

SAMPLE B

Diploma Programme subject in which this extended essay is registered: PEACE & CONFLICT STUDIES  
(For an extended essay in the area of languages, state the language and whether it is group 1 or group 2.)

Title of the extended essay: Can any of International Law, Morality and Just War Theory be used to Justify Britain's Invasion of Iraq in 2003?

**Candidate's declaration**

*If this declaration is not signed by the candidate the extended essay will not be assessed.*

The extended essay I am submitting is my own work (apart from guidance allowed by the International Baccalaureate).

I have acknowledged each use of the words, graphics or ideas of another person, whether written, oral or visual.

I am aware that the word limit for all extended essays is 4000 words and that examiners are not required to read beyond this limit.

This is the final version of my extended essay.

Candidate's signature: \_\_\_\_\_ Date: \_\_\_\_\_

IB Cardiff use only:

A: 66385  
B: 3104/09

## Supervisor's report

The supervisor must complete the report below and then give the final version of the extended essay, with this cover attached, to the Diploma Programme coordinator. The supervisor must sign this report; otherwise the extended essay will not be assessed and may be returned to the school.

Name of supervisor (CAPITAL letters) \_\_\_\_\_

## Comments

Please comment, as appropriate, on the candidate's performance, the context in which the candidate undertook the research for the extended essay, any difficulties encountered and how these were overcome (see page 13 of the extended essay guide). The concluding interview (viva voce) may provide useful information. These comments can help the examiner award a level for criterion K (holistic judgment). Do not comment on any adverse personal circumstances that may have affected the candidate. If the amount of time spent with the candidate was zero, you must explain this, in particular how it was then possible to authenticate the essay as the candidate's own work. You may attach an additional sheet if there is insufficient space here.

[CANDIDATE] was interested in the topic area from the start and was engaged with the contemporary issues that the question raised. His knowledge of political theory that lay behind the principles was limited but he did undertake initial reading to give him the context for further sources subsequently. It became clear that he had not chosen quite the right title initially but he was flexible in arranging a change. His approach was good but lacked the sophisticated engagement and critical analysis of material that would have characterised an excellent answer.

I have read the final version of the extended essay that will be submitted to the examiner. ✓

To the best of my knowledge, the extended essay is the authentic work of the candidate.

I spent 4 hours with the candidate discussing the progress of the extended essay.

Supervisor's signature: \_\_\_\_\_ Date: 30/09

## IB Extended Essay

Word Count: 3989

Can any of International Law, **Morality** and  
Just War Theory be used to Justify Britain's  
Invasion of Iraq in 2003?

too vast and too  
vaguely focused  
as a  
framework  
for discussion  
in an  
extended  
essay.

Any morality - implies the simple answer "yes".

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*i.e. as defined by the British government?*

*Clear and coherent as an indication of the structuring of the content of the essay.*

## Abstract

This essay makes the argument that the British invasion of Iraq in March 2003 was unjustified. It looks at the question from three angles: legality under international law, Just War theory, and morality. The Introduction briefly explains the official rationale behind the British invasion. The question of whether the Iraq War was legal focuses on resolutions passed by the UN Security Council that may apply to the Iraq War, some of which have been used by politicians to try to justify the War, but I argue that none qualify in this way, and that in the absence of a further UN Security Council resolution, the Iraq War was illegal. In addition to this, the attack did not qualify as an act of self-defence, which is a unique instance that legally empowers a nation to an attack on another sovereign state. The essay tells of the importance of incorporating moral arguments to war, in spite of moral relativism, and discusses the various moral arguments for and against the Iraq War, looking in particular at the claim that the USA, as a nation of freedom and democracy, had a moral obligation to rid the world of Iraq's evil regime. The final section of the Body applies Just War theory to the Iraq War, using, in particular, Mill's notion of state sovereignty and criteria of a just war according to customary law. From this, I consider the War unjust, principally because it was an unnecessary act in response to a threat in Iraq that was not imminent. The Conclusion judges that the recourse to war by Britain was unjustified, even if genuine moral claims could be made for regime change by the USA. Finally, the essay considers whether the Iraq War could come to be self-evidently justified through constructive conduct.

Word count: 297

scope of investigation clearly defined. conclusions sketched.

whole morality? the British government's?

clear contextualisation

Clear and comprehensive, though the method of research has not been made very explicit. Key sources of data are indicated - either implicitly (such as US policy) and these appear to be pertinent and sound.

Introduction: Anticipatory Self-Defence and Regime Change

In March 2003 the British Government declared that Britain would be joining the US-led invasion of Iraq. All the official reasons suggested the need to march on Baghdad and replace the Baathist regime. Rationale was based on the premise that Saddam Hussein of Iraq possessed weapons of mass destruction, which was a breach of a UN decision made in 1991 that ordered a ceasefire. It follows that because of this, the US and Britain gained the right to an attack that would disarm Iraq, remove its rogue leader, and restore peace and security in the area. In addition to this, the British Government produced 'dossiers' that formed an evidence-based argument aimed to show that Iraq, an inherently evil state, entirely deserved an invasion that would induce regime change. Since they regarded Iraq as a 'rogue'<sup>2</sup> state, they suggested that with WMD capability, Iraq was a great threat to the International community and would "inevitably" strike. The US and Britain used this argument to justify an attack on Iraq, based on the right to military action as a means of anticipatory self-defence.

references to primary sources if possible!  
? this term needs defining in context. sources?

use phrase? reasoning included here - more detail needed  
meanings? where terms?

Many of the world's most highly held <sup>respected?</sup> lawyers and politicians, however, including the UN Secretary General at the time, Kofi Annan, rejected the claim that there was legal grounds for an attack on Iraq, regarding the invasion as wholly illegal. In Britain, the understood illegality of the attack instigated the resignation of a senior member of the Labour cabinet, Robin Cook. In truth, how authorized under the law was the attack on Iraq?

sources? references?

research question

In addition to attempting to answer the question of whether the invasion was legal, this study will look into the possibility of an invasion justified in ethical terms - using application of moral arguments. If the invasion can be justified under the law, can moral arguments about war stand to oppose? Surely the law should provide some recourse when our innermost moral values are seriously under threat. In addressing this particular situation, was the invasion of Iraq a morally justified action? In addition, where in the pyramid of authority does customary law stand for an act of war such as this?

how is "morality" defined in the context? By the Declaration of Human Rights?

with particular moral arguments  
research questions?  
In what ways are "law" and "morality" connected?

This study will support the argument that the answer to the title question is 'No'. As will be made clear by the findings of this study, neither the law nor ethical law could justify the invasion of Iraq; it was an act of both illegality and immorality.

conclusions indicated. could they have been? And why?

Study in this topic area is important because it will answer questions that should have been answered fully prior to the Iraq invasion. The Government "rushed" into Iraq, as Bill Clinton put it. With more time, it might have become more widely realised that this was not a justified attack. Conversely, now we can learn from this and ensure that it will not be a precedent for the future, and that the International laws and norms, held high for many years, will not be disregarded as a result.

What were the reasons for this "rush"?

references to this quotation

the pertinence of this comment should be made clearer.

<sup>1</sup> Produced by JIC and edited by British Government  
<sup>2</sup> A term applied to states considered a threat to world peace

references? references?

Abbreviations such as JIC and WMD should be explained when first used.

**Body**

Was it a Legal action?

*the contextualisation needs more discussion.*

The use of force against Iraq was illegal in the absence of a further UN resolution. This is how many, if not the majority, in the legal community have regarded the US-British invasion.

*"illegal" by which laws?*

*sources & references?*

On the other side of the camp, the argument follows that force was permitted either on the basis of self-defence, a right expressed in Article 51 of the UN Charter, or because of the combined effect of previous UN resolutions. The Iraq invasion does not fit perfectly as an act of self-defence by any margins. First, since Iraq had not attacked first, if this is 'self-defence' then it is anticipatory self-defence. In a nuclear world it is reasonable that anticipatory self-defence should qualify as self-defence, and it has been used as rationale for previous cases, among them Israel's attack on the Osiraq nuclear reactor in 1981, but it is worth adding that at present what is clear from the results following cases such as Osiraq is that the legal status of anticipatory self-defence remains open to debate. The second point is very important: anticipatory self-defence requires an imminent threat; in other words, it would have to have been shown that Iraq not only had the ability to attack, but also had aggressive *intent*. This was not shown. Without these requirements, Article 51 cannot be relied upon.

*This should be referenced in the bibliography.*

*references?*

*The UN framework of this argument needs to be made explicit, explained and analysed.*

*not clear.*

*recognised by whom?*

*by whom?*

Lord Goldsmith, Blair's attorney general, declared that the combined effect of resolutions 678, 687 and 1441 permitted force. This argument was "cobbled together"<sup>3</sup>: A breach of the ceasefire requirements of resolution 687, passed at the end of the Gulf War in April 1991, revives resolution 678, a resolution that "authorised force against Iraq to eject it from Kuwait and to restore peace and security in the area". Resolution 1441 determines that Iraq had been in material breach of resolution 687, because it had not fully complied with the ceasefire obligations of that resolution. It also warned that there would be "serious consequences" if Iraq did not "comply with its disarmament obligations". The fact that Iraq has failed to comply entitles the use of force granted in resolution 678, so the argument follows.

*references for that?*

*references in bibliography missing!*

This case is not credible; it is based on Security Council resolutions dating back to Iraq's invasion of Kuwait. Neither 678 nor 1441 alone authorised the use of such force. The only force that 678 authorised was that required to restore Kuwait's sovereignty after the start of the Gulf War in 1990; Goldsmith's notion that it "revives"<sup>4</sup> in 2003 for a totally different scenario is illogical; this is not the same war as the Gulf War in 1990-1991. 1441 warns Iraq of "serious consequences" which is ambiguous, and does not specify any sort of military action. Significantly, the words 'all necessary means', the formula used by the UN to signal an authorisation of force, were not used in this resolution. Finally, and very importantly, while Iraq had a legal obligation under resolution 687 to destroy all weapons of mass destruction, it is clear that under Article 42 of the Charter the authority lay in the hands of the Security Council and not the US or Britain to decide on how to enforce the matter. Unilateral decision-making and action by the US and Britain on these matters undermined the UN as an international police authority. It was not an unreasonable reaction of

*It needs accounting for in greater detail.*

*all these documents need to be referenced accurately!*

*reference to the present argument!*

<sup>3</sup> In the words of Professor Robert Black QC  
<sup>4</sup> Lord Goldsmith, March 2003

Anthony Howard of The Times to suggest that the Security Council had been "seriously weakened" as a result.

reference?

It is held in Article 2 of the Charter that "Members shall settle international disputes by peaceful means in such a manner that international peace and security are not endangered" and that "Members shall refrain in their international relations from the threat or use of force". There are only two legal justifications for attacking another state:

reference for bibliography?

1. Self-defence
2. With Security Council authority

Since the invasion of Iraq in 2003 satisfied neither, forget whether or not weapons of mass destruction are found; the attack was against public international law and therefore illegal.

the UN charter what is this? matter.

### Morality: Just Endless Talk?

When a war such as this in Iraq is judged primarily by the standards of international law, the question has to be asked whether there is too much focus on legality, and subsequently not enough on morality. While legal liability is a question of definite rules, procedures and authoritative judges, morality is nothing more than endless talk; all opinions are equal, so none can have any special force. Ethics are not universal.

more explanation needed. The language is not evident.

While the Holocaust, for example, is condemned by "a majority", it was not absolutely wrong because it is essentially a matter of opinion. But does this moral relativism necessarily mean that morality is unimportant?

unsubstantiated claim. Unconvincing for being too sweeping.

Moral realism is what should be considered the ideal. There is an obvious danger, as the realist points out, in neglecting certain realities and simply relying on idyllic theory. Equally, there is a danger in ignoring moral arguments or being too strongly realist, as Walzer argues, for instance. Excessive significance held on order leads to neglect of justice. The moral realist takes into account both the viewpoint of the moralist and that of the realist. The moralist makes no objection to this strategy. It is too often falsely perceived that the moralist pays no regard to the actual facts of a situation and simply applies the theory. In fact, "the moralist can give no answer to the quaestio iuris until the quaestio facti has been answered"<sup>5</sup>. As for moral authority, while it is not the same as legal authority, there is no doubt that it can be earned, albeit in a different way. It is certainly a false belief to think that it does not exist. What was Aristotle, if not a moral authority?

meaning?

meaning?

What does "realism" mean here? This needs defining, not abstracting.

meaning? relevance to this argument.

### Iraq: a Moral Obligation?

I hope it is clear from the discussion of the last section that morality is of significant importance in the just war argument. What, if one existed, was the moral argument for the Iraq War?

why? This needs explaining.

is it a media issue? Or "deeper" than that, for example?

<sup>5</sup> A. J. Coates, The Ethics of War, p100. In other words, the moralist always takes the facts of a situation into account before applying theory, as in the case of a just or unjust war.

The moral premises for the Iraq War were trumpeted by the neocons<sup>6</sup> of the USA. The War can be regarded as part of a succession of moralistic crusades that have been part of the USA's history – crusades that have sought to rid the USA of the threat of witches, drinkers, aliens, Communists and so on.<sup>7</sup> After 9/11, the focus of crusade turned against the threat of terrorism. The weak link between Iraq and terrorism was made unimportant for the Americans because Bush's administration banded the two under the loose brand of 'evil'; for the USA, the Iraq War was "a battle of good against evil"<sup>8</sup>. While this idea seemed unsophisticated to many Europeans, in the USA it was incredibly potent, especially when associated with the notion of the USA's moral responsibility as a redeemer nation to help rid the world of evil and champion the eternal values of freedom and democracy. For the USA, therefore, regime change in Iraq was not simply the right action to take, but a moral obligation. In addition to this, many Americans regarded US law based on moral justice as a trump over international law. As an illustration of this point, a senior neocon in the administration in 2003 said that "the sole source of legitimacy for the United States is our Constitution."<sup>9</sup> — *the view of the UN and the US's membership of the UN needs outlining too!*

Blair, too, recognised the moral argument to force Iraq's evil dictator from power as action to spread the force of good in the world, albeit, perhaps, not in the short run, but certainly in the long run. While in Parliament Blair's reasoning was based on WMDs, it has been suggested <sup>big unknown?</sup> more recently that Blair's true motive for war was in line with the neocon moral call for regime change. Strong evidence of this theory came when Blair defended the Iraq War from critics by saying that the War had succeeded in ridding the world of an evil leader, with no mention of WMDs, the basis of original rationale for war in 2003.

Thus, it is clear that there existed a moral argument in 2003. The USA's moral obligation could be defended against British criticism as comparable to the expansion of the British Empire, which, it was claimed at the time, was a moral cause to civilise the world. Why was the USA's moral authority in 2003 inferior to any others? The obvious problem for the UK is that the British invasion was justified by Blair in 2003 on the grounds of WMD existence, not moral obligation to effect regime change. In addition to this, the strong moral argument stood as it stands in any war: war causes death, and of what value is each individual life that is lost? It raises Albert Camus' fundamental question, "when do we have the right to kill our fellow human beings?"

### Absolutely Necessary?

Just War Theorists take the viewpoint that "some wars are just and some are not". In other words, some wars are morally defensible and others are not. This idea was first discussed by the Ancient Greeks and has been developed since. Just War Theory is a moral standard that wars are judged on. Generally, since interventions in the domestic affairs of other states are contrary to the conceptions of life and liberty, they are

<sup>6</sup> Neoconservatives — *not referenced in the bibliography.*

<sup>7</sup> The Right Nation, John Micklethwait and Adrian Wooldridge, p20

<sup>8</sup> The Right Nation, John Micklethwait and Adrian Wooldridge, p20

<sup>9</sup> The Right Nation, John Micklethwait and Adrian Wooldridge, p212

*What were the premises? they need summarising and referencing here.*

*What was the issue here?*

*primary sources should be preferable here.*

*Much more detailed, referenced argument needed here — this is far too generalised and sweeping.*

*references?*

*references? what was this? what is its relevance here?*

*evidence? sources?*

*references?*

*references?*

*the Camus' quotation is unreferenced; neither here nor in the bibliography has this been done.*

*references?*

*which ones? more explanation needed!*

*The status and context of secondary sources should be established with critical evaluation and some account of contrary views*

*evidence? sources? references?*

*This has been claimed in the essay but not fully established.*

*sources? references?*

considered unjust. It is deemed that the citizens of a sovereign state have a right, insofar as they are to be bullied and ravaged to any degree, to suffer only at one another's hands. In some cases, however, in spite of their aggressive nature, interventions can be justified. Importantly, because interventions disregard the principle of self-determination, it is *always* necessary for a political leader to justify an act of this kind. But when are interventions justified?

*a political moral philosophical principle?*

*too sweeping?*

*how is this to be defined? in "national" terms?*

JS Mill argued that the citizens of a political community are entitled collectively to determine their own affairs. All states, non-depending on their internal political state of affairs, should be allowed the right to self-determination. Citizens may struggle under self-determination, but the only way in which the citizens may become free is through their own struggle, just as an individual must cause his own virtue. Even when states are governed by tyrannical governments, the citizens must struggle for themselves, and it is at this moment that freedom is most likely to be achieved. "A regime of freedom requires men and women who value freedom enough to risk their lives in its defence"<sup>10</sup>, argued Mill. External forces cannot make them free. Foreign intervention, if it is a brief business, is unable to significantly budge the balance of power in the direction of the forces of freedom, while if it is drawn out, it will itself threaten most strongly the success of those forces. In short, the internal freedom of a community can only be won by the citizens of that community. Self-determination is the "right of a people to become free by their own efforts"<sup>11</sup> if they can, and non-intervention is the principle guaranteeing that their outcome will not be affected by the interference of a foreign power.

*"geographical" order?*

*How are "states" to be defined?*

*meaning?*

*examples?*

*meaning?*

*how is this term to be defined? in the terms of nationalism?*

However, Mill does argue that, while there should be a tendency towards the policy of allowing total self-determination, there are some circumstances which make an intervention in the sovereign affairs of another state justified. This justification is overt imperialism. According to Mill, barbarians "have no rights as a nation"<sup>12</sup> and would gain from civilised interveners, citing Roman conquests of Gaul, Spain and Dacia. While this idea does seem madly out of touch with modern times, a parallel can be made between this and theory on beneficial intervention in failed states. The question remains, what qualifies as a "failed" state? Iraq?

*according to Mill?*

*argument unclear here.*

*meaning?*

*and who qualifies to define one as such? Yes.*

*how are these to be defined, and by whom?*

A more universal approach is to judge the justification of the Iraq War by the application of the most fundamental requirements of a Just War. Ultimately these clearly defined criteria are the most important factors to take into account. Here listed are the criteria of a Just War (that concern recourse):

1. A Just Cause
2. A legitimate authority ✓
3. The right intention
4. Probable success
5. An action of last resort

*This key set of references for argument should be sourced to recognised authority, as well as problematised for the purposes of the essay!*

While 'Just Cause' traditionally held the most importance, more recently this has carried less weight as a result of the difficulties with moral relativism. The importance of achieving a balance of significance, held by 'Just Cause' is vital because with too

*more explanation needed.*

*meaning?*

<sup>10</sup> Mill, taken from "Regime Change and Just War" by Michael Walzer ✓

<sup>11</sup> From 'Just and Unjust Wars', Michael Walzer, p88 ✓

<sup>12</sup> From 'A Few Words on Non-Intervention' by Mill ✓

*Primary sources would be preferable. Secondary sources require scrutiny for reliability!*

little, recourse to war comes far too easily, while with too much the 'Just' war can become a 'Holy' or 'Moral' war in the crusade sense. In the case of Iraq, I think, there was not enough emphasis on qualifying the War with a just cause. As made clear earlier, the supposedly evidence-based argument for Iraq was condemned by many for its lack of evidence and was for this reason not widely accepted. When the British Government produced a document that assessed and argued for the need for action in Iraq, an official aide to PM Blair commented that, "it would persuade someone who wants to believe in it, but no-one else". If there was a great cause that justified the War, this cause was not easily found. As Alan Donagan said, "war is such a horrible thing that only a very clear and great cause can justify it; and when such a cause exists, it should not be difficult to show it".

reference to sources?

for personal and informed by the argument of this essay.

references?

references?

The third requirement raises the question: do intentions matter? In general terms, the 'reason' given for a war can be sometimes less of a reason and more of a prefix that will make it more easily acceptable. In Iraq terms, it has been made claim that 'regime change' was an excuse and that influence in the Middle East, including access to its rich oil fields was the true reason.<sup>13</sup> While one can merely speculate on these matters, it should be raised the ethical importance of internal motives and the spirit in which a country makes acts to war. For example, while some of Hitler's early moves of expansion, for example the German occupation of the Sudetenland, were in fact legal and perfectly democratic, it is certain their motives, as made clear in his book, were rather more sinister.

meaning unclear.

regime change as a means to the theme of the essay.

in what terms? under Czech law and democracy?

The principle that there should be a likely chance of success is very important because, ultimately, as Aristotle proclaimed, war's purpose is a means to peace; the peace that the war establishes must be a clear improvement over the peace that already exists. If this peace is not a realistic outcome, the war all together loses its point. In the case of Iraq, whether or not there was a probability of success is debatable. With the benefit of hindsight, it is easy to say now that a long drawn-out unproductive war was inevitable; how clear was this in 2003? Given the fact that there have been numerous illustrations in recent conflicts that showed the tendency of wars to over-run, including the US Vietnam War and the first Gulf War, the leaders should certainly have taken into account the effects of a longer war. Of course, there would be a greater death toll, but what about the long-term effect? The Iraq War has erupted the stability that the Peace Process was gradually developing in the Middle Eastern zone, especially through its negative effect on ties between various religious groups there. Hostility has increased between the Sunni and Shiite Muslims, for example. It is not only relationships that will suffer; a longer war has resulted in additional damage to the economy and to the welfare of many citizens that will make long-term impacts. In 2003, it would have been an obvious prediction to say that the aftermath of a military invasion would be destabilisation of the region and an excuse for terrorists to further endanger safety in the US and the UK. Incidentally, efforts to connect Iraq with the 9/11 terrorist attacks were futile; there was no major link.

references?

in what ways? meaning?

references?

examples?

not necessarily

evidence? references?

The criterion of last resort underlines the primacy of peace over war in just war philosophy. Given the horrors of war, just recourse should be marked by severe reluctance and a sense of ethical tragedy. The move to war is to be justified only when all other means short of war have been exhausted. What the criterion of last resort

meaning?

<sup>13</sup>Idea proposed by Professor Philippe Sands QC

references in the bibliography are missing!

entails above all is a genuine and serious commitment to the process of peacekeeping, a process that should be conducted, where circumstances and consideration of justice permit, in a spirit of compromise and reconciliation, and never in one of intransigence, provocation and escalation.

*peace-making?*

*What is the role of the UN in particular in all of this?*

This raises a question that I consider to be the most decisive in determining whether or not the invasion of Iraq was justified: was this move to war a last resort? I think the answer is 'no'. It is true that Saddam's regime was evil, a characteristic that he had proven prior to the Gulf War of 1990-91. As a result of this war, however, a harsh containment system was imposed on Iraq that included, most importantly of the three elements, an inspection system organised by the UN to block the domestic development of weapons of mass destruction, and the establishment of "no-fly" zones that restrained Iraq's air power from being used against its own people. It is clear now that this containment system was very effective; it effectively made Saddam's regime harmless. There was neither WMD production nor mass murder. Thus, the war of Iraq was unnecessary. The US ambition to march on Baghdad and replace the Baathist regime was fuelled not by a genuine concern that this would be a 'last resort' move towards greater international peace, but by ulterior motives. Perhaps it was down to an adventurous streak in the US leaders that tempted Bush towards the idea of a 'quick' and radical alternative to containment, the latter of which was losing its appeal on account of cost and lack of multilateral support.

*in what ways? evidence needed?*

*meaning?*

*references?*

*in what terms? examples?*

*evidence?*

*evidence?*

*} too sweeping and unsupported by examples and argument in the text.*

With this evidence in mind, it is surprising that an EU resolution was passed in March 2003 that expressly approved of the War as a "last resort". Jimmy Carter, former Democratic US President, had reason when he commented that "the resolution echoes the basic – and fraudulent – premises of the US-led war drive, promoting the lie that it is motivated by a desire to protect the world from Iraqi weapons of mass destruction". I realise that this source of evidence, as a political opponent to Bush, is likely to naturally prejudice against the War.

*to whom?*

*references?*

*references?*

*More explanation of this comment needed!*

**Conclusion: A Justified War?**

*justification for this sweeping claim? meaning?*

I hope that by this stage I have made it clear that the invasion of Iraq in 2003 was not a justified war. Legally, as almost every independent commentator pointed out, it was contrary to international law; the basis of this lay in the absence of a Security Council resolution authorising the war.

*references?*

In terms of Just War theory, the Iraq War failed to satisfy the criteria that have been developed as requirements for a justified war since ancient times by great thinkers including Aristotle, Aquinas, John Stuart Mill and now Walzer. Walzer suggests that the US government was asking for a significant expansion to the doctrine of jus ad bellum. The War is eroding central notions of sovereignty that constitute ancient customary law.

While both illegal and unjust, could a moral case still stand to justify the War? While I think that the USA's call that the War was a moral duty as a means to uprooting Saddam's evil regime and spreading good in the world was both a genuine belief for many Americans and part of a noble cause to spread freedom and democracy, the fact that it neglected and therefore undermined both international law and Just War

arguments made the War an unnecessary sacrifice of both life and values, some of which were ancient in origin. ✓

Ultimately, the question has to be posed: will a better peace result? This question is impossible to answer yet. However, things are looking worryingly grey. The fact that the War has been so prolonged, making the previous idea that this would be a 'quick' war seem absurd, means that the death toll has been huge. This great loss of life is a huge sacrifice. ✓

I want to emphasise Aquinas' notion that a just war ought to be *clearly* just. If in doubt, Aquinas held, war should be avoided. Here lies a serious error on the part of Blair's government in committing the UK to the Iraq War. There is no doubt that he wasn't sure whether the Iraq situation justified war in terms of evidence of weapons of mass destruction; the dossiers were not certain enough. Blair should have resisted the war until more certain that it was justified recourse. ✓

If the war is unjust, where does the criminality lie? *what is meant by this strong term?* Undoubtedly, this responsibility lies on the conscience of the leaders who were trusted with such great authority.

While recourse to Iraq was not justified, perhaps the countries can at least produce some justification for their presence in Iraq by achieving something a better peace through constructive conduct. Could the war come to be considered self-evidently justified? I hope so. } too vague.

This essay, while interesting and evidently, seriously thoughtful suffers in the main from being too vast in scope - leading to too many unsubstantiated claims and too little precise referencing, which makes distinguishing the student's ideas from those of others, more difficult.

It is essential for clarity that key terms of reference be defined in explicit terms.

Valid comments and assessment. It has several limitations, pointed by the examiner, but it is very a thoughtful effort.

## Bibliography

- Just and Unjust Wars, Michael Walzer, 2006 edition ✓
- The Ethics of War, A.J.Coates, 1997 edition ✓
- Ethics and Foreign Policy, Smith and Light, 2001
- The Ethics of War and Peace, Terry Nardin, 1996
- The Right Nation, John Micklethwait and Adrian Wooldridge, 2004 ✓
- A Few Words on Non-Intervention, John Stuart Mill, 1859
- "That Was The War That Was: International Law, Pre-emption and the Invasion of Iraq", Michael McGinty, Rusi Journal June 2003
- "Sorry, Mr Blair...force" Keir Starmer QC, The Guardian, March 17 2003
- "Attorney General: war is legal" guardian.co.uk March 17 2003
- "Just War – or a Just War" Jimmy Carter, the New York Times, March 9 2003 ✓

*Non-standard presentation and ordering.*

*This presentation is not clear.  
Quotations made in the body of the text, have not been  
clearly referenced to this bibliography.*

*No referencing given for major primary sources such  
as UN resolutions.*

Assessment form (for examiner use only)

Candidate session number	
--------------------------	--

Assessment criteria	Achievement level		
	First examiner	maximum	Second examiner
A, research question <i>clear but far too broad in scope.</i>	<input type="text" value="1"/>	2	<input type="text" value="1"/>
B introduction <i>conceptualisation clear, if sketchy at times.</i>	<input type="text" value="2"/>	2	<input type="text" value="3"/>
C investigation <i>primary sources neglected, on preferable to uncorroborated secondary sources, as a general way.</i>	<input type="text" value="2"/>	4	<input type="text" value="0"/>
D, knowledge and understanding <i>handwritten, conflict, confusion but backing in report</i>	<input type="text" value="3"/>	4	<input type="text" value="3"/>
E reasoned argument <i>sometimes unsupported in justification.</i>	<input type="text" value="3"/>	4	<input type="text" value="3"/>
F, analysis and evaluation <i>limited through the lack of precise definitions of key terms or references.</i>	<input type="text" value="3"/>	4	<input type="text" value="3"/>
G use of subject language <i>some impression through the features.</i>	<input type="text" value="3"/>	4	<input type="text" value="3"/>
H conclusion <i>to explain many things - unconvincing.</i>	<input type="text" value="2"/>	2	<input type="text" value="2"/>
I formal presentation <i>bibliography inadequate.</i>	<input type="text" value="0"/>	4	<input type="text" value="2"/>
J abstract <i>clear and comprehensive, but this on method.</i>	<input type="text" value="2"/>	2	<input type="text" value="2"/>
K holistic judgment <i>thoughtful and interesting even if too ambitious. Many promising qualities, but insufficiently rigorous.</i>	<input type="text" value="3"/>	4	<input type="text" value="3"/>
Total out of 36	<input type="text" value="24"/>		<input type="text" value="34"/>

COMMENTS ARE TYPED ON THE NEXT PAGE

Name of first examiner: \_\_\_\_\_  
(CAPITAL letters)

Examiner number: \_\_\_\_\_

Name of second examiner: \_\_\_\_\_  
(CAPITAL letters)

Examiner number: \_\_\_\_\_

## Peace & Conflict Studies Sample B

### Examiner's comments on the individual criteria

- A 1/2 Clear, but far too broad in scope.
- B 2/2 Contextualization clear, if sketchy at times.
- C 2/4 Primary sources neglected in preference to uncritiqued secondary sources, in a sometimes haphazard way.
- D 3/4 Academic context outlined but lacking in rigour.
- E 3/4 Sometimes unwarranted in generalization.
- F 3/4 Limited through the lack of precise definitions of key terms of reference.
- G 3/4 Some imprecision through the failure to explain many meanings.
- H 2/2 Clear – unresolved matters indicated.
- I 0/4 Bibliography inadequate.
- J 2/2 Clear and comprehensive, but thin on method.
- K 3/4 Thoughtful and interesting even if too ambitious. Many promising qualities, but insufficiently rigorous.