported that the conflict had stopped in-field verification before limited work resumed. The IMO documented attacks on merchant shipping, called for safe passage in the Strait of Hormuz and recorded 62 confirmed incidents by 27 July 2026. Nuclear, maritime, humanitarian and force regimes were all implicated, but no institution could integrate them into equal restraint (International Atomic Energy Agency 2026a, b; International Maritime Organization 2026a, b).

The central question is therefore: how does great-power guardianship become privileged belligerency, and how does that transformation convert dense international rules into unequal restraint?

The answer begins with a structural contradiction. The Charter affirmed sovereign equality but gave primary responsibility for peace and security to a Council with five permanent members and exceptional voting authority. This bargain secured major-power participation while protecting those powers from decisions they considered contrary to vital interests. A guardian could therefore become a party and retain privileged authority over institutional response.

Guardianship inversion captures that condition. It occurs when a permanent member becomes a belligerent, strategic patron or political protector while retaining privileged influence over institutional assessment. The concept reaches beyond veto abuse. It includes agenda control, drafting influence, evidentiary privilege, alliance shielding, jurisdictional resistance and the prior expectation that an interested guardian can stop certain measures.

The inversion is most destabilizing when it interacts with institutionalized enmity. Institutionalized enmity exists when hostility is embedded in national identity, intelligence assessment, military doctrine, sanctions policy, alliance management and domestic legitimacy. It turns suspicion into organizational routine. The adversary is no longer treated as a state with negotiable interests. It becomes a continuing danger whose concessions may be deceptive and whose capabilities are read through presumed hostile intent.

The interaction creates a recursive mechanism. Institutionalized enmity produces maximal threat perception. That perception supports expansive claims of necessity and self-defence. Guardianship inversion then filters those claims through institutions in which belligerents or their patrons possess exceptional authority. Enforcement becomes delayed, fragmented or selective. Continued violence reinforces the narrative of permanent danger that made escalation appear necessary.

The novelty lies beyond the familiar claim that great powers enjoy privilege. Guardianship inversion identifies a conflict of roles when institutional guardians become interested participants. Enforcement asymmetry is specified as a process involving veto authority, alliance protection, evidentiary control, jurisdiction and unequal cooperation. The framework also connects hierarchy to enduring enmity and explains how dense rules coexist with weak enforcement symmetry.

Iran is a diagnostic case because it concentrates these dynamics in one conflict. The process trace begins with the 2015 Joint Comprehensive Plan of Action. It follows the collapse of reciprocity, the weakening of verification, attacks on nuclear facilities in 2025 and open war in 2026. Ukraine, the Falklands or Malvinas and the Sahel serve as comparative probes. They reveal direct self-insulation, conditional cooperation, alliance protection and accountability diffusion.

The argument does not assume that all parties' actions are legally equivalent. Nor does it determine the legality of each strike. Its concern is institutional: can competing claims be assessed independently, and

comparable restraint imposed, when one party possesses permanent authority within the enforcement architecture?

The analysis proceeds from the historical bargain to theory, research design, the Iran process trace, and comparative probes. It concludes with the implications for accountable stewardship.

2. Historical origins of privileged guardianship

Repeated episodes of mass suffering generated successive efforts to restrain war. Solferino stimulated the Red Cross tradition. The First World War produced the League of Nations. Global war, genocide, displacement, and nuclear danger produced the United Nations. Each institutional advance responded to harm that the preceding order had failed to prevent.

The humanitarian project began with a limited but revolutionary proposition: war did not extinguish obligation. The first Geneva Convention required care for wounded combatants and protected medical personnel. Later conventions extended protection to prisoners of war, shipwrecked personnel and civilians. Humanitarian law did not abolish military necessity. It rejected unlimited necessity (International Committee of the Red Cross n.d.; United Nations Office at Geneva n.d.).

This early regime established a pattern that remains central. Norms became more precise and widely accepted before an equivalent enforcement machinery existed. Compliance depended upon state incorporation, military professionalism, reciprocity and reputational cost. The authority of restraint expanded more rapidly than the capacity to impose it.

The League enlarged restraint from conduct within war to the organization of peace. Its Covenant created permanent organs, dispute-settlement procedures and collective-security aspirations. It also advanced public health, refugee administration and labour standards. Its history cannot be reduced to failure in 1939.

Its limits were nevertheless structural. The United States remained outside. Much of the world remained under colonial rule. Great-power leadership was built into the Council, while the Mandates System translated imperial hierarchy into international administration. Anghie shows that sovereignty was not distributed equally. International institutions restrained power, but also classified and governed colonized peoples (Anghie 2005, Chap. 3).

The crises of Manchuria and Ethiopia exposed the League's dependence upon states unwilling to bear major costs for collective enforcement. The lesson drawn after 1945 was not simply that more rules were required. It was that an international organization could not survive if the major powers stood outside it or believed it could act decisively against their vital interests.

The United Nations therefore rested upon a great-power bargain. The Charter prohibited the threat or use of force, affirmed sovereign equality and gave the Security Council primary responsibility for international peace and security. Yet China, France, the Soviet Union, the United Kingdom and the United States

received permanent membership and decisive voting privilege. The veto was not a later corruption. It was the constitutional price of participation (United Nations 1945).

The reasoning was formidable. Coercing a major power could provoke withdrawal, impotence or general war. The founders therefore internalized great-power concurrence. They joined two unreconciled principles: juridical equality for all members and exceptional authority for five whose cooperation was deemed indispensable.

Simpson describes this arrangement as legalized hegemony. Great-power privilege is not imposed on international law only from outside; it is constituted within the legal order. Hurrell adds the problem of legitimacy. Order requires power, but privileged power remains defensible only while it can be presented as serving a purpose larger than itself (Hurrell 2007, Chap. 3; Simpson 2004, Chaps. 4–5).

The United Nations proved more durable than the League partly because it guaranteed the major powers a central position. The same design produced an enforcement deficit. The permanent members remained subject to legal criticism, diplomatic pressure and judicial findings where jurisdiction existed. Yet they possessed a capacity unavailable to other states: they could obstruct collective enforcement while remaining within the institution whose action they had blocked.

The Charter contains a limited recognition of this conflict of interest. Article 27 requires a party to a dispute to abstain from voting on specified peaceful-settlement decisions. The rule expresses an elementary institutional principle. An interested party should not determine its own dispute. Its narrow scope and inconsistent application leave the deeper problem unresolved. Article 108 reinforces the durability of privilege by requiring all permanent members to ratify Charter amendments (United Nations 1945, arts. 27 and 108; United Nations n.d.a).

Decolonization gave newly independent states a sovereign voice but did not reconstruct the Council. Formal equality expanded within a security architecture fixed in 1945. The postwar order created real restraints and a universal language of judgement while preserving exceptional power.

The historical pattern is that each enlargement of restraint preserved dependence on states capable of resisting it.

The contemporary problem begins when privileged stewardship becomes interested participation. The founders sought to prevent major-power departure. They did not create a credible procedure for the moment when major-power participation itself obstructed equal enforcement.

3. Normative density and constitutional contradiction

The contemporary international order is not normatively empty. It is saturated with rules. The use of force is governed by the Charter. Hostilities are regulated by international humanitarian law. Nuclear activities are subject to treaty obligations and safeguards. Maritime security is governed by conventions

on navigation, safety and jurisdiction. States may also encounter human-rights obligations, rules of state responsibility and international criminal law.

Normative density describes the concentration of overlapping rules and institutional authorities around state conduct. It means more than the existence of many treaties. One episode may activate several regimes, each with distinct obligations, procedures and bodies of expertise. An attack on a nuclear facility may raise questions of force, self-defence, civilian protection, safeguards, environmental risk, maritime security and criminal responsibility at the same time.

Abbott and his co-authors conceptualize legalization through obligation, precision and delegation. Their framework explains variation in institutional form. It does not explain why greater legalization may fail to produce equal restraint (Abbott et al. 2000).

Compliance scholarship also cautions against reducing law to coercion. Chayes and Chayes emphasize transparency, interpretation, capacity and continuing engagement. Brunnée and Toope locate obligation in shared understandings, criteria of legality and reciprocal practice. Law can therefore shape behaviour without centralized punishment. It coordinates expectations, requires reasons, preserves evidence and empowers domestic or transnational actors (Brunnée and Toope 2010, Chap. 2; Chayes and Chayes 1995, Chaps. 1–2).

This insight also reveals how selective application damages legality. When powerful states demand compliance from adversaries while reserving exceptions for themselves or their partners, they do more than commit isolated breaches. They weaken the reciprocity through which legal obligation acquires authority. Normative density can therefore coexist with normative erosion.

The expansion of law has also produced institutional fragmentation. Specialization deepens expertise, but separate institutions possess incomplete mandates. The IAEA can assess safeguards and nuclear safety, but not the legality of a war. The IMO can defend navigational safety, but not end hostilities. Courts may lack jurisdiction. The Security Council possesses exceptional authority but remains structured by permanent-member privilege.

Alter and Meunier show that regime complexity creates opportunities for forum selection and cross-institutional strategy. Those opportunities are distributed unequally. States with extensive legal expertise, diplomatic networks and institutional access are better able to navigate overlapping regimes. Fragmentation can therefore produce accountability gaps even when each institution performs its mandate properly (Alter and Meunier 2009).

The deepest asymmetry lies within the Charter. Article 2 affirms sovereign equality. Articles 24 and 25 give the Council primary responsibility and require members to carry out its decisions. Article 27 grants the permanent members decisive voting power. Article 108 protects that structure from amendment without their consent. The contradiction is not simply between legal equality and unequal material capability. It is between juridical equality and constitutionally authorized inequality.

Krisch shows that international law is plural and shaped by overlapping authority. Simpson shows that hierarchy is legally accommodated. Hurd explains why institutional authorization affects legitimacy, while Johnstone and Prantl show how argument, drafting and informal diplomacy shape Security Council outcomes. States seek to place their conduct within plausible rules, but they do not enter that contest with equal resources (Hurd 1999; Johnstone 2003; Krisch 2010, Chap. 1; Prantl 2005; Simpson 2004, Chap. 5).

Permanent members possess continuous agenda access, drafting influence and institutional memory. Powerful states can produce intelligence, control classified evidence and mobilize allied narratives. They may also prevent adverse interpretations from becoming binding decisions. The inequality is therefore interpretive as well as coercive.

Enforcement asymmetry therefore has three dimensions. The first is asymmetry of access: unequal capacity to convene deliberation, shape agendas and sustain attention. The second is asymmetry of authoritative interpretation: unequal capacity to define facts, threats and legal questions. The third is asymmetry of consequence: differences in investigation, jurisdiction, sanction and compliance pressure.

These dimensions may operate independently. Their convergence is most consequential. A powerful state may possess privileged access, dominate the evidentiary environment and prevent adverse judgement from producing consequence. Normative density remains visible, but reciprocal restraint declines.

The result is not complete institutional collapse. International bodies still produce information, legal standards, legitimacy and political cost. The more precise diagnosis is constitutional decay. Decay occurs when the tension between sovereign equality and privileged guardianship becomes less capable of producing legitimate restraint. Exceptions accumulate. Conflicts of interest become normalized. States continue to invoke law while confidence in reciprocal application weakens.

4. Guardianship inversion and institutionalized enmity

Guardianship inversion occurs when a permanent member becomes a belligerent, strategic patron or political protector in a conflict while retaining privileged influence over the institutions expected to regulate it. Permanent membership alone is insufficient. The concept identifies the convergence of interested participation and institutional authority.

Four conditions mark the inversion: substantial strategic involvement; privileged institutional authority; an observable capacity to shape scrutiny or consequence; and the absence of effective recusal or independent review.

The concept therefore extends beyond veto abuse. Draft language may be weakened, meetings delayed, evidence filtered and investigations narrowed before a vote occurs. The Council may remain active while its activity is asymmetrically structured.

Barnett and Finnemore show that international organizations classify problems and produce authoritative knowledge. The Security Council presents a distinctive version of delegated authority because power was not delegated to an autonomous body standing apart from the strongest states. It was concentrated in a body where those states remained principals, agents and potential parties. The strength and vulnerability of the institution arise from the same design (Barnett and Finnemore 1999).

Guardianship inversion is more than hypocrisy. Hypocrisy concerns inconsistency between principle and conduct. Guardianship inversion concerns the institutional effects of that inconsistency. A powerful state may violate a norm without controlling its enforcement. A permanent member that becomes a party while retaining the capacity to obstruct collective judgement presents a deeper problem. Power then operates through the institution of law itself.

Institutionalized enmity explains why this conflict of roles is mobilized in favour of exceptional security claims. It exists when hostility becomes embedded across the organizations, narratives and incentives through which a state understands security. It is more durable than securitization at a single moment and more organizationally specific than enduring rivalry. The expectation of hostility persists across agencies, policy instruments and changes of leadership.

The concept draws on securitization, ontological-security, rivalry and narrative scholarship. These traditions explain how adversaries become existential threats, why predictable conflict may stabilize identity, and how dominant stories organize national purpose and danger (Krebs 2015; Mitzen 2006; Sakamoto 2023; Williams 2003).

Institutionalized enmity embeds these dynamics in five sites: national identity, intelligence assessment, military doctrine, legal and sanctions architecture, and domestic legitimacy. Together they make some hostile futures easier to imagine, prepare and execute.

The US-Iran relationship illustrates the structure. Parsi shows that relations among Iran, Israel and the United States have included pragmatic cooperation as well as hostility. Enmity was historically produced, not culturally predetermined. Maloney demonstrates how political economy and regime adaptation shape Iranian policy. Rees shows that the JCPOA unsettled American identity narratives because engagement with Iran remained politically contestable (Maloney 2015; Parsi 2007; Rees 2023).

Institutionalized enmity creates an epistemic asymmetry between danger and reassurance. Evidence of threat is readily absorbed into existing narratives. Evidence of moderation must overcome suspicion and organizational interests built around confrontation. An adversary's restraint may be treated as tactical delay. Compliance may be regarded as temporary. Diplomatic offers may be interpreted as attempts to escape pressure.

The causal mechanism proceeds through five stages. Historical grievances and institutional routines first consolidate the adversary as a durable threat. An acute crisis is then interpreted through that structure, producing expansive claims of necessity or self-defence. Those claims enter institutions in

which a belligerent or patron possesses privileged authority. Institutional response becomes selective, fragmented or delayed. Limited restraint then enables further violence, which validates the original threat narrative.

The mechanism is recursive. Institutionalized enmity generates expansive security claims. Guardianship inversion privileges some actors within the institutions assessing those claims. Enforcement asymmetry permits escalation. Escalation then reproduces institutionalized enmity.

The theory does not predict unrestricted impunity. Permanent members may value legitimacy, face domestic constraints, lose allied support or confront strong independent evidence. The General Assembly, courts, regional organizations and civil society can generate costs even when the Council is blocked. Guardianship inversion is strongest where strategic stakes are high, the adversary is represented as existential, independent verification is weak and alternative institutions lack jurisdiction or enforcement capacity.

The framework connects rather than replaces rival explanations. Realism supplies capability. Bargaining theory identifies commitment problems. Domestic politics explains leadership incentives. Legal analysis clarifies the applicable rules. The framework adds value only if it links these forces to observable institutional pathways: threat construction, privileged filtering and unequal consequence.

5. Research design

A theory-building process trace examines the sequence connecting threat construction, legal justification, institutional filtering, unequal enforcement and renewed escalation (Beach and Pedersen 2019, Chap. 1; George and Bennett 2005, Chap. 10).

Iran is treated as a critical diagnostic case. It combines high normative density, a durable adversarial relationship, direct permanent-member participation, alliance protection and several institutions with overlapping but incomplete mandates. The case is not statistically representative. Its value lies in making the proposed mechanism unusually visible.

The unit of analysis is the conflict-regulation episode. An episode begins when a security development generates a demand for legal or institutional response. It includes the claims advanced, institutions activated, evidence presented, decisions made and consequences for subsequent behaviour. The analysis therefore examines connected episodes rather than treating each strike as an independent observation.

The principal sequence runs from the JCPOA in July 2015 to the Security Council meeting of 2 July 2026. Earlier events provide context. Supporting institutional records were checked through 27 July 2026. Because the war remained fluid, findings on the latest phase are provisional.

The evidence consists of United Nations records, Article 51 notifications, IAEA reports, IMO statements, official state documents, and relevant peer-reviewed scholarship. These sources are not equivalent.

Institutional findings provide evidence of regulatory assessment. Government statements reveal framing and justification; they do not independently prove factual or legal claims.

Normative density is identified through overlapping regimes and institutions. Institutionalized enmity is identified through recurring threat narratives, sanctions architecture, military doctrine and political discourse across time. Guardianship inversion requires both strategic participation and privileged institutional influence. Enforcement asymmetry appears in differences of access, evidentiary standards, jurisdiction, condemnation and consequence.

Three tests discipline the inference. First, threat structures must predate the acute crisis. Second, permanent-member position must alter the feasible institutional response, not merely coexist with it. Third, selective restraint must be followed by escalation or by narratives that favour self-help. The argument would be weakened if comparable outcomes occurred where independent evidence was strong, recusal operated or alternative institutions imposed similar costs.

The comparative probes apply common questions to Ukraine, the Falklands or Malvinas and the Sahel. Was a permanent member a belligerent or strategic patron? How was the threat framed? Which institutions were activated? What conflict-of-interest mechanisms existed? How did institutional position affect scrutiny or consequence?

The design has limits. The conflict is ongoing, transparency is unequal and key intelligence remains classified. A critical case establishes plausibility and scope conditions, not frequency. The claim is therefore narrow: guardianship inversion shaped the institutional environment in which claims were assessed and restraint attempted.

Sources were selected when they documented at least one step in the proposed sequence: threat construction, legal justification, institutional response, or subsequent escalation. Primary institutional records were given priority. State communications were treated as evidence of framing rather than independent proof. Claims were triangulated across organizations where mandates and access differed. Table 1 summarizes the concepts, observable implications, and principal evidence used in the analysis.

Table 1
Concepts, observable implications, and evidence

Concept	Observable implication	Principal evidence
Normative density	Two or more legal regimes or institutions are activated by the same conflict episode	United Nations records, IAEA reports, IMO statements, and applicable legal instruments
Institutionalized enmity	Threat narratives persist across time, agencies, and policy instruments	Sanctions directives, official statements, military and diplomatic framing, and prior institutional records
Guardianship inversion	A permanent member is a belligerent, strategic patron, or political protector while retaining institutional authority and facing no effective recusal	Council voting, agenda access, resolutions, state roles, and conflict-of-interest procedures
Enforcement asymmetry	Comparable claims encounter unequal access, evidentiary standards, scrutiny, jurisdiction, or consequence	Resolutions, blocked or narrowed measures, investigations, court action, and compliance outcomes

OpenAI's ChatGPT was used during July 2026 to assist with structural organization, conversion of references to journal style, and language editing. It did not generate or authenticate evidence. The author independently selected and checked every source, verified the factual and legal claims, and accepts full responsibility for the manuscript.

6. Iran process trace: from verified restraint to privileged war

6.1 The JCPOA and the institutionalization of distrust

The JCPOA temporarily reversed institutionalized enmity. It did not create political trust. It organized distrust through reciprocal obligations and independent verification. Iran accepted restrictions and expanded monitoring. Other parties committed to sanctions relief. Resolution 2231 endorsed the agreement. Implementation Day followed in January 2016 after the IAEA verified the required measures (International Atomic Energy Agency 2016; United Nations Security Council 2015).

The arrangement's importance lay in replacing assumed intention with inspectable conduct. Iran did not have to persuade its adversaries that its political identity had become benign. It had to submit specified activities to monitoring. Other parties did not have to trust Iran without evidence. They relied upon the IAEA.

The agreement nevertheless addressed one field of conflict. It did not resolve disputes over missiles, regional armed groups, Israel, United States military presence, sanctions outside the nuclear field or the legitimacy of the Iranian regime. It constrained nuclear activity while leaving the wider architecture of enmity substantially intact.

This distinction explains both the achievement and fragility of the agreement. Verification could manage a defined nuclear problem. It could not by itself transform the political narratives through which Iran, Israel and the United States interpreted one another.

6.2 Withdrawal and the widening of the security frame

In May 2018, the United States withdrew from the JCPOA and restored sanctions. The official justification described the agreement as defective and linked the nuclear issue to missiles, regional activities, terrorism and the character of the Iranian regime (Trump 2018).

This widened the security frame. The JCPOA had separated the nuclear file from the full spectrum of hostility. Withdrawal reconnected them. Technical compliance was no longer sufficient if an agreement did not transform Iran's broader behaviour. Nuclear verification became subordinate to a judgement about the adversary as a whole.

The decision also broke the reciprocal political bargain. Iran initially remained subject to restrictions while expected economic benefits became increasingly unavailable. The extraterritorial reach of United States financial power limited the ability of other parties and firms to preserve sanctions relief. The episode shows enforcement asymmetry outside the Security Council. A national decision produced system-wide effects because of the United States position in global finance.

Iran did not immediately abandon the agreement. Its later reductions followed the failure of reciprocal implementation. This sequence does not settle the legality of either side's conduct. It shows how an agreement based on exchange and monitoring became vulnerable when one side could withdraw while continuing to impose costs through wider institutional power.

6.3 Reciprocal erosion and the loss of verification

From May 2019, Iran progressively reduced implementation of JCPOA commitments. In February 2021 it stopped implementing the Additional Protocol and other commitments, and in June 2022 removed monitoring equipment associated with the agreement. The IAEA later reported a loss of continuity of knowledge in important areas of the programme (International Atomic Energy Agency 2025a, paras. 7–10).

The deterioration of verification had effects beyond technical monitoring. It changed the politics of knowledge. Where inspectors could no longer provide continuous information, governments became more dependent upon national intelligence, inference and worst-case assessment. The evidentiary base shifted from a partially shared institutional record towards information controlled by interested states.

The sequence is consistent with the proposed feedback loop. United States withdrawal weakened reciprocity. Iran's reductions weakened verification. Reduced verification increased uncertainty. Uncertainty strengthened claims that diplomacy could not manage the programme. Those claims made renewed agreement harder. Each side could then treat the other's conduct as proof that restraint had been misplaced.

The core failure was not simply non-compliance. It was the destruction of the institutional substitute for trust. Once the shared monitoring structure weakened, institutionalized enmity regained greater authority over the interpretation of evidence.

6.4 From monitored programme to military target

In June 2025, Israel launched attacks that included Iranian nuclear facilities. On 22 June, the United States struck Fordow, Natanz and Isfahan. The IAEA confirmed impacts at relevant sites and warned of risks to nuclear safety and non-proliferation. The United States told the Security Council that it acted in collective self-defence of Israel and to protect its own security. Its letter connected the nuclear threat to a longer history of Iranian conduct and argued that peaceful measures had been exhausted (International Atomic Energy Agency 2025b, c; United States 2025a).

Iran rejected the legal justification and described the attacks as aggression against safeguarded facilities. These documents establish competing legal positions. They do not resolve the lawfulness of the operations (Islamic Republic of Iran 2025a, b).

The episode marked a transformation. The nuclear programme moved from an object of inspection to an object of direct military force. The IAEA possessed technical authority concerning safeguards and safety. It did not possess authority to determine the legality of force or prevent attacks. The Council possessed responsibility for peace and security, but any response was conditioned by permanent-member interests.

Uncertainty was no longer treated mainly as a reason to restore monitoring. It became part of the case for coercive prevention. That move was not inevitable. Governments could have concluded that attacks would disperse knowledge, damage verification, create incentives for weaponization or endanger inspectors. The resort to force reflected a prior judgement that the danger of Iranian capability outweighed the risks of weakening the regulatory system designed to observe it.

The 2025 attacks therefore exposed the limit of normative density. Rules concerning force, nuclear safeguards and civilian protection remained applicable. No institution could integrate them into an authoritative and enforceable response.

6.5 Threat consolidation before the 2026 war

United States policy in 2025 again presented Iran’s nuclear and missile capabilities, regional relationships and support for armed groups as parts of one threat. The renewed maximum-pressure directive framed the Iranian state as an interconnected security danger and ordered an extensive sanctions campaign (United States 2025b).

This evidence matters because it precedes the outbreak of open war in February 2026. The acute crisis did not create the threat structure. It activated a narrative already embedded in policy and institutions.

The United States Article 51 letter made that accumulated history explicit in March 2026. It described the operations as the latest stage of an ongoing armed conflict. It invoked attacks and threats across decades, linked nuclear and missile programmes to Iran's political identity, and argued that peaceful measures had been exhausted (United States 2026).

The letter does not independently establish that every asserted threat was imminent. It does show how institutionalized enmity shaped legal justification. Past incidents, proxy relationships, ideology, nuclear capability and present risk were assembled into a single narrative of necessity.

6.6 Competing Charter claims and open war

Iran's letter of 28 February 2026 alleged attacks by the United States and Israel and requested an emergency Council meeting. The United States reported that it had commenced combat operations on the same date under Article 51, including collective self-defence of Israel (Islamic Republic of Iran 2026; United States 2026).

The competing communications demonstrate that the conflict remained normatively organized. Neither side claimed that law was irrelevant. Each sought to occupy the position of defender. The disagreement concerned the relevant chronology, attribution, necessity, proportionality and the relationship between current operations and the longer conflict.

This is where institutionalized enmity affects legal time. When the adversary is constructed as a continuing threat, distinctions between defence against a present armed attack, response to prior conduct and prevention of future danger become politically compressed. A long history of hostility is assembled into a claim of current necessity.

No position is taken here on that doctrinal dispute. The relevant question is how the institutional structure received and filtered the competing claims.

6.7 Guardianship inversion in the Security Council

The United States entered the war as both belligerent and permanent Council member. It retained voting privilege, agenda access, drafting influence and diplomatic capacity. A formal veto was not required for the conflict of interest to matter. Other members knew that any binding measure directed against United States conduct depended on the United States position.

That knowledge narrowed the feasible range of action before any vote. Guardianship inversion operated through structural anticipation.

The Council was not silent. On 11 March 2026, it adopted Resolution 2817, condemning Iranian missile and drone attacks against Gulf states. The resolution shows that the Council could act where sufficient agreement existed and where the measure did not require condemnation of a permanent member's own conduct (United Nations Security Council 2026a).

Selective activation is more revealing than complete paralysis. Iranian conduct generated a formal condemnatory resolution. Claims concerning the initial United States and Israeli operations could not be assessed independently of a belligerent's permanent authority. The conduct was not necessarily legally identical. The institutional pathways were nevertheless unequal.

The asymmetry concerned who could be judged without confronting the veto interest of a permanent member. The Council's activity therefore did not remove the conflict of interest. It displayed it.

6.8 War and the collapse of independent knowledge

The war further damaged nuclear verification. The IAEA reported that it stopped all in-field verification activities in Iran because of the conflict. By June 2026, limited activity had resumed, but the Agency remained concerned with access, safeguards and the continuity of knowledge (International Atomic Energy Agency 2026a, b).

This feedback loop provides the strongest within-case evidence for the mechanism. Military action was justified partly through uncertainty about Iran's programme. War then made independent verification harder. Reduced verification generated further uncertainty. That uncertainty supported new threat claims and renewed force.

The institution best placed to reduce uncertainty became less able to operate because states acted militarily upon uncertainty. The safeguards regime remained normatively relevant while its operational capacity declined at the moment authoritative knowledge was most necessary.

The same pattern appeared at sea. The IMO condemned attacks on merchant ships and called for a safe-passage framework. By 27 July 2026 it had recorded 62 confirmed incidents and 17 seafarer fatalities in the Strait of Hormuz and the wider Middle East. The organization produced authoritative information and defended navigational safety. It could not end the conflict creating the danger (International Maritime Organization 2026a, b).

The Council, IAEA and IMO addressed different manifestations of one war. Each remained active within its mandate. Their authority was fragmented. The conflict was regulated in parts but not restrained as a whole.

6.9 Ceasefires, renewed confrontation and the durability of enmity

A ceasefire was announced in April 2026. Further negotiations produced a June agreement acknowledged by the IMO. Yet a Security Council meeting on 2 July recorded renewed military confrontation and stressed the fragility of the arrangement (International Maritime Organization 2026c; United Nations Security Council 2026b).

The recent sequence remains too fluid for a definitive assessment. It nevertheless reinforces a theoretical expectation. Agreements that alter immediate behaviour without dismantling the narratives,

sanctions structures, military preparations and institutional inequalities sustaining enmity remain vulnerable to reversal.

A settlement framed principally as the product of coercive superiority may generate domestic legitimacy for agreement, but it can also preserve a hierarchical relationship. Subsequent disagreement is then more easily interpreted as defiance requiring renewed punishment. Durable restraint requires procedures capable of resolving disputes without immediately returning to existential threat narratives.

6.10 What the process trace establishes

The process trace identifies a recursive institutional process. It does not support a morality tale in which one actor alone destroyed a functioning order.

The JCPOA managed distrust through reciprocity and verification. United States withdrawal weakened that bargain. Iran's reductions weakened monitoring. Lost knowledge strengthened worst-case assessment. The 2025 attacks turned regulated facilities into military targets. The 2026 war then placed a permanent member inside the conflict while specialist institutions managed consequences without governing the conflict as a whole.

The evidence supports the mechanism, but with appropriate caution. Institutionalized enmity widened the dispute beyond technical nuclear questions. Weaker verification strengthened expansive threat claims. Guardianship inversion limited independent collective restraint. Fragmented institutions produced regulation without integrated enforcement.

The case also qualifies the theory. Institutions mattered: the JCPOA constrained activity, the IAEA preserved knowledge, the Council hosted legal claims and the IMO reduced maritime risk. They could not sustain reciprocal restraint against enmity, fragmentation and privileged belligerency.

7. Comparative probes

A single case cannot show whether guardianship inversion is portable or merely another description of United States power. Three probes test the mechanism through variation. They do not assume legal or historical equivalence. Their purpose is to identify how permanent-member involvement changes institutional scrutiny under different conditions.

7.1 Ukraine: direct self-insulation

Russia's war against Ukraine provides the strongest form of guardianship inversion. Russia was a direct belligerent and permanent member. On 25 February 2022, it vetoed a draft resolution addressing its military operation. Eleven Council members voted in favour. The matter then moved to the General Assembly, which adopted Resolution ES-11/1 by 141 votes to five and demanded Russian withdrawal (Russian Federation 2022; United Nations General Assembly 2022a; United Nations Security Council 2022).

The International Court of Justice separately ordered Russia to suspend the military operations commenced on 24 February. Russia continued the war. International institutions therefore produced extensive legal and political judgement. They did not produce equivalent enforcement (International Court of Justice 2022).

Ukraine illustrates direct institutional self-insulation. The alleged violator could block the Council's substantive response to its own conduct. The General Assembly and Court preserved authoritative judgement but lacked the Council's enforcement capacity.

The case also reveals institutionalized enmity. Russian justification placed Ukraine within a wider narrative of NATO expansion, historical identity, the Donbas and threats to Russia's strategic position. The war was presented as part of an accumulated security problem. Permanent status did not create the narrative. It gave the state advancing it privileged authority within the institution judging the resulting conduct.

Ukraine therefore confirms the distinction between normative density and enforcement symmetry. Law was present and judgement clear. The enforcement pathway remained structurally unequal.

7.2 Falklands or Malvinas: conditional institutional cooperation

The 1982 Falklands or Malvinas conflict provides a contrast. The United Kingdom was a permanent member and direct party, yet the Council adopted Resolution 502 demanding cessation of hostilities and Argentine withdrawal after Argentina's seizure of the islands. Britain did not block the resolution (United Nations Security Council 1982a).

The case shows that permanent-member participation does not automatically produce paralysis. Council action supported Britain's legal framing of the initial use of force. Britain accepted institutional involvement where it reinforced its position.

The relationship changed as proposals threatened to constrain Britain's campaign without immediate Argentine withdrawal. Resolution 505 authorized further good offices, but a later ceasefire draft failed after negative votes by permanent members, including Britain. Britain argued that the proposal would freeze Argentine forces in place (United Nations 1985; United Nations Security Council 1982b).

The contrast identifies a boundary condition. A permanent member may accept scrutiny when it legitimates its position and resist restraint when it obstructs an operational objective. Guardianship inversion can therefore emerge during a conflict. The relevant variable is not permanent membership alone, but the convergence of institutional authority and threatened strategic interest.

7.3 France and the Sahel: accountability diffusion

French counterterrorism operations in the Sahel arose in a different legal and political setting. They were conducted within consent-based security partnerships and alongside United Nations activity. This was

not a conventional interstate war between France and Mali.

The comparative issue is narrower. France was at once a military actor, intelligence partner, major influence on the Council file and supporter of a United Nations mission. Accountability therefore dispersed across the intervening state, host government, local forces, intelligence arrangements and separate international mandates.

The January 2021 strike near Bounti illustrates the problem. France maintained that Barkhane had targeted armed fighters. A MINUSMA investigation concluded that a wedding involving about one hundred civilians had taken place and that nineteen civilians were among those killed. France rejected the finding and questioned the reliability of the evidence (MINUSMA 2021; United Nations Secretary-General 2021; United Nations Security Council 2017).

The episode demonstrates normative density. An international mission possessed the mandate and capacity to investigate. It gathered evidence and issued a public assessment. Yet MINUSMA was not a court. The Council could consider the wider situation, but France was a permanent member and influential actor on Mali. National processes, United Nations fact-finding and operational intelligence remained institutionally separate.

This is accountability diffusion. The system was not silent. It lacked a unified pathway from investigation to adjudication and consequence. Evidentiary control was also asymmetric. The military actor possessed the classified information used for targeting, while investigators reconstructed events after the fact.

The Sahel probe extends guardianship inversion beyond direct interstate war. Operational participation, drafting influence, host-state dependence and fragmented mandates can weaken integrated scrutiny even without a veto.

7.4 Comparative implications

The probes reveal distinct mechanisms. Ukraine represents direct self-insulation. The Falklands or Malvinas represents conditional cooperation and later resistance to operational restraint. The Sahel represents operational entanglement and accountability diffusion. Iran combines direct participation, alliance-mediated protection, selective Council action and fragmented specialized institutions.

Guardianship inversion is strongest where strategic stakes are high, enmity is institutionalized, independent evidence is contested, jurisdiction is fragmented and recusal is absent. It is weaker where the triggering facts are widely accepted, coalition pressure is sustained or institutional action supports the permanent member’s legal position.

The comparison therefore refines claims about impunity. Powerful states are not always free from scrutiny. Their advantage lies in institutional optionality: greater capacity to shape the facts considered, the forum selected, the legal framing adopted and the movement from judgement to consequence.

8. Discussion and policy implications: accountable stewardship

The findings do not support abandoning the United Nations. The Council alone has Charter authority to adopt binding peace-and-security measures. The Assembly lacks equivalent enforcement authority; courts depend on jurisdiction and cooperation; specialized agencies cannot govern an entire war.

Accountable stewardship is the appropriate reform objective. It accepts that major powers will retain disproportionate influence. It rejects the proposition that exceptional influence should permit a state to act as guardian, belligerent and final judge of its own necessity.

Abolition of the veto is politically improbable. Article 108 requires every permanent member to ratify Charter amendments. Reform must therefore proceed through immediate, intermediate and constitutional tracks (United Nations 1945, art. 108).

The first priority is conflict-of-interest discipline. Article 27 already requires parties to disputes to abstain in specified peaceful-settlement decisions. The rule should be applied consistently. Where a permanent member is a direct belligerent, the Council President should place party status formally before the Council, supported by a public legal assessment. The interested state should participate in deliberation but abstain from relevant Chapter VI decisions (United Nations 1945, art. 27(3); United Nations n.d.a).

A broader voluntary presumption should apply beyond the narrow legal rule. Permanent members should refrain from vetoing credible investigative, humanitarian or de-escalatory measures concerning conflicts in which they are direct belligerents or indispensable operational patrons. They need not endorse every draft. They can abstain, propose alternatives and challenge evidence. They should not terminate collective consideration without exceptional public justification.

The General Assembly's Resolution 76/262 already requires an Assembly debate after a veto. This mechanism should be strengthened. The vetoing state should submit a written legal and factual justification, disclose its relationship to the dispute, identify alternatives proposed and answer questions before the wider membership. A veto should be treated as an exercise of exceptional constitutional authority requiring exceptional explanation (United Nations General Assembly 2022b).

Where an interested permanent member blocks action, the matter should move automatically to an emergency special session under the Uniting for Peace procedure. The Assembly cannot reproduce Chapter VII authority, but it can preserve collective judgement, recommend investigations, request advisory opinions and mobilize diplomatic pressure (United Nations General Assembly 1950).

Article 51 reporting also requires reform. Notifications should identify the armed attack, evidence of attribution, necessity, operational scope, any request for collective self-defence and conditions for termination. Continuing operations should require updates. A non-binding advisory panel could assess these elements and reduce belligerents' interpretive monopoly (United Nations 1945, art. 51; United Nations n.d.b).

Independent knowledge must also be protected. The Iran case shows that attacks and access restrictions can destroy the monitoring systems required to reduce uncertainty. A monitoring-continuity protocol should guarantee communication with belligerents, remote verification, preservation of records, protected access and automatic reporting to both the Council and Assembly when access is denied.

Credible allegations of civilian harm involving permanent members or international coalitions should trigger independent investigation. National investigations remain relevant but should not be the sole source of accountability where the investigating state is also the military actor. The standard must be reciprocal. A mechanism directed only against weaker states would reproduce the hierarchy it seeks to correct.

Representation remains part of the problem. The permanent structure reflects 1945, while Africa and Latin America lack permanent representation. Expansion is necessary for legitimacy, but representation without responsibility could reproduce guardianship inversion. New permanent or long-term membership should be joined to stronger stewardship obligations, not simply additional vetoes.

These proposals form a stewardship compact based on recusal, reason-giving, reviewability, reciprocity and representation. They are deliberately limited. The compact would not abolish hierarchy. It would make privilege more demanding, visible and contestable.

No reform can guarantee peace. Institutions often work through friction rather than command: they delay action, require reasons, preserve evidence and expose inconsistency. These effects remain central to the difference between imperfect legal order and self-validating power.

9. Conclusion

The history of international order is a series of attempts to subject power to rules that remain authoritative when compliance becomes costly. The answer has never been complete.

Humanitarian law established that necessity does not extinguish obligation. The League made peace an institutional concern. The United Nations prohibited force and gave the Security Council collective-security authority. These changes narrowed the space for presenting violence as unrestricted sovereign choice.

The settlement also preserved inequality. Five states received exceptional authority because their participation was deemed indispensable. Durability came with a constitutional risk: guardians could become interested parties while retaining institutional privilege.

That condition is guardianship inversion. Its interaction with institutionalized enmity produces a clear sequence. Enmity generates expansive threat claims. Privilege shapes their institutional reception. Enforcement asymmetry permits escalation. Escalation reproduces enmity.

Iran demonstrates the mechanism. The JCPOA managed distrust through reciprocity and verification. Its erosion weakened shared knowledge and strengthened worst-case assessment. Nuclear facilities became targets. Open war placed a permanent member inside the conflict, while fragmented Council, IAEA and IMO mandates failed to produce equal restraint.

The comparative probes show that the mechanism travels. Ukraine illustrates direct self-insulation; the Falklands or Malvinas, conditional cooperation; and the Sahel, accountability diffusion. Privilege operates through veto power, alliance protection, legal framing, evidentiary control and fragmented jurisdiction.

The evidence supports a qualified conclusion. Power can be bound, but not automatically, equally, or permanently. Law constrains through legitimacy, monitoring, domestic institutions, coalition pressure and the duty to justify. It fails where guardians retain unrestricted authority over the judgement of their own conduct.

The crisis is constitutional decay, not the disappearance of law. Rules remain dense and institutions remain active, but exceptions accumulate, conflicts of interest become normalized and confidence in reciprocal obligation declines.

The consequences extend beyond immediate wars. States observe how others are treated. Where legal protection appears uncertain, they may invest in stronger patrons, military capability or nuclear latency. An order that cannot restrain its guardians may produce more actors determined to escape restraint.

More rules are not enough. The harder task is to make privilege reviewable, explainable and less capable of becoming immunity.

The Red Cross, League, United Nations and Geneva Conventions arose from abandonment, destructive rivalry, industrial war, genocide and nuclear danger. They were not founded because power would disappear. They reflected a harder lesson: power must not be left to judge itself.

The decisive test of international order is therefore not whether it can regulate the weak. It is whether it can require restraint, explanation and accountability from those most capable of resisting them.

Power can be bound. Guardianship must be treated as responsibility rather than entitlement. Institutional privilege must attract greater scrutiny, not reduced exposure. No state should remain the final judge of violence exercised in the name of order.

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